

*These notes relate to the Interpretation and Legislative Reform (Scotland)  
Act 2010 (asp 10) which received Royal Assent on 3 June 2010*

# **INTERPRETATION AND LEGISLATIVE REFORM (SCOTLAND) ACT 2010**

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## **EXPLANATORY NOTES**

### **THE ACT - BACKGROUND**

#### **Part 3: Publication of Acts and Instruments**

##### ***Section 41 - Queen's Printer for Scotland to publish instruments***

94. **Section 41(1)** requires the responsible authority, as soon as possible after an SSI is made, to send a certified copy of it to the QPS. **Section 41(2)** requires the QPS to publish copies of it in accordance with regulations made under section 42.
95. **Section 41(3)** provides that, in criminal proceedings for an offence consisting of a contravention of an SSI, it is a defence to prove that, at the date of the alleged contravention, the SSI had not been published by the QPS. **Section 41(4)** qualifies this by providing that this defence is not available if it is proved that reasonable steps had been taken by, or on behalf of, the responsible authority to bring the SSI to the notice of the public, persons likely to be affected by it or the person charged. It is made clear that this does not affect any rule of law relating to the time at which the SSI comes into force.