

SCHEDULE 3

MODIFICATIONS RELATING TO POLICE AND FIRE

PART 2

Modification of statutory instruments

Housing (Preservation of Right to Buy) (Scotland) Regulations 1993

2. In paragraph 82 of Schedule 2 to the Housing (Preservation of Right to Buy) (Scotland) Regulations 1993 (interpretation of this Part)(1)—

(a) for the definition of “fire authority”(2) substitute—

““fire authority” means the Scottish Fire and Rescue Service;”

(b) in the definition of “police authority”, for the first “a” to “section 19” substitute “the Scottish Police Authority established by section 1 of the Police and Fire Reform (Scotland) Act 2012 (asp 8)”.

Fees in the Registers of Scotland Order 1995

3.—(1) The Fees in the Registers of Scotland Order 1995(3) is amended as follows.

(2) In article 2 (interpretation)(4), omit sub-paragraphs (c), (e) and (g).

(3) In paragraph A(10) of section 1 of Part I of the Schedule (Land Register of Scotland)(5)—

(a) omit “fire and rescue authority, joint fire and rescue board;”;

(b) omit “police authority;”;

(c) after “Administration” insert “Scottish Police Authority or Scottish Fire and Rescue Service”.

(4) In paragraph A(7)(b) of Part II of the Schedule (register of sasines recording fees)—

(a) omit “fire and rescue authority, joint fire and rescue board;”;

(b) omit “police authority;”;

(c) after “Administration” insert “Scottish Police Authority or Scottish Fire and Rescue Service”.

Home Zones (Scotland) (No. 2) Regulations 2002

4.—(1) The Home Zones (Scotland) (No. 2) Regulations 2002(6) are modified as follows.

(2) In regulation 2 (interpretation)(7) omit the definition of “fire authority”.

(3) In the table in regulation 5 (detailed consultation), in column (3) of item 4—

(1) S.I. 1993/2164.

(2) The definition of “fire authority” was substituted for Scotland by S.S.I. 2005/344.

(3) S.I. 1995/1945.

(4) Article 2 has been amended for Scotland by S.S.I. 2006/600. There are other amendments to article 2 which are not relevant to this Order.

(5) The Schedule was substituted by S.S.I. 2010/404 and paragraph A(10) has been amended by S.S.I. 2011/211.

(6) S.S.I. 2002/292.

(7) Regulation 2 has been amended by S.S.I. 2005/344.

Draft Legislation: This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, *The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013* ISBN 978-0-11-101989-4

- (a) in paragraph (a), for “any” to “situated” substitute “the Police Service of Scotland”; and
 - (b) in paragraph (g), for “fire authority” substitute “Scottish Fire and Rescue Service”.
- (4) In regulation 14(a) (notice of making the designation), for “police” to “situated” substitute “Police Service of Scotland”.

Road User Charging (Consultation and Publication) (Scotland) Regulations 2003

5.—(1) The Road User Charging (Consultation and Publication) (Scotland) Regulations 2003⁽⁸⁾ are modified as follows.

- (2) In regulation 2 (interpretation)⁽⁹⁾ omit the definition of “police area”.
- (3) In regulation 3(1) (consultation)—
 - (a) in sub-paragraph (a), for the first “any” to “situated” substitute “the Police Service of Scotland”; and
 - (b) for sub-paragraph (c)⁽¹⁰⁾, substitute—

“(c) the Scottish Fire and Rescue Service;”.
- (4) In regulation 7(a)(i) (notice of making of the charging scheme), for “police” to “situated” substitute “Police Service of Scotland”.

Road User Charging (Exemption from Charges) (Scotland) Regulations 2004

6. In the Schedule to the Road User Charging (Exemption from Charges) (Scotland) Regulations 2004 (descriptions of vehicles exempted from payment of charges)⁽¹¹⁾—

- (a) in paragraph 1⁽¹²⁾, for “a” to “(asp 5)” substitute “the Scottish Fire and Rescue Service”; and
- (b) in paragraph 2⁽¹³⁾—
 - (i) for the first “a” to “1967” substitute “the Police Service of Scotland”; and
 - (ii) omit “or” to “Agency”.

Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007

7.—(1) The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007⁽¹⁴⁾ are modified as follows.

