



# Scotland Act 1998

## 1998 CHAPTER 46

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Juridical*

#### **101 Interpretation of Acts of the Scottish Parliament etc.**

- (1) This section applies to—
- (a) any provision of an Act of the Scottish Parliament, or of a Bill for such an Act, and
  - (b) any provision of subordinate legislation made, confirmed or approved, or purporting to be made, confirmed or approved, by a member of the [<sup>F1</sup>Scottish Government],
- which could be read in such a way as to be outside competence.
- (2) Such a provision is to be read as narrowly as is required for it to be within competence, if such a reading is possible, and is to have effect accordingly.
- (3) In this section “competence”—
- (a) in relation to an Act of the Scottish Parliament, or a Bill for such an Act, means the legislative competence of the Parliament, and
  - (b) in relation to subordinate legislation, means the powers conferred by virtue of this Act.

#### **Textual Amendments**

- F1** Words in Act substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 12(2)(a), 44(5)** (with s. 12(3)); [S.I. 2012/1710](#), art. 2(f)

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Section 101.