



# Criminal Justice and Licensing (Scotland) Act 2010

2010 asp 13

## PART 10

### MISCELLANEOUS

PROSPECTIVE

#### **200 Modification of references to “Act”, “enactment” etc. in certain Acts of Parliament**

- (1) The 1982 Act is amended as follows—
- (a) in section 8 (interpretation of Parts 1 and 2), insert at the appropriate place—

““enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;”
  - (b) in section 49 (dangerous and annoying creatures), after subsection (8), add—

“(9) In subsection (7), “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”

and
  - (c) in Schedule 2 (control of sex shops), in paragraph 3 (miscellaneous definitions), insert at the appropriate place—

““enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;”
- (2) The Criminal Law (Consolidation) (Scotland) Act 1995 is amended as follows—
- (a) in section 30 (disclosure of information), after subsection (7) add—

“(8) In subsection (2) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”
  - (b) in section 44 (false statements and declarations), in each of the following provisions, namely subsection (2)(b) and (c), subsection (3)(a) and

*Status: This version of this provision is prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 200. (See end of Document for details)*

- subsection (4), after “Act of Parliament” insert “ or any Act of the Scottish Parliament ”,
- (c) in section 45 (provision supplementary to section 44), after subsection (5) add—
- “(6) In subsections (4) and (5), “other Act” includes an Act of the Scottish Parliament.”, and
- (d) in section 46 (proceedings for a contravention of section 44)—
- (i) in subsection (4), the words “(including subordinate legislation)” are repealed, and
- (ii) after subsection (4) add—
- “(5) In subsection (4), “enactment” includes—
- (a) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament, and
- (b) subordinate legislation.”.
- (3) Section 307(1) of the 1995 Act (interpretation) is amended as follows—
- (a) in the definition of “crime”, after “this Act,” insert “ or under any Act of the Scottish Parliament (whenever passed), ”,
- (b) for the definition of “enactment” substitute—
- ““enactment” includes—
- (a) an enactment contained in any local Act or any order, regulation or other instrument having effect by virtue of an Act, and
- (b) an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;”, and
- (c) for the definition of “statute” substitute—
- ““statute” means—
- (a) any Act of Parliament, public, general, local or private,
- (b) any Provisional Order confirmed by Act of Parliament, or
- (c) any Act of the Scottish Parliament;”.

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Section 200.