
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings the Interpretation and Legislative Reform (Scotland) Act 2010 (“the Act”) fully into force on 6th April 2011. It also brings certain provisions of the Act into force earlier on 26th January 2011, for the purposes of subordinate legislation made under the Act.

The provisions of the Act brought into force for that limited purpose on 26th January 2011 are—

- (a) section 27 and the associated schedule 2, so that the Act’s definition of “Scottish statutory instrument” will include subordinate legislation made under the Act on or after 26th January 2011;
- (b) sections 28 to 32, so that the parliamentary scrutiny procedures described by those sections will apply to such subordinate legislation; and
- (c) section 37 of the Act, so that that section’s definitions will apply for the purposes of interpreting the other provisions being commenced.

Article 5 of this Order makes transitional provision to ensure that Scottish statutory instruments made under the Act before 6th April 2011 other than the Order itself are treated as Scottish statutory instruments for the purposes of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999. This means they will be subject to numbering printing and publication by the Queen’s Printer for Scotland in accordance with that Order. These provisions already apply to this Order by virtue of section 58(3) of the Act and article 4 of the 1999 Order.

Article 6 of this Order revokes the Interpretation and Legislative Reform (Scotland) Act 2010 (Commencement) Order 2011, which would have commenced the Act’s provisions on the same basis as this Order but did not include the transitional provision made by article 5 of this Order.

The Act received Royal Assent on 3rd June 2010. Part 1, Part 3 and, apart from section 55(3), Part 6 of the Act came into force the following day.