

SCHEDULE 4

Article 5

NON-STATUTORY FUNCTIONS TRANSFERRED TO THE SCOTTISH MINISTERS

Functions in relation to the radio spectrum

1.—(1) Functions in relation to the assignment of radio frequencies within the radio spectrum in relation to activities (other than the excepted activities described in sub-paragraph (2) below) undertaken—

- (a) by or on behalf of the Crown and which, as such, would not require to be licensed or authorised under any provision of the Wireless Telegraphy Act 1949(1);
- (b) by a police force maintained under the Police (Scotland) Act 1967(2);
- (c) by a fire brigade maintained by a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(3), or a joint board for fire services constituted by virtue of the Fire Services Act 1947(4) or the Local Government (Scotland) Act 1973(5); or
- (d) by a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 in connection with civil defence functions.

(2) The excepted activities referred to in sub-paragraph (1) are activities in connection with any matter which is a reserved matter by virtue of paragraph 9 of Part I of Schedule 5 to the 1998 Act.

Commencement Information

II Sch. 4 para. 1 in force at 1.7.1999, see [art. 1\(1\)](#)

Functions in relation to tribunals etc.

2. Functions relating to—

- (a) the provision of premises for the purposes of carrying out the functions of—
 - (i) Child Support Commissioners (appointed under section 22 of the Child Support Act 1991(6));
 - (ii) Social Security Commissioners (appointed under section 52 of the Social Security Administration Act 1992(7) or paragraph 1 of Schedule 4 to the Social Security Act 1998(8));
 - (iii) a VAT and duties tribunal (established under paragraph 1 of Schedule 12 to the Value Added Tax Act 1994(9));
 - (iv) a Pensions Appeal Tribunal (constituted under the Schedule to the Pensions Appeal Tribunals Act 1943(10));
- (b) the provision of staff to assist any person or tribunal specified in sub-paragraph (a) (other than a VAT and duties tribunal) to carry out their functions; and

(1) 1949 c. 54.
(2) 1967 c. 77.
(3) 1994 c. 39.
(4) 1947 c. 41.
(5) 1973 c. 65.
(6) 1991 c. 48.
(7) 1992 c. 5.
(8) 1998 c. 14.
(9) 1994 c. 23.
(10) 1943 c. 39.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) the funding of payments made by a Pensions Appeal Tribunal under rules 26 to 28 of the Pensions Appeal Tribunals (Scotland) Rules 1981⁽¹¹⁾.

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Commencement Information

I2 Sch. 4 para. 2 in force at 1.7.1999, see [art. 1\(1\)](#)

Functions in relation to welfare foods

3.—(1) Any function of—

- (a) reimbursing an NHS Trust or a Health Board for tokens exchanged for dried milk and for dried milk sold to family credit beneficiaries at a reduced price in connection with the Welfare Foods Regulations 1996 (referred to in this paragraph as “the 1996 Regulations”)⁽¹²⁾; or
- (b) paying suppliers' invoices for the supply of vitamins to such a Trust or Health Board in connection with the 1996 Regulations.

(2) In sub-paragraph (1), “NHS Trust”, “Health Board”, “dried milk”, “family credit”, “beneficiaries”, “suppliers” and “vitamins” have the same meaning as they have for the purposes of the 1996 Regulations.

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Commencement Information

I3 Sch. 4 para. 3 in force at 1.7.1999, see [art. 1\(1\)](#)

⁽¹¹⁾ S.I.1981/500.

⁽¹²⁾ S.I. 1996/1434.

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 4 para. 3 omitted by [S.I. 2020/267 reg. 26\(b\)](#)
- Sch. 4 para. 1(1)(b)(c) substituted by [S.I. 2013/602 Sch. 2 para. 78\(3\)](#)
- Sch. 4 para. 3(1)(a) words omitted by [S.I. 2006/3258 art. 3\(2\)\(a\)](#)
- Sch. 4 para. 3(1)(b) words omitted by [S.I. 2006/3258 art. 3\(2\)\(b\)](#)
- Sch. 4 para. 3(2) words omitted by [S.I. 2006/3258 art. 3\(2\)\(c\)](#)

Commencement Orders yet to be applied to the The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.I. 2007/598 art. 2Sch. 1](#) commences (2006 c. 34)