

Draft Order laid before the Scottish Parliament under paragraphs 2 and 2A(1), (2)(a) and (3)(a) of Schedule 2 to the European Communities Act 1972, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

SCOTTISH LAND COURT

**The Judicial Pensions and Retirement Act
1993 (Scottish Land Court) Order 2013**

Made - - - - 2013

Coming into force - - 2013

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1) and sections 26(9)(a) and 29(3) of the Judicial Pensions and Retirement Act 1993(2) and all other powers enabling them to do so.

In accordance with paragraphs 2 and 2A(1), (2)(a) and (3)(a) of Schedule 2 to the European Communities Act 1972(3), a draft of this Order has been laid before, and approved by resolution of, the Scottish Parliament.

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- (1) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the Scotland Act”), Schedule 8, paragraph 15(3) (which was amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(4)) and the European Union (Amendment) Act 2008 (c.7), Schedule, Part 1. The functions conferred upon the Minister of the Crown under section 2(2), in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act. The powers in section 2(2) are exercised as regards article 2(2)(a) and (b) of this Order.
- (2) 1993 c.8. By virtue of section 30(1), the reference to the appropriate Minister in section 26(9)(a) means, in relation to any judicial office whose jurisdiction is exercised exclusively in relation to Scotland, the Secretary of State. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act. The powers under the 1993 Act are exercised as regards article 2(1) and (2)(b) of this Order.
- (3) Paragraph 2 was amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(2)(a) and paragraph 2A was inserted by section 29 of that Act. Paragraphs 2 and 2A have been modified by paragraphs 2 and 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).