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STATUTORY INSTRUMENTS

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**1999 No. 1512**

**CONSTITUTIONAL LAW  
DEVOLUTION, SCOTLAND**

**The Scotland Act 1998 (Agency  
Arrangements) (Specification) Order 1999**

*Made - - - - 2nd June 1999*  
*Laid before Parliament 10th June 1999*  
*Laid before the Scottish  
Parliament - - - - 10th June 1999*  
*Coming into force in accordance with article 1(2)*

At the Court at Buckingham Palace, the 2nd day of June 1999  
Present,  
The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 93(3) and 113 of the Scotland Act 1998(1), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999.

(2) This Order shall come into force on the principal appointed day(2).

[<sup>F1</sup>(3) In this Order “the 1998 Act” means the Scotland Act 1998.]

**F1** [Art. 1\(3\)](#) substituted (6.4.2020) by [The Healthy Start Scheme and Welfare Food \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/267\)](#), regs. 1(2), **25(a)**

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(1) [1998 c. 46](#).

(2) 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.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999. (See end of Document for details)

**Commencement Information**

**I1** [Art. 1](#) in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

**Specification of functions**

**2.—(1)** The functions conferred on a Minister of the Crown by the enactments specified in Schedule 1 to this Order are hereby specified for the purposes of section 93(1) of the 1998 Act.

**(2)** The functions exercisable by the Scottish Ministers under the enactments mentioned in Schedule 2 to this Order are hereby specified for the purposes of section 93(1) of the 1998 Act.

<sup>F2</sup>**(3)** .....

**F2** [Art. 2\(3\)](#) omitted (6.4.2020) by virtue of [The Healthy Start Scheme and Welfare Food \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/267\)](#), regs. 1(2), **25(b)**

**Commencement Information**

**I2** [Art. 2](#) in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

*A. K Galloway*  
Clerk of the Privy Council

SCHEDULE 1

Article 2(1)

FUNCTIONS CONFERRED ON A MINISTER OF THE CROWN

<sup>F3</sup>1. ....

**F3** Sch. 1 para. 1 omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), Sch. 4 para. 16(2) (with s. 50, Sch. 4 para. 31)

2. Sections 18(5), 29(4A), 29(5), 29(6) and 29(7) of the Representation of the People Act 1983(3) (functions relating to funding arrangements for, and the conduct of, parliamentary elections).

**Commencement Information**

**I3** Sch. 1 para. 2 in force at 1.7.1999 in accordance with, see art. 1(2)

<sup>F4</sup>3. ....

**F4** Sch. 1 para. 3 revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, Sch. 1 Pt. 2 (as amended by S.I. 2019/1389, regs. 1, 2(2))

<sup>F5</sup>4. ....

**F5** Sch. 1 para. 4 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, 3 (with arts. 3-9)

5. Section 47(1) of the Representation of the People Act 1983(4) (function relating to determining terms and conditions for loans of equipment for local government elections).

**Commencement Information**

**I4** Sch. 1 para. 5 in force at 1.7.1999 in accordance with, see art. 1(2)

6. Regulations 43(2) and 55(2) of the Representation of the People (Scotland) Regulations 1986(5) (functions of directing an adaptation of the electors lists and electoral register in force in consequence of an alteration of parliamentary polling districts).

**Commencement Information**

**I5** Sch. 1 para. 6 in force at 1.7.1999 in accordance with, see art. 1(2)

7. Regulation 51(2) of the Representation of the People (Scotland) Regulations 1986 (function of receiving copies of electoral register).

(3) 1983 c. 2; section 18(5) was amended by the Local Government etc. (Scotland) Act 1994 (c. 39), section 142; section 29(4A) was substituted by the Representation of the People Act 1991 (c. 11), sections 1 and 2 and amended by S.I. 1986/1111, S.I. 1991/1634 and S.I. 1991/1728.  
(4) Section 47(1) was amended by S.I. 1991/1728.  
(5) S.I. 1986/1111.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999. (See end of Document for details)

**Commencement Information**

**I6** Sch. 1 para. 7 in force at 1.7.1999 in accordance with, see **art. 1(2)**

**8.** Regulation 12(4) of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997<sup>(6)</sup> (function of approving a packaging waste scheme).

