



# Miners' Strike (Pardons) (Scotland) Act 2022

2022 asp 6

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**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 16th June 2022 and received Royal Assent on 26th July 2022**

An Act of the Scottish Parliament to pardon certain individuals convicted of certain offences committed during the 1984-85 miners' strike.

**1 Pardons for certain individuals convicted of certain offences committed during miners' strike** **S**

- (1) A qualifying individual who has been convicted of an offence listed in [section 3](#) is pardoned for the offence if the conduct constituting the offence—
- (a) occurred during the period beginning with 12 March 1984 and ending with 3 March 1985, and
  - (b) in relation to—
    - (i) an offence listed in section 3(a) to (c), meets condition A or condition B, or
    - (ii) the offence of theft, meets condition C.
- (2) Condition A is that the conduct—
- (a) occurred while the individual was engaged or participating in—
    - (i) activity (whether or not organised) supporting or opposing the miners' strike, or
    - (ii) activity ancillary to such activity (for example, assembling before or after or travelling to or from such activity), and
  - (b) did not occur for a reason unrelated to the miners' strike (for example, a disagreement about a personal matter).
- (3) Condition B is that the conduct—
- (a) occurred in response to conduct that meets condition A, and
  - (b) did not occur for a reason unrelated to the miners' strike.
- (4) Condition C is that the conduct occurred because of economic hardship arising from participation (whether by the individual or another person) in the miners' strike.

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*Changes to legislation: There are currently no known outstanding effects for the Miners' Strike (Pardons) (Scotland) Act 2022. (See end of Document for details)*

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**Commencement Information**

**I1** S. 1 in force at 27.7.2022, see [s. 6](#)

**2 Pardons: qualifying individuals** **S**

In section 1, “qualifying individual” means an individual, including a deceased individual, who—

- (a) was a miner,
- (b) was, at the time of the commission of the offence, a member of the same household as a miner, or
- (c) was, at the time of the commission of the offence—
  - (i) a parent of a miner,
  - (ii) a child of a miner, or
  - (iii) a sibling of a miner.

**Commencement Information**

**I2** S. 2 in force at 27.7.2022, see [s. 6](#)

**3 Pardons: offences** **S**

The offences referred to in [section 1](#) are—

- (a) breach of the peace,
- (b) an offence under section 3 of the Bail etc. (Scotland) Act 1980 (breach of bail conditions),
- (c) an offence under section 41(1)(a) of the Police (Scotland) Act 1967 (obstructing police etc.),
- (d) theft.

**Commencement Information**

**I3** S. 3 in force at 27.7.2022, see [s. 6](#)

**4 Pardons: supplementary** **S**

[Section 1](#) does not—

- (a) affect any conviction or sentence,
- (b) give rise to any right, entitlement or liability, or
- (c) affect the Royal prerogative of mercy.

**Commencement Information**

**I4** S. 4 in force at 27.7.2022, see [s. 6](#)

*Changes to legislation: There are currently no known outstanding effects for the Miners' Strike (Pardons) (Scotland) Act 2022. (See end of Document for details)*

## 5 Interpretation **S**

In this Act—

“conviction” includes any finding in criminal proceedings that a person has committed an offence or done the act or made the omission charged (including a finding linked with mental disorder or in respect of which an admonition or absolute discharge is made), and “convicted” is to be construed accordingly,

“household” means a group of people living together as a family or other unit (whether or not related) in a private dwelling, who—

- (a) have the dwelling as their only or main residence, and
- (b) share living accommodation and cooking facilities,

“miner” means an individual who at any time during the period beginning with 12 March 1984 and ending with 3 March 1985 was employed in any part of Great Britain—

- (a) by the National Coal Board established under section 1 of the Coal Industry Nationalisation Act 1946, or
- (b) by a person holding a licence granted under section 36(2)(a) of that Act,

“miners’ strike” means the national concerted stoppage of work by miners led by the National Union of Mineworkers,

“sibling of a miner” means an individual who has at least one parent in common with a miner.

### Commencement Information

**I5** S. 5 in force at 27.7.2022, see [s. 6](#)

## 6 Commencement **S**

This Act comes into force on the day after Royal Assent.

### Commencement Information

**I6** S. 6 in force at 27.7.2022, see [s. 6](#)

## 7 Short title **S**

The short title of this Act is the Miners’ Strike (Pardons) (Scotland) Act 2022.

### Commencement Information

**I7** S. 7 in force at 27.7.2022, see [s. 6](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Miners' Strike (Pardons) (Scotland) Act 2022.