
STATUTORY INSTRUMENTS

2000 No. 1458

**CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND**

The Scotland Act 1998 (Modification of Functions) Order 2000

Made - - - - *31st May 2000*
Coming into force - - *1st June 2000*

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament in accordance with section 115 of, and paragraphs 1, 2 and 3 of Schedule 7 to, the Scotland Act 1998(1);

Now therefore, in exercise of the powers conferred upon me by sections 106, 112(1), and 113 of that Act and of all other powers enabling me in that behalf, I hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Scotland Act 1998 (Modification of Functions) Order 2000 and shall come into force on the day following that on which it is made.

(2) In this Order, “the 1999 Act” means the Disability Rights Commission Act 1999(2).

Modification of function under the 1999 Act

2. In paragraph 2 of Schedule 1 to the 1999 Act (membership of Disability Rights Commission), after sub-paragraph (1) there is inserted—

“(1A) One of the commissioners shall be a person who appears to the Secretary of State to have special knowledge of Scotland.”.

Saving and transitional provision

3.—(1) Nothing in this Order shall affect the validity of any appointment made under the 1999 Act before the coming into force of this Order.

(2) The requirement imposed by virtue of the modification set out in article 2 of this Order shall not apply in relation to any appointment of a commissioner made under the 1999 Act before the appointment of the successor of the commissioner who holds office on the day on which this order comes into force and who is designated for that purpose by the Secretary of State.

(1) 1998 c. 46.
(2) 1999 c. 17.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Dover House,
London
31st May 2000

BRIAN WILSON
Minister of State at the Scotland Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision under section 106 of the Scotland Act 1998 (c. 46) (“the 1998 Act”).

In particular, it makes provision modifying the function of the Secretary of State under the Disability Rights Commission Act 1999 (c. 17) (“the 1999 Act”) of appointing the Disability Rights Commissioners. Article 2 of the Order modifies the 1999 Act so as to impose a requirement that one of the Disability Rights Commissioners is to be a person who appears to the Secretary of State to have special knowledge of Scotland. The modification is made for the purpose of enabling or otherwise facilitating the adaptation of the function by virtue of section 63 of the 1998 Act.

Article 3 contains saving and transitional provisions.