

DOUBLE JEOPARDY (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

General

Section 15 Transitional provision etc.

77. [Section 15](#) gives the Scottish Ministers power to make transitional arrangements in commencing the Act to ensure the smooth transition of the applicability of the new disclosure duties within the double jeopardy application proceedings to “old” trials that took place before Part 6 of the 2010 Act was in force. Under subsection (1), the power is restricted to the making of transitional arrangements only in relation to the disclosure provisions within the Act (section 13 and paragraphs 17 to 34 of the schedule).
78. Subsections (3) and (4) provide that the power will operate under the negative procedure, unless it is to be used to amend primary legislation, in which case affirmative procedure will be required.