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The Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999

1999 No. 1379 SCHEDULE 2

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SCHEDULE 2 General Definitions

Articles 6(2) and 7(1)

"Act" means, as the context requires, an Act of Parliament or an Act of the Scottish Parliament;

"Commencement", in relation to an enactment, means the time when the enactment comes into force;

"The Communities", "the Treaties" or "the Community Treaties" and other expressions defined by section 1 of, and Schedule 1 to, the European Communities Act 1972((1)) have the meanings prescribed by that Act;

"Comptroller and Auditor General" means the Comptroller-General of the receipt and issue of Her Majesty's Exchequer and Auditor-General of Public Accounts appointed in pursuance of the Exchequer and Audit Departments Act 1866((2))

"Crown Estate Commissioners" means the Commissioners referred to in section 1 of the Crown Estate Act 1961((3))

"Court of summary jurisdiction" means a court of summary criminal jurisdiction and includes the sheriff court and district court;

"Devolution issue" has the same meaning as it has in Schedule 6 to the Scotland Act 1998((4))

"England" means, subject to any alteration of boundaries under Part IV of the Local Government Act 1972((5)) the area consisting of the counties established by section 1 of that Act, Greater London and the Isles of Scilly;

"Government department" means a department of the United Kingdom Government;

"High Court" means the High Court of Justiciary;

"Land" includes building and other structures, land covered with water, and any right or interest in or over land;

"Lands Clauses Acts" means the Lands Clauses Consolidation (Scotland) Act 1845((6)) and the Lands Clauses Consolidation Acts Amendment Act 1860((7)), and any Acts for the time being in force amending those Acts;

"Minister of the Crown" has the same meaning as in the Ministers of the Crown Act 1975((8));

"Month" means calendar month;

"Oath" and "affidavit" include affirmation and declaration, and "swear" includes affirm and declare;

"Ordnance map" means a map made under powers conferred by the Ordnance Survey Act 1841((9));

"Person" includes a body of persons corporate or unincorporate;

"Police area", "police authority" and other expressions relating to the police have the meaning or effect described by sections 50 and 51(4) of the Police (Scotland) Act 1967((10));

"The Privy Council" means the Lords and others of Her Majesty's Most Honourable Privy Council;

"Registered", in relation to nurses, midwives and health visitors, means registered in the register maintained by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting by virtue of qualifications in nursing, midwifery or health visiting, as the case may be;

"Registered medical practitioner" means a fully registered person within the meaning of the Medical Act 1983((11));

"Rules of court" in relation to any court means rules made by the authority having power to make rules or orders regulating the practice and procedure of that court, and includes Acts of Adjournment and Acts of Sederunt; and the power of the authority to make rules of court (as above defined) includes power to make such rules for the purpose of any Act which directs or authorises anything to be done by rules of court;

"Scottish parliamentary election" means an election for membership of the Scottish Parliament and "Scottish parliamentary general election" shall be construed accordingly;

"Secretary of State" means one of Her Majesty's Principal Secretaries of State;

"Sheriff" includes sheriff principal;

"Standard scale", with reference to a fine or penalty for an offence triable only summarily, has the meaning given by section 225(1) of the Criminal Procedure (Scotland) Act 1995((12));

"Statutory declaration" means a declaration made by virtue of the Statutory Declarations Act 1835([13](#));

"Statutory maximum", with reference to a fine or penalty on summary conviction for an offence, means the prescribed sum within the meaning of section 225(8) of the Criminal Procedure (Scotland) Act 1995;

"The Treasury" means the Commissioners of Her Majesty's Treasury;

"United Kingdom" means Great Britain and Northern Ireland;

"Wales" means the combined area of the counties which were created by section 20 of the Local Government Act 1972([14](#)), as originally enacted, but subject to any alteration made under section 73 of that Act (consequential alteration of boundary following alteration of watercourse);

"Writing" includes typing, printing, lithography, photography and other modes of representing or reproducing words in a visible form, and expressions referring to writing are construed accordingly.

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- (1) [1972 c. 68.](#)
 - (2) [1866 c. 39.](#)
 - (3) [1961 c. 55.](#)
 - (4) [1998 c. 46.](#)
 - (5) [1972 c. 70.](#)
 - (6) [1845 c. 19.](#)
 - (7) [1860 c. 106.](#)
 - (8) [1975 c. 26.](#)
 - (9) [1841 c. 30.](#)
 - (10) [1967 c. 77.](#)
 - (11) [1983 c. 54.](#)
 - (12) [1995 c. 46.](#)
 - (13) [1835 c. 62.](#)
 - (14) [1972 c. 70.](#)

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