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**);

[[F1](b) by the Police Service of Scotland;

(c) by the Scottish Fire and Rescue Service; 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.

Textual Amendments

F1 Sch. 4 para. 1(1)(b)(c) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 78(3)** (with Sch. 3 para. 11(2)(3))

Commencement Information

I1 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(**2**));

(ii) Social Security Commissioners (appointed under section 52 of the Social Security Administration Act 1992(**3**) or paragraph 1 of Schedule 4 to the Social Security Act 1998(**4**));

(iii) a VAT and duties tribunal (established under paragraph 1 of Schedule 12 to the Value Added Tax Act 1994(**5**));

(iv) a Pensions Appeal Tribunal (constituted under the Schedule to the Pensions Appeal Tribunals Act 1943(**6**));

(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**) 1991 c. 48.
(**3**) 1992 c. 5.
(**4**) 1998 c. 14.
(**5**) 1994 c. 23.
(**6**) 1943 c. 39.

(c) the funding of payments made by a Pensions Appeal Tribunal under rules 26 to 28 of the Pensions Appeal Tribunals (Scotland) Rules 1981(**7**).

Commencement Information

I2 Sch. 4 para. 2 in force at 1.7.1999, see **art. 1(1)**

Functions in relation to welfare foods

[F2]**3.** . . . . . .

Textual Amendments

F2 Sch. 4 para. 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), **26(b)**

(**7**) S.I.1981/500.

Changes to legislation:
There are currently no known outstanding effects for the The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999, SCHEDULE 4.