

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Public Services Reform (Scotland) Act 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 7 ORDER-MAKING POWERS: MODIFICATIONS OF ENACTMENTS

^{F1}Deregulation and Contracting Out Act 1994 (c. 40)

Textual Amendments

F1 Sch. 7 ceases to have effect (2.8.2015) by virtue of [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), [s. 134\(2\)\(3\)](#) (with [s. 134\(4\)\(5\)](#)); however, Sch. 7 continues to have effect until 4.6.2020 by virtue of [The Public Services Reform \(Scotland\) Act 2010 \(Part 2 Extension\) Order 2015 \(S.S.I. 2015/234\)](#), [arts. 1, 2](#); which continuation is further extended until 5.5.2025 by [The Public Services Reform \(Scotland\) Act 2010 \(Part 2 Further Extension\) Order 2020 \(S.S.I. 2020/140\)](#), [arts. 1, 2](#)

- 1 (1) The Deregulation and Contracting Out Act 1994 is amended as follows.
- (2) Sections 1 to 5 and Schedule 1 are repealed.
- (3) In section 6 (model provisions with respect to appeals), in subsection (7)—
 - (a) in the definition of “enactment”—
 - (i) the word “and” is omitted,
 - (ii) at the end insert “, an enactment contained in an Act of the Scottish Parliament (whenever passed) and an enactment contained in an instrument made under an Act of the Scottish Parliament (whenever made)”,
 - (b) for the definition of “enforcement action” substitute—

““enforcement action” means—

 - (a) in relation to any restriction, requirement or condition, any action taken with a view to or in connection with imposing any sanction (whether criminal or otherwise) for failure to observe or comply with it; and
 - (b) in relation to a restriction, requirement or condition relating to the grant or renewal of licences, includes any refusal to grant, renew or vary a licence, the imposition of any condition on the grant or renewal of a licence and any variation or revocation of a licence;”,
 - (c) for the definition of “interested person” substitute—

““interested person” means—

 - (a) the person against whom enforcement action may be or has been taken;
 - (b) any other person who will or may be required to meet, or to make a significant contribution towards, the cost of observing the restriction or complying with the requirement or condition; or
 - (c) where the enforcement action which may be or has been taken relates specifically to goods or services which are to be or have been supplied by a person other than the one against whom enforcement action may be or has been taken, that person;”.

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- (4) Sub-paragraph (2) does not affect the continuation in force of any order under section 1 of that Act which was made on or before the day on which that sub-paragraph comes into force.]

Commencement Information

II Sch. 7 para. 1 in force at 1.8.2010 by [S.S.I. 2010/221](#), art. 3(2), [Sch.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)