
STATUTORY INSTRUMENTS

1999 No. 1379

The Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999

Citation and commencement

1. This Order may be cited as the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999 and shall come into force on the principal appointed day⁽¹⁾

Interpretation

2.—(1) In this Order, unless otherwise expressly provided—

“enactment” has the same meaning as in section 126(1) of the Scotland Act 1998, except that, in paragraphs 12 to 14 of Schedule 1, it means an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

“the Parliament” means the Scottish Parliament;

“Scottish subordinate legislation” means Orders in Council, orders, rules, regulations, schemes, warrants, byelaws and other instruments made under an Act of the Scottish Parliament.

(2) Unless otherwise expressly provided, any reference in this Order to a numbered article or Schedule is to an article or Schedule bearing that number in this Order and any reference in an article of, or a Schedule to, this Order to a numbered paragraph is to a paragraph bearing that number in that article or Schedule, as the case may be.

Publication

3.—(1) As soon as possible after the Clerk of the Parliament has written on an Act of the Scottish Parliament the date of Royal Assent in accordance with section 28(4) of the Scotland Act 1998, the Clerk shall number it in accordance with article 4 and shall write that number on the Act.

(2) The print of the Act on which that date and number are written shall be known as the official print of the Act.

(3) The Clerk shall make a copy of the official print of the Act which he shall certify as a true copy. The Clerk shall send that copy to the Queen’s Printer for Scotland who—

(a) shall, as soon as possible after receiving it, cause copies of it to be printed and sold by or under her authority; and

(b) may make other arrangements for its publication.

(4) The Clerk shall send the official print of the Act to the Keeper of the Records of Scotland.

(1) Article 3 of the Scotland Act 1998 (Commencement) Order 1998 (S.I.1998/3178) specifies 1st July 1999 as the principal appointed day for the purposes of the Scotland Act 1998.

Numbering

4.—(1) An Act of the Scottish Parliament shall be numbered in accordance with the following paragraphs.

(2) It shall be allocated to the series of the calendar year in which the Bill for the Act receives Royal Assent.

(3) Acts in each series shall be numbered consecutively by reference to the dates on which the Bills for the Acts receive Royal Assent and, where two or more Bills receive Royal Assent on the same day, the Acts shall be numbered consecutively by reference to—

- (a) the order in which the Letters Patent relating to each Bill are recorded in the Register of the Great Seal; and
- (b) if any of those Letters Patent relate to more than one Bill, the order in which those Bills are referred to in those Letters Patent.

Citation

5.—(1) An Act of the Scottish Parliament may be cited by reference to the short title authorised by the Act and may continue to be so cited even if the Act is repealed.

(2) An Act of the Scottish Parliament may also be cited by the calendar year in which the Bill for the Act received Royal Assent followed by the letters “asp” and its number (for example “1999 asp 1”).

(3) Where an enactment cites an Act of the Scottish Parliament in accordance with paragraph (2), or a section or other portion of an Act of the Scottish Parliament by number or letter, the reference shall, unless the contrary intention appears, be read as referring to the Acts of the Scottish Parliament printed by or under the authority of the Queen’s Printer for Scotland.

(4) Where an Act of the Scottish Parliament cites an Act of Parliament, or an Act of the Parliaments of Scotland up to and including 1707, by year, statute, session or chapter, or a section or other portion of such an Act by number or letter, the reference shall, unless the contrary intention appears, be read as referring—

- (a) in the case of such Acts included in any revised edition of the statutes printed by authority, to that edition;
- (b) in the case of such Acts not so included but included in the edition prepared under the direction of the Record Commission, to that edition;
- (c) in any other case, to the Acts printed by the Queen’s Printer, or under the superintendence or authority of Her Majesty’s Stationery Office.

Statutory interpretation etc.

6.—(1) Schedule 1 shall apply for the purposes of the interpretation and operation of Acts of the Scottish Parliament.

(2) Words and expressions used in an Act of the Scottish Parliament which are also listed in Schedule 2 are, unless the contrary intention appears, to be construed in accordance with that Schedule.

(3) Subject to paragraph (2), words and expressions used in an Act of the Scottish Parliament which are listed in section 127 of the Scotland Act 1998, shall, unless the contrary intention appears, have the same meanings as they have in that Act.

Application to other instruments

7.—(1) Articles 5(3) and (4) and 6 and Schedules 1 and 2 shall apply, so far as applicable and unless the contrary intention appears, to Scottish subordinate legislation as they apply to Acts of the Scottish Parliament, subject to any necessary modification.

(2) Article 5(3) shall apply to a deed, document or other instrument as it applies to an enactment.

Duration of the Order

8. This Order, unless previously revoked by the Secretary of State, shall cease to have effect on the day appointed by or under an Act of the Scottish Parliament and different days may be appointed for different purposes.

St Andrew's House,
Edinburgh
13th May 1999

Henry McLeish
Minister of State, Scottish Office