



Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

PART 4

GENERAL

PROSPECTIVE

64 Ancillary provision

- (1) The Scottish Ministers may by order make such incidental, supplementary, consequential, transitory, transitional or saving provision as they consider appropriate for the purposes of, in consequence of or for giving full effect to this Act or any provision of it.
- (2) An order under subsection (1) may modify any enactment (including this Act), instrument or document.

65 Rules, regulations and orders

- (1) The powers conferred by this Act on the Scottish Ministers to make ^{F1}... regulations and orders are exercisable by statutory instrument.
- (2) Each of those powers includes power to make—
 - (a) different provision for different purposes,
 - (b) supplementary, incidental, consequential, transitory, transitional or saving provision.
- (3) Subject to subsection (4), a statutory instrument containing ^{F1}... regulations or an order under this Act (other than an order under section 67) is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) A statutory instrument containing—
 - (a) an order under section 4(2), 7, 47(1)(b) or 57(1) or paragraph 6 of schedule 3,

Status: This version of this part contains provisions that are prospective.

Changes to legislation: *Custodial Sentences and Weapons (Scotland) Act 2007, Part 4 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) an order under section 64(1) which contains provision modifying an Act, or
 - (c) regulations under paragraph 3(1) or 17 of schedule 1,
- may not be made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.

Textual Amendments

- F1** Word in [s. 65\(1\)\(3\)](#) repealed (1.10.2020) by [Management of Offenders \(Scotland\) Act 2019 \(asp 14\)](#), [ss. 47\(3\)](#), [63\(2\)](#); [S.S.I. 2020/283](#), [reg. 2\(1\)](#)

66 Minor and consequential amendments and repeals

- (1) Schedule 4 (which contains minor amendments and amendments consequential on the provisions of this Act) has effect.
- (2) The enactments mentioned in the first column in schedule 5 are repealed to the extent set out in the second column.
- (3) Schedule 6 (which contains certain transitory amendments of the Prisoners and Criminal Proceedings (Scotland) Act 1993) has effect.

Commencement Information

- II** [S. 66](#) partly in force; [s. 66](#) not in force at Royal Assent see [s. 67\(2\)](#); [s. 66\(2\)](#) in force at 1.11.2007 for specified purposes by [S.S.I. 2007/431](#), [art. 3](#), [Sch.](#)

67 Short title and commencement

- (1) This Act may be cited as the Custodial Sentences and Weapons (Scotland) Act 2007.
- (2) This Act (other than this section and section 65) shall come into force on such day as the Scottish Ministers may by order appoint.
- (3) Different days may be appointed under subsection (2) for different purposes.

Subordinate Legislation Made

- P1** [S. 67\(2\)](#) power partly exercised: different dates appointed for specified provisions and purposes by [S.S.I. 2007/431](#), [art. 3](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 29A inserted by [2010 asp 13 s. 18\(6\)](#)
- s. 42A inserted by [2010 asp 13 Sch. 3 para. 6](#)
- s. 45(1)(za)(zb) inserted by [2010 asp 13 Sch. 3 para. 7\(2\)](#)
- s. 46A inserted by [2010 asp 13 s. 18\(7\)](#)
- s. 47(3A) inserted by [2010 asp 13 s. 18\(8\)\(c\)](#)
- s. 47(8)(a)(b) substituted for words by [2010 asp 13 s. 18\(8\)\(e\)](#)
- s. 51(1A) inserted by [2010 asp 13 Sch. 3 para. 9\(3\)](#)
- Sch. 2 para. 1(4) added by [2010 asp 13 Sch. 3 para. 13\(3\)\(c\)](#)
- Sch. 2 para. 7(1A) inserted by [2010 asp 13 Sch. 3 para. 13\(8\)](#)
- Sch. 3 para. 2A inserted by [2010 asp 13 Sch. 3 para. 14\(3\)](#)
- Sch. 3 para. 3(3) inserted by [2010 asp 13 Sch. 3 para. 14\(4\)\(b\)](#)
- Sch. 3 para. 3A inserted by [2010 asp 13 Sch. 3 para. 14\(5\)](#)
- Sch. 3 para. 5(4A) inserted by [2010 asp 13 Sch. 3 para. 14\(6\)\(d\)](#)
- Sch. 3 para. 5(6) inserted by [2010 asp 13 Sch. 3 para. 14\(6\)\(e\)](#)