**Commencement Information**

**I7** Sch. 1 para. 8 in force at 1.7.1999 in accordance with, see **art. 1(2)**

**9.** Regulation 17(2) of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (function of withdrawal of approval of a packaging waste scheme).

**Commencement Information**

**I8** Sch. 1 para. 9 in force at 1.7.1999 in accordance with, see **art. 1(2)**

**10.** Regulation 18 of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (function in relation to appeal by an operator of a scheme against refusal or cancellation of registration).

**Commencement Information**

**I9** Sch. 1 para. 10 in force at 1.7.1999 in accordance with, see **art. 1(2)**

**11.** Regulation 19 of, and Schedule 5 to, the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (function in relation to the procedure of appeals).

**Commencement Information**

**I10** Sch. 1 para. 11 in force at 1.7.1999 in accordance with, see **art. 1(2)**

**12.** Regulation 20 of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997 (function in relation to the determination of appeals).

**Commencement Information**

**I11** Sch. 1 para. 12 in force at 1.7.1999 in accordance with, see **art. 1(2)**

<sup>F6</sup>**13.** .....

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, 3 (with arts. 3-9)

<sup>F6</sup>**14.** .....

(6) S.I. 1997/648.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999. (See end of Document for details)

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, **3** (with arts. 3-9)

**F6****15.** . . . . .

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, **3** (with arts. 3-9)

**F6****16.** . . . . .

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, **3** (with arts. 3-9)

**F6****17.** . . . . .

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, **3** (with arts. 3-9)

**F6****18.** . . . . .

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, **3** (with arts. 3-9)

**F6****19.** . . . . .

**F6** Sch. 1 paras. 13-19 omitted (1.7.2015) by virtue of The Scotland Act 2012 (Saving and Consequential Provisions) Order 2015 (S.I. 2015/683), arts. 1, **3** (with arts. 3-9)

## SCHEDULE 2

Article 2(2)

### FUNCTIONS EXERCISABLE BY THE SCOTTISH MINISTERS

**F7****1.** . . . . .

**F7** Sch. 2 para. 1 omitted (31.12.2020) by virtue of Fisheries Act 2020 (c. 22), s. 54(3)(b), **Sch. 4 para. 16(3)** (with s. 50, Sch. 4 para. 31)

**F8****2.** . . . . .

**F8** Sch. 2 para. 2 revoked (27.3.2015) by The Public Bodies (Abolition of the Advisory Committees on Pesticides) Order 2015 (S.I. 2015/978), art. 1(2), **Sch. Pt. 2**

**F9****3.** . . . . .

**F9** Sch. 2 para. 3 revoked (27.3.2015) by The Public Bodies (Abolition of the Advisory Committees on Pesticides) Order 2015 (S.I. 2015/978), art. 1(2), **Sch. Pt. 2**

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999. (See end of Document for details)

4. Section 16(11) of the Food and Environment Protection Act 1985 (functions of requiring the provision of information by importers, exporters, manufacturers, distributors or users of a pesticide).

**Commencement Information**  
I12 Sch. 2 para. 4 in force at 1.7.1999 in accordance with, see art. 1(2)

5. Section 16(13A) of the Food and Environment Protection Act 1985(7) (function in relation to the recovery of expenses).

**Commencement Information**  
I13 Sch. 2 para. 5 in force at 1.7.1999 in accordance with, see art. 1(2)

6. Section 18 of the Food and Environment Protection Act 1985(8) (functions in relation to approval fees and other payments).

**Commencement Information**  
I14 Sch. 2 para. 6 in force at 1.7.1999 in accordance with, see art. 1(2)

7. Regulation 5 of the Control of Pesticides Regulations 1986(9) (functions in relation to approvals for the advertisement, sale, supply, storage and use of pesticides).

**Commencement Information**  
I15 Sch. 2 para. 7 in force at 1.7.1999 in accordance with, see art. 1(2)

8. Regulation 6 of, and Schedules 1 to 4 to, the Control of Pesticides Regulations 1986(10) (functions in relation to consents to the advertisement, sale, supply, storage and use of pesticides and in relation to conditions to which such consents are made subject).

**Commencement Information**  
I16 Sch. 2 para. 8 in force at 1.7.1999 in accordance with, see art. 1(2)

9. Section 30 of the Jobseekers Act 1995(11) (function of paying grants to such persons as are considered appropriate in relation to expenditure in connection with the provision or maintenance of resettlement places).

