



Scotland Act 1998

1998 CHAPTER 46

PART II

THE SCOTTISH ADMINISTRATION

Ministerial functions

VALID FROM 06/05/1999

52 Exercise of functions.

- (1) Statutory functions may be conferred on the Scottish Ministers by that name.
- (2) Statutory functions of the Scottish Ministers, the First Minister or the Lord Advocate shall be exercisable on behalf of Her Majesty.
- (3) Statutory functions of the Scottish Ministers shall be exercisable by any member of the Scottish Executive.
- (4) Any act or omission of, or in relation to, any member of the Scottish Executive shall be treated as an act or omission of, or in relation to, each of them; and any property acquired, or liability incurred, by any member of the Scottish Executive shall be treated accordingly.
- (5) Subsection (4) does not apply in relation to the exercise of—
 - (a) functions conferred on the First Minister alone, or
 - (b) retained functions of the Lord Advocate.
- (6) In this Act, “retained functions” in relation to the Lord Advocate means—
 - (a) any functions exercisable by him immediately before he ceases to be a Minister of the Crown, and
 - (b) other statutory functions conferred on him alone after he ceases to be a Minister of the Crown.

Status: Point in time view as at 19/11/1998. This version of this provision is not valid for this point in time.

*Changes to legislation: There are currently no known outstanding effects
for the Scotland Act 1998, Section 52. (See end of Document for details)*

(7) In this section, “statutory functions” means functions conferred by virtue of any enactment.

Commencement Information

- II** [S. 52](#) in force for certain purposes at 6.5.1999 and for all remaining purposes at 20.5.1999 by [S.I. 1998/3178, art. 2\(2\)](#)

Status:

Point in time view as at 19/11/1998. This version of this provision is not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Section 52.