



Interpretation and Legislative Reform (Scotland) Act 2010

2010 asp 10

PART 1

INTERPRETATION

References to legislative provisions

9 References to Acts of the Scottish Parliament

- (1) Subsection (2) applies where an Act of the Scottish Parliament or a Scottish instrument refers to—
- (a) an Act of the Scottish Parliament numbered in accordance with article 4 of the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999 (S.I. 1999/1379),
 - (b) an Act of the Scottish Parliament by the calendar year, prefix and number written on that other Act by virtue of section 38(6), or
 - (c) a section or other provision or group of provisions of an Act of the Scottish Parliament by number or letter.
- (2) The reference is to be read as referring to the Acts of the Scottish Parliament printed by the Queen's Printer for Scotland by virtue of section 92(1) of the Scotland Act 1998 (c. 46).
- (3) An Act of the Scottish Parliament may continue to be referred to by the short title conferred on it despite the repeal of the Act.

10 References to Acts of Parliament

- (1) Subsection (2) applies where an Act of the Scottish Parliament or a Scottish instrument refers to—
- (a) an Act of Parliament by year, statute, session or chapter, or

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(b) a section or other provision or group of provisions of an Act of Parliament by number or letter.

(2) The reference is to be read as referring—

- (a) in the case of Acts of Parliament included in any revised edition of the statutes printed by authority, to that edition,
- (b) in the case of Acts of Parliament not so included but included in the edition prepared under the direction of the Record Commission, to that edition,
- (c) in any other case, to the Acts of Parliament printed by the Queen's Printer of Acts of Parliament, or under the superintendence or authority of Her Majesty's Stationery Office.

11 References to Acts of the Parliaments of Scotland

(1) Subsection (2) applies where an Act of the Scottish Parliament or a Scottish instrument refers to—

- (a) an Act of the Parliaments of Scotland passed before or in 1707 (an “old Scots Act”) by year, statute, session or chapter, or
- (b) a section or other provision or group of provisions of an old Scots Act by number or letter.

(2) The reference is to be read as referring—

- (a) in the case of old Scots Acts included in any revised edition of the statutes printed by authority, to that edition,
- (b) in the case of old Scots Acts not so included but included in the edition prepared under the direction of the Record Commission, to that edition,
- (c) in any other case, to the old Scots Acts printed by the Queen's Printer of Acts of Parliament, or under the superintendence or authority of Her Majesty's Stationery Office.

12 References to ^{F1}certain]EU instruments

(1) Subsection (2) applies where—

- (a) an Act of the Scottish Parliament or a Scottish instrument refers to an EU instrument, and
- (b) before the day on which—
 - (i) the Act receives Royal Assent, or
 - (ii) the Scottish instrument is made,
 the EU instrument is amended, extended or applied by another EU instrument.

(2) The reference is a reference to the EU instrument as amended, extended or applied by that other EU instrument (whether or not that other EU instrument has come into force).

Textual Amendments

- F1** Word in s. 12 heading inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **5(3)**

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13 References to portions of legislative provisions

- (1) Subsection (2) applies where an Act of the Scottish Parliament or a Scottish instrument describes or refers to a portion of an enactment by referring to words, sections or other parts from or to which (or from and to which) the portion extends.
- (2) The portion described or referred to includes the words, sections or other parts referred to.

14 References to other legislative provisions

- (1) Subsection (2) applies where—
 - (a) an Act of the Scottish Parliament or a Scottish instrument refers to an enactment, and
 - (b) before, on or after the coming into force of the Act or instrument the enactment is amended, extended or applied by another enactment.
- (2) The reference is a reference to the enactment as amended, extended or applied by the other enactment (whether or not that other enactment has come into force).

[^{F2}(2A) Where—

- (a) there is a reference in—
 - (i) an Act of the Scottish Parliament the Bill for which received Royal Assent on or after IP completion day, or
 - (ii) a Scottish instrument made on or after IP completion day,to any treaty relating to the EU or any instrument or other document of an EU entity, and
- (b) the treaty, instrument or document referred to has effect by virtue of section 7A or 7B of the European Union (Withdrawal) Act 2018 (general implementation of remainder of EU withdrawal agreement etc.),

the reference, so far as required for the purposes of relevant separation agreement law, is a reference to the treaty, instrument or document as it so has effect (including, so far as so required, as it has effect from time to time).]

[^{F3}(3) [^{F4}Subject to subsection (2A),] a reference in—

- (a) an Act of the Scottish Parliament the Bill for which received Royal Assent on or after [^{F5}IP completion day], or
- (b) a Scottish instrument made on or after [^{F5}IP completion day],

to any EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement is a reference to the EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018 or section 1 of the Direct Payments to Farmers (Legislative Continuity) Act 2020.

- (4) Subsection (3) does not determine any question as to whether the reference is to be read as a reference to the EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement as modified by domestic law (and, accordingly, is without prejudice to subsections (1) and (2)).
- (5) Any expression in [^{F6}subsections (2A) to] (4) which is defined in the European Union (Withdrawal) Act 2018 has the same meaning in [^{F7}the subsection concerned] as in that Act.]

Changes to legislation: There are currently no known outstanding effects for the Interpretation and Legislative Reform (Scotland) Act 2010, Cross Heading: References to legislative provisions. (See end of Document for details)

[^{F8}(6) In this section, “treaty” includes any international agreement (and any protocol or annex to a treaty or international agreement).]

Textual Amendments

- F2** S. 14(2A) inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **5(4)(a)**
- F3** S. 14(3)-(5) inserted (31.12.2020) by [The European Union \(Withdrawal\) Act 2018 \(Consequential Modifications and Repeals and Revocations\) \(EU Exit\) Regulations 2019 \(S.I. 2019/628\)](#), regs. 1(3), **4(3)** (as amended by [S.I. 2020/463](#), regs. 1(1), **10(5)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F4** Words in s. 14(3) inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **5(4)(b)**
- F5** Words in s. 14(3) substituted (31.12.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 34](#) (with s. 38(3)); [S.I. 2020/1622](#), reg. 5(j)
- F6** Words in s. 14(5) substituted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **5(4)(c)(i)**
- F7** Words in s. 14(5) substituted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **5(4)(c)(ii)**
- F8** S. 14(6) inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **5(4)(d)**

Changes to legislation:

There are currently no known outstanding effects for the Interpretation and Legislative Reform (Scotland) Act 2010, Cross Heading: References to legislative provisions.