

*Draft order laid before the Scottish Parliament under section 103(4) of the Police, Public Order and Criminal Justice (Scotland) Act 2006, for approval by resolution of the Scottish Parliament*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2007 No.**

**POLICE**

The Police, Public Order and Criminal Justice  
(Scotland) Act 2006 (Modification of Agency's  
Powers and Incidental Provision) Order 2007

*Made* - - - - 2007

*Coming into force* - - 31st March 2007

The Scottish Ministers, in exercise of the powers conferred by sections 18(1) and 102 of the Police, Public Order and Criminal Justice (Scotland) Act 2006(1), and of all other powers enabling them in that behalf, and after consultation in accordance with section 18(2) of that Act with the Scottish Police Services Authority, the Director General of the Scottish Crime and Drug Enforcement Agency, persons whom the Scottish Ministers consider represent the interests of chief constables of police forces and persons whom the Scottish Ministers consider represent the interests of police bodies, hereby make the following Order, a draft of which has, in accordance with section 103(4) of that Act, been laid before and approved by resolution of the Scottish Parliament:

**Citation and commencement**

1. This Order may be cited as the Police, Public Order and Criminal Justice (Scotland) Act 2006 (Modification of Agency's Powers and Incidental Provision) Order 2007 and shall come into force on 31st March 2007.

**Modification of the Police, Public Order and Criminal Justice (Scotland) Act 2006**

2.—(1) The Police, Public Order and Criminal Justice (Scotland) Act 2006 is modified as follows.

(2) In subsection (1)(b) of section 17 (powers of the Agency), for “section 17(b) to (q)” substitute “section 2(3)(b) to (p)”.

(3) In paragraph 5(2) of schedule 6 (modifications of enactments), in inserted section 60A of the Police Act 1996(2)—

(a) in subsection (2)(a)(i) for “section 23(2)(a)” substitute “section 23(2)(g)”; and

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(1) 2006 asp 10.  
(2) 1996 c. 16

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Police, Public Order and Criminal Justice (Scotland) Act 2006 (Modification of Agency's Powers and Incidental Provision) Order 2007 No. 260

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(b) in subsection (3) for “section 60(3)” substitute “section 60(2)(e)”.

St Andrew's House,  
Edinburgh  
March 2007

A member of the Scottish Executive

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes amendments to the Police, Public Order and Criminal Justice (Scotland) Act 2006 (“the 2006 Act”) and, in consequence of two of the amendments, to the Police Act 1996.

Article 2(2) modifies section 17(1)(b) of the 2006 Act to refer to the bodies mentioned in section 2(3) (b) to (p) of the 2006 Act, rather than to those mentioned in section 17(b) to (q).

Article 2(3) concerns new section 60A of the Police Act 1996. Article 2(3)(a) corrects a reference in that section to regulations made under section 23(2)(a) of the Police, Public Order and Criminal Justice (Scotland) Act 2006, to refer to regulations made under section 23(2)(g).

Article 2(3)(b) corrects the reference in section 60A to section 60(3) of the Police Act 1996. It should refer to section 60(2)(e).