



# Interpretation and Legislative Reform (Scotland) Act 2010

2010 asp 10

## PART 3

### PUBLICATION OF ACTS AND INSTRUMENTS

#### *Scottish statutory instruments*

#### **41 Queen's Printer to publish instruments**

- (1) The responsible authority must ensure that the Queen's Printer receives a certified copy of each Scottish statutory instrument as soon as practicable after the instrument is made.
- (2) As soon as practicable after receiving a certified copy of an instrument, the Queen's Printer must publish copies of the instrument in accordance with regulations under section 42.
- (3) In proceedings against a person for an offence consisting of a contravention of a Scottish statutory instrument, it is a defence to prove that, at the date of the alleged contravention, the instrument had not been published by the Queen's Printer.
- (4) The defence mentioned in subsection (3) is not available if it is proved that reasonable steps had been taken before that date by or on behalf of the responsible authority to bring the purport of the instrument to the notice of—
  - (a) the public,
  - (b) persons likely to be affected by it, or
  - (c) the person charged.
- (5) Subsections (3) and (4) do not affect any enactment or rule of law relating to the time at which any Scottish statutory instrument comes into force.
- (6) In this section "certified copy" means a copy certified by the responsible authority as being a true copy.