

2013 No. 6 (C. 1)

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

The Scotland Act 2012 (Commencement No. 3) Order 2013

Made

8th January 2013

The Secretary of State makes the following Order in exercise of the power conferred by section 44(5) of the Scotland Act 2012(a).

Citation

1. This Order may be cited as the Scotland Act 2012 (Commencement No. 3) Order 2013.

Appointed Day

2. The day appointed for the coming into force of the following provisions of the Scotland Act 2012 is 22nd April 2013—

- (a) section 34 (Convention rights and EU law: role of Advocate General in relation to criminal proceedings);
- (b) section 35 (references of compatibility issues to the High Court or Supreme Court);
- (c) section 36 (Convention rights and EU law: criminal appeals to the Supreme Court);
- (d) section 37 (time limits for appeals on devolution issues in criminal proceedings);
- (e) section 38 (review and power to amend sections 34 to 37).

Michael Moore
Secretary of State
Scotland Office

Dover House,
London
8th January 2013

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order commences sections 34 to 38 of the Scotland Act 2012 (“the Act”) on 22nd April 2013. Sections 34 to 36 of the Act make provision in relation to EU law issues and European Convention on Human Rights issues raised in Scottish criminal proceedings. These provisions include provision for a right of appeal to the Supreme Court in relation to such issues. Section 37 of the Act amends the Scotland Act 1998 to impose time limits for seeking permission to appeal to the Supreme Court against a determination of a devolution issue in criminal proceedings. Section 38 requires the Secretary of State to review the provision made by sections 34 to 37 of the Act after these provisions have been in force for 3 years (or earlier if the Secretary of State considers it appropriate).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been or will be brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 4 and 5	3rd July 2012	2012/1710
Section 6	15th October 2012	2012/1710
Section 7	3rd July 2012	2012/1710
Section 8	31st October 2012	2012/2516
Sections 9 and 10	3rd July 2012	2012/1710
Section 12	3rd July 2012	2012/1710
Section 13	31st October 2012	2012/2516
Sections 14 to 16	3rd July 2012	2012/1710
Section 17	31st October 2012	2012/2516
Section 18	1st August 2013	2012/2516
Section 19	31st October 2012	2012/2515
Section 39	31st October 2012	2012/2516
Schedule 1	31st October 2012	2012/2516

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£4.00

E5402 01/2013 135402T 19585

ISBN 978-0-11-153303-1



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