- (2) In regulation 2 (interpretation), in the definition of “joint board”, omit “, and” to “2005”.
- (3) In regulation 3 (new remuneration arrangements for councillors)⁽¹⁵⁾, for “11”, in both places, substitute “10”.
- (4) Omit regulation 11 (remuneration of certain other councillors)⁽¹⁶⁾.
- (5) In regulation 12 (joint boards)⁽¹⁷⁾—

⁽⁸⁾ S.S.I. 2003/292.

⁽⁹⁾ There are amendments to regulation 2 which are not relevant to this Order.

⁽¹⁰⁾ Regulation 3(1)(c) has been amended by S.S.I. 2005/344.

⁽¹¹⁾ S.S.I. 2004/519.

⁽¹²⁾ Paragraph 1 has been amended by S.S.I. 2005/344.

⁽¹³⁾ Paragraph 2 has been amended by S.S.I. 2007/89.

⁽¹⁴⁾ S.S.I. 2007/183.

⁽¹⁵⁾ There is an amendment to regulation 3 which is not relevant to this Order.

⁽¹⁶⁾ Regulation 11 has been amended by S.S.I. 2008/415.

⁽¹⁷⁾ There are amendments to regulation 12 which are not relevant to this Order.

- (a) omit paragraphs (4) to (6); and
- (b) in paragraph (7) omit “other”.

Disclosure (Persons engaged in the Investigation and Reporting of Crime or Sudden Deaths) (Scotland) Regulations 2011

8. In the Schedule to the Disclosure (Persons engaged in the Investigation and Reporting of Crime or Sudden Deaths) (Scotland) Regulations 2011**(18)**—

- (a) under the heading “*Commissioners*”, after “Information Commissioner” insert—
“Police Investigations and Review Commissioner”;
- (b) under the heading “*Police and fire and rescue services*”—
 - (i) omit “Central Scotland Fire and Rescue Service”;
 - (ii) omit from “Dumfries and Galloway Fire and Rescue Service” to “Lothian and Borders Fire and Rescue Service”;
 - (iii) after “Ministry of Defence Police” insert—
“Police Service of Scotland”;
 - (iv) omit “Scottish Crime and Drug Enforcement Agency”;
 - (v) after “Scottish Fire and Rescue Advisory Unit” insert—
“Scottish Fire and Rescue Service”; and
 - (vi) omit “Strathclyde Fire and Rescue Service” and “Tayside Fire and Rescue Service”.

Public Contracts (Scotland) Regulations 2012

9.—(1) The Public Contracts (Scotland) Regulations 2012**(19)** are modified as follows.

(2) In regulation 3(1) (contracting authorities)—

- (a) for sub-paragraph (j) substitute—
“(j) the Scottish Fire and Rescue Service.”;
- (b) in sub-paragraph (k) omit head (iv);
- (c) omit sub-paragraphs (l) and (m);
- (d) for sub-paragraphs (q) and (r) substitute—
“(q) the Scottish Police Authority.”; and
- (e) in sub-paragraph (y) omit “(j), (l),” and “(q), (r).”.

(3) In Schedule 1 (GPA Annex 1 Contracting Authorities)**(20)** omit “Scottish Police Services Authority” and “Scottish Fire Service College”.

Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

10. In the Schedule to the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (list of public authorities)**(21)**—

- (a) under the heading “*Local government*” omit “A joint fire and rescue board constituted by a scheme under section 2(1) of the Fire (Scotland) Act 2005.”;

(18) S.S.I. 2011/146.

(19) S.S.I. 2012/88.

(20) There are amendments to Schedule 1 which are not relevant to this Order.

(21) S.S.I. 2012/162.

Draft Legislation: This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, *The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013* ISBN 978-0-11-101989-4

- (b) for the heading “*Police*” substitute “*Police and Fire*”;
- (c) under that heading, for “A police authority established under section 2 of the Police (Scotland) Act 1967.” substitute—
 - “The Scottish Police Authority.
 - The chief constable of the Police Service of Scotland.
 - The Scottish Fire and Rescue Service.
 - The Chief Officer of the Scottish Fire and Rescue Service.”; and
- (d) under the heading “*Other bodies and offices*” omit—
 - (i) “A chief constable of a police force maintained under section 1 of the Police (Scotland) Act 1967.”; and
 - (ii) “A chief officer of a relevant authority appointed under section 7 of the Fire (Scotland) Act 2005.”.