
STATUTORY INSTRUMENTS

2022 No. 500

**The Criminal Justice Act 2003 (Commencement No. 33) and
Sentencing Act 2020 (Commencement No. 2) Regulations 2022**

Amendment of the Scotland Act 1998

8.—(1) The Scotland Act 1998⁽¹⁾ is amended as follows.

(2) In section 113 (subordinate legislation: scope of powers) after subsection (10A) there is inserted—

“(10AA) If a power—

- (a) is exercised so as to make provision for a summary offence under the law of England and Wales to be punishable with imprisonment for more than 6 months (“the relevant provision”) and
- (b) is so exercised—
 - (i) on or after 2 May 2022, but
 - (ii) before the day on which section 281(5) of the Criminal Justice Act 2003 comes into force,

the power must also be exercised so as to provide that, in relation to an offence committed before the day referred to in paragraph (b)(ii), any reference in the relevant provision to a term of imprisonment of more than 6 months is to be read as a reference to a term of imprisonment of 6 months.”.