
STATUTORY INSTRUMENTS

1999 No. 1748

**The Scotland Act 1998 (Functions Exercisable
in or as Regards Scotland) Order 1999**

Interpretation

2.—(1) In this Order—

“the 1949 Act” means the Wireless Telegraphy Act 1949⁽¹⁾

“the 1984 Act” means the Repatriation of Prisoners Act 1984⁽²⁾

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“the 1989 Act” means the Prisons (Scotland) Act 1989⁽³⁾

“the 1991 Act” means the Criminal Justice Act 1991⁽⁴⁾

“the 1993 Act” means the Prisoners and Criminal Proceedings (Scotland) Act 1993⁽⁵⁾

“the 1997 Act” means the Crime (Sentences) Act 1997⁽⁶⁾

“the 1998 Act” means the Scotland Act 1998;

“the 1998 Order” means the Transfer of Prisoners (Restricted Transfers) (Channel Islands and Isle of Man) Order 1998⁽⁷⁾

“existing provisions” has the same meaning as in Schedule 6 to the 1993 Act;

“Scottish fishing boat” means a fishing vessel which is registered in the register maintained under section 8 of the Merchant Shipping Act 1995⁽⁸⁾ and whose entry in the register specifies a port in Scotland as the port to which the vessel is to be treated as belonging;

“the Guernsey enactments” means the Prison Administration (Guernsey) Law, 1949, the Parole Review Committee (Guernsey) Law, 1989, the Criminal Justice (Youth Detention) (Bailiwick of Guernsey) Law, 1990, the Parole Review Committee Ordinance, 1991 and the Prison Administration (Guernsey) Ordinance, 1998;

“the Isle of Man enactments” means the Custody Act 1995 (an Act of Tynwald);

“the Jersey enactments” means the Prison (Jersey) Law, 1957, the Prison (Jersey) Rules 1957, the Criminal Justice (Jersey) Law, 1957, the Court of Appeal (Jersey) Law, 1961, the Criminal Proceedings (Computation of Sentences) (Jersey) Rules, 1968 and the Criminal Justice (Young Offenders) (Jersey) Law 1994;

“the Northern Ireland enactments” means the Prison Act (Northern Ireland) 1953⁽⁹⁾, the Treatment of Offenders (Northern Ireland) Order 1976, the Northern Ireland (Remission of

(1) 1949 c. 54.
(2) 1984 c. 47.
(3) 1989 c. 45.
(4) 1991 c. 53.
(5) 1993 c. 9.
(6) 1997 c. 43.
(7) S.I.1998/2798.
(8) 1995 c. 21.
(9) 1953 c. 18 (N.I.).

Sentences) Act 1995(10), the Criminal Justice (Northern Ireland) Order 1996 and the Northern Ireland (Sentences) Act 1998(11);

“restricted transfer” has the meaning given in paragraph 6(1)(a) of Schedule 1 to the 1997 Act.

(2) Any word or expression used in this Order in referring to any enactment and also used in the enactment has the same meaning as it has in the enactment.

Textual Amendments

- F1** Words in art. 2(1) omitted (15.12.2000) by virtue of [The Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) \(No. 2\) Order 2000 \(S.I. 2000/3253\)](#), arts. 1(1), **4(2)(a)** (with art. 6)

Commencement Information

- I1** Art. 2 in force at 30.6.1999, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999, Section 2.