

SCHEDULE 3

TRANSITIONAL AND SAVINGS PROVISIONS

Transitional and saving provision: transfer of functions

11.—(1) The revocation, by virtue of paragraph 78(2) and paragraph 89 of Schedule 2 to this Order of the transfer to the Scottish Ministers of the functions conferred by section 32A(1) of the 1967 Act and section 5 of the 2000 Act does not affect the validity of anything done (or having effect as if done) by or in relation to the Scottish Ministers, for the purposes of or in connection with any such function, at any time before the date on which the revocation takes effect.

(2) Anything (including legal proceedings) which, at the time the modifications in paragraph 78(3) and paragraph 83 of Schedule 2 to this Order take effect, is in the process of being done by or in relation to the Scottish Ministers may, so far as it relates to any function the transfer of which is modified by those paragraphs, be continued on the date of the modification by or in relation to them.

(3) Anything done (or having effect as if done) by or in relation to the Scottish Ministers for the purposes of or in connection with any function the transfer of which is modified by paragraph 78(3) or paragraph 83 of Schedule 2 to this Order has effect, if in force at the time when the modification takes effect, as if done by or in relation to the Scottish Ministers in so far as that is required for continuing its effect on and after the date of the modification.

(1) Section 32A was inserted by the Police and Magistrates' Courts Act 1994 (c.29), section 56 and was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 71(14) and S.I. 1999/1750, Schedule 5, paragraph 2(2).