
Status: This is the original version (as it was originally enacted).

SCHEDULE 1

(introduced by section 25(1))

DEFINITIONS OF WORDS AND EXPRESSIONS

“Act” means, as the context requires, an Act of Parliament or an Act of the Scottish Parliament,

“Act of Parliament” includes an Act of Parliament whenever passed,

“Act of the Scottish Parliament” includes an Act of the Scottish Parliament whenever passed,

“civil partnership” means a civil partnership which exists by virtue of the Civil Partnership Act 2004 (c. 33) (and any reference to a civil partner is to be read accordingly),

“commencement”, in relation to an Act or subordinate legislation, means the time at which the Act or subordinate legislation comes into force,

“constable” has the meaning given by section 51(1) of the Police (Scotland) Act 1967 (c. 77),

“document” means anything in which information is recorded in any form (and references to producing a document are to be read accordingly),

“enactment” means any of the following, whenever passed or made—

- (a) an Act of Parliament,
- (b) an Act of the Scottish Parliament,
- (c) an instrument made under an Act of Parliament,
- (d) a Scottish instrument,
- (e) a provision of any such Act or instrument,

“the EU”, “the Treaties”, “the EU Treaties”, “EU instrument” and other expressions defined by section 1 of and Schedule 1 to the European Communities Act 1972 (c. 68) have the meanings given by that Act,

“financial year” means a year ending with 31 March,

“functions” includes powers and duties; and “confer”, in relation to functions, includes impose,

“High Court” means the High Court of Justiciary,

“land” includes buildings and other structures, land covered with water, and any right or interest in or over land,

“Lands Clauses Acts” means the Lands Clauses Consolidation (Scotland) Act 1845 (c. 19) and the Lands Clauses Consolidation Acts Amendment Act 1860 (c. 106), and any Acts for the time being in force amending those Acts,

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39), and “area” in relation to a local authority, means the local government area for which the authority is constituted,

“member of the Scottish Executive” has the same meaning as in section 44(1) of the Scotland Act 1998 (c. 46),

“modify” includes amend or repeal,

“month” means calendar month,

“oath” and “affidavit” include affirmation and declaration; and “swear” includes affirm and declare,

“ordnance map” means a map made under powers conferred by the Ordnance Survey Act 1841 (c. 30),

“person” includes a body of persons corporate or unincorporated and a partnership constituted under the law of Scotland,

Status: This is the original version (as it was originally enacted).

“police area” has the meaning given by section 50(a) of the Police (Scotland) Act 1967 (c. 77),

“police authority” has the meaning given by section 50(b) of the Police (Scotland) Act 1967 (c. 77),

“police force” has the meaning given by section 50(c) of the Police (Scotland) Act 1967 (c. 77),

“the Privy Council” means the Lords and others of Her Majesty’s Most Honourable Privy Council,

“registered”, in relation to nurses and midwives, means registered in the register maintained under article 5 of the Nursing and Midwifery Order 2001 (S.I.2001/253) by virtue of qualifications in nursing or midwifery, as the case may be,

“registered medical practitioner” means a fully registered person within the meaning of the Medical Act 1983 (c. 54) who holds a licence to practise under that Act,

“rules of court”, in relation to a court, means rules made by the authority having power to make rules or orders regulating the practice and procedure of that court; and includes acts of adjournal and acts of sederunt,

“Scotland” is to be construed in accordance with section 126(1) and (2) of the Scotland Act 1998 (c. 46),

“the Scottish Administration” is to be construed in accordance with section 126(6) of the Scotland Act 1998 (c. 46),

“Scottish instrument” has the meaning given by section 1(4),

“the Scottish Ministers” is to be construed in accordance with section 44(2) of the Scotland Act 1998 (c. 46),

“Scottish public authority” has the meaning given by section 126(1) of the Scotland Act 1998 (c. 46),

“Secretary of State” means one of Her Majesty’s Principal Secretaries of State,

“sheriff” includes sheriff principal,

“standard scale”, with reference to a fine or penalty for an offence triable only summarily, has the meaning given by section 225(1) of the Criminal Procedure (Scotland) Act 1995 (c. 46),

“statutory declaration” means a declaration made by virtue of the Statutory Declarations Act 1835 (c. 62),

“statutory maximum”, with reference to a fine or penalty on summary conviction for an offence, means the prescribed sum within the meaning of section 225(8) of the Criminal Procedure (Scotland) Act 1995 (c. 46),

“subordinate legislation” means an instrument made or to be made by virtue of an Act of Parliament or an Act of the Scottish Parliament,

“United Kingdom” means Great Britain and Northern Ireland,

“writing” includes typing, printing, lithography, photography and other modes of representing or reproducing words in a visible form; and expressions referring to writing are to be construed accordingly.