**Commencement Information**  
I17 Sch. 2 para. 9 in force at 1.7.1999 in accordance with, see art. 1(2)

<sup>F10</sup>10. ....

(7) Subsection (13A) was inserted by the Pesticides (Fees and Enforcement) Act 1989 (c. 27) (“1999 Act”), section 1(2).  
(8) Section 18 was substituted by section 1(1) of the 1989 Act.  
(9) S.I. 1986/1510; regulation 5(2) was substituted by S.I. 1997/188, regulation 5.  
(10) Regulation 6 was substituted by S.I. 1997/188, regulation 6.  
(11) 1995 c. 18.

**F10** Sch. 2 para. 10 omitted (6.4.2020) by virtue of [The Healthy Start Scheme and Welfare Food \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/267\)](#), regs. 1(2), **25(c)**

**F11** .....

**F11** Sch. 2 para. 11 omitted (6.4.2020) by virtue of [The Healthy Start Scheme and Welfare Food \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/267\)](#), regs. 1(2), **25(c)**

**12.** Regulation 5 of the Plant Protection Products (Basic Conditions) Regulations 1997<sup>(12)</sup> (functions in relation to approvals for the advertisement of prescribed plant protection products).

.....  
**Commencement Information**

**I18** Sch. 2 para. 12 in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

**13.** Regulation 6 of the Plant Protection Products (Basic Conditions) Regulations 1997 (functions in relation to approvals for the storage of prescribed plant protection products).

.....  
**Commencement Information**

**I19** Sch. 2 para. 13 in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

**14.** Regulation 7 of, and Schedules 1 to 4 to, the Plant Protection Products (Basic Conditions) Regulations 1997 (functions in relation to consents to the advertisement, sale, supply, storage and use of prescribed plant protection products and in relation to conditions to which such consents are made subject).

.....  
**Commencement Information**

**I20** Sch. 2 para. 14 in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

**15.** Section 2(2) of the Road Traffic (NHS Charges) Act 1999<sup>(13)</sup> (function relating to the issue of certificates of NHS charges for the treatment of road traffic accident victims).

.....  
**Commencement Information**

**I21** Sch. 2 para. 15 in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

**16.** Sections 5(2), 5(3), 13(1) and 13(2) of the Road Traffic (NHS Charges) Act 1999 (functions relating to the recovery and payment to hospitals of, NHS charges for treatment of road traffic accident victims).

.....  
**Commencement Information**

**I22** Sch. 2 para. 16 in force at 1.7.1999 in accordance with, see [art. 1\(2\)](#)

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(12) S.I. 1997/189.

(13) 1999 c. 3.

**Status:** Point in time view as at 31/12/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999. (See end of Document for details)

F12 SCHEDULE 3

Article 2(3)

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**F12** Sch. 3 omitted (6.4.2020) by virtue of [The Healthy Start Scheme and Welfare Food \(Miscellaneous Amendments\) Regulations 2020 \(S.I. 2020/267\)](#), regs. 1(2), **25(d)**

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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order specifies certain functions of a Minister of the Crown and of the Scottish Ministers for the purposes of section 93(1) of the Scotland Act 1998. Section 93(1) allows a Minister of the Crown to make arrangements for any of his specified functions to be exercised on his behalf by the Scottish Ministers and allows the Scottish Ministers to make arrangements for any of their specified functions to be exercised on their behalf by a Minister of the Crown.

The functions of a Minister of the Crown which may be exercised by the Scottish Ministers on his behalf are those conferred by the enactments specified in Schedule 1 to this Order.

The statutory functions of the Scottish Ministers which may be exercised by a Minister of the Crown on their behalf are those exercisable by the Scottish Ministers under the enactments specified in Schedule 2 to this Order.

The non-statutory functions of the Scottish Ministers which may be exercised by a Minister of the Crown on their behalf are described in Schedule 3 to this Order.

This Order will come into force on the principal appointed day. That day is 1st July 1999 by virtue of the Scotland Act 1998 (Commencement) Order 1998 (S.I. [1998/3178](#)).



**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Scotland Act 1998 (Agency Arrangements) (Specification) Order 1999.