



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 11

### GENERAL

#### 201 Orders and regulations

- (1) Any power of the Scottish Ministers to make regulations or an order under this Act is exercisable by statutory instrument.
- (2) Any such power includes power to make—
  - (a) such incidental, supplementary, consequential, transitional, transitory or saving provision as the Scottish Ministers think necessary or expedient,
  - (b) different provision for different purposes or different areas.
- (3) Subject to subsection (4), a statutory instrument containing regulations or an order under this Act (except an order under section 206(1)) is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) A statutory instrument containing—
  - (a) an order under section 27(1),
  - <sup>F1</sup>(b) .....
  - (c) an order under section 92(1),
  - (d) an order under section 204(1) containing provisions which modify any enactment (including this Act), or
  - (e) an order under section 205(1) containing provisions which add to, replace or omit any part of the text of an Act,

is not to be made unless a draft of the instrument containing the order has been laid before, and approved by resolution of, the Parliament.

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, PART 11. (See end of Document for details)*

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### Textual Amendments

- F1** S. 201(4)(b) omitted (31.12.2020) by virtue of [The Criminal Justice \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2020 \(S.S.I. 2020/339\)](#), regs. 1(3), **15(3)** (with reg. 16)

## 202 Interpretation

In this Act—

- “the 1982 Act” means the Civic Government (Scotland) Act 1982 (c.45),  
“the 1995 Act” means the Criminal Procedure (Scotland) Act 1995 (c.46), and  
“the 2005 Act” means the Licensing (Scotland) Act 2005 (asp 16).

## 203 Modification of enactments

Schedule 7 modifies enactments.

### Commencement Information

- II** S. 203 in force at 28.3.2011 by [S.S.I. 2011/178](#), art. 2, [Sch.](#)

## 204 Ancillary provision

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

## 205 Transitional provision etc.

- (1) The Scottish Ministers may by order make such provision as they consider necessary or expedient for transitory, transitional or saving purposes in connection with the coming into force of any provision of this Act.
- (2) An order under subsection (1) may modify any enactment (including this Act).

## 206 Commencement and short title

- (1) The provisions of this Act, other than this section and sections 201, 202, 204 and 205, come into force in accordance with provision made by order by the Scottish Ministers.
- (2) This Act may be cited as the Criminal Justice and Licensing (Scotland) Act 2010.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, PART 11.