

Tables of Effect of legislation published on the OQPS web site – How to use guide

Tables of Effect inform users of changes made to legislation in a single calendar year.

The user will be guided to subsequent legislation which has made amendments or repeals/revocations to an Act of the Scottish Parliament or Scottish Statutory Instrument.

Important cautions

- **The user must search in the Tables for each year following the date of the Act of the Scottish Parliament (ASP) or Scottish Statutory Instrument (SSI) to be checked.**
- **The user should always check the information from the reference in the Table in the original legislation on the OQPS site**
- **In the case of amendments the user should check as to whether the affecting legislation has itself been subsequently amended or repealed or revoked.**
- **How can I find out if the ASP or SSI has been affected in 2007 since the final Table on the site? For ASPs the 2007 Table of legislative effects on the Statute Law Database can be consulted. For SSI the title of the instrument can be keyed into the advance search on the OQPS site and the year of search limited to 2007.**

A Tables of Effect relating to the status of Acts of the Scottish Parliament

For each of the years the years 2000 to 2006 Tables are published. Each Table shows the effects from all legislation of that year upon previous Acts of the Scottish Parliament (ASP)

[There was just one ASP in 1999 and it has now been repealed see 2003 ASP table]

These Tables have four columns (example taken from the 2006 Table) which are from left to right as follows

Act of the Scottish Parliament (year and number)	Act of the Scottish Parliament (Short Title)	Act of the Scottish Parliament (How affected)	2006 affecting provision in ASP, SSI, UK Act or UK SI
2000			
asp 4	Adults with Incapacity (Scotland) Act 2000	s 16 am s 24 am s 51 am s 64 am	asp 4, s 57(1), (2) asp 2, s 36 SI 2984, reg 3 asp 4, s 57(1), (3)
asp 5	Abolition of Feudal Tenure etc. (Scotland) Act 2000	Sch 12 rep in pt (prosp)	asp 1, s 192, sch 7
asp 6	Standards in Scotland's Schools etc. Act 2000	appt day(s) for spec provns s 5 am (prosp) s 6 am (prosp)	SSI 232, art 2 asp 8, s 2(6) asp 8, s 3

Columns 1 and 2 guide the user to the affected ASP. Any ASP which has been affected in 2006 will appear in them.

Column 1 lists the affected ASP by number only. Column 2 indicates next to each number in column 1 the short title of each affected ASP

If a title does not appear in columns 1 and 2 then that ASP is unaffected in 2006 according to our records.

Column 3 gives the details of how each ASP has been affected by relevant 2006 legislation. Principal effects are repeals and amendments relating to the affected ASP

Column 4 provides the full reference in the 2006 legislation which has made the changes to the affected ASP

Example: the user wishes to see if the Abolition of Feudal Tenure etc.(Scotland) Act 2000 has been affected in 2006: the year (2000) is found in the Table and the titles examined. In this case it can be seen that schedule 12 of the Act was partially repealed (prospectively) in 2006 by asp 1 (Housing (Scotland) Act 2006), s 192, sch 7.

Column 4 in the example has the details of the 2006 affecting legislation.

- The 2006 affecting Acts of the Scottish Parliament are indicated only by "asp" followed by the asp number. To find their titles and check the information in the Table the user should refer to the OQPS website using the path to the 2006 Acts of the Scottish Parliament arranged numerically - <http://www.oqps.gov.uk/legislation/acts/> after which select 2006

- The 2006 Scottish Statutory Instruments are indicated by "SSI" followed by the number. The link is <http://www.oqps.gov.uk/legislation/ssi/> after which select 2006.

- Affecting 2006 UK Statutory Instruments are indicated by "SI" followed by the number. The link is <http://www.opsi.gov.uk/stat.htm> after which select the year (2006 in this case).

- Affecting 2006 UK Acts are indicated only by their chapter number "c 1" The link to find the 2006 titles on the OQPS site arranged numerically is <http://www.opsi.gov.uk/acts.htm> after which select the year (2006 in this case).

Column 3 in the Table gives the information as to how the affected ASP has been affected

Where an ASP is affected the following is the order in which the effects are listed

- i) effects on that Act as whole
- ii) effects on Parts of that Act
- iii) effects on sections of that Act
- iv) effects on schedules to that Act

Where an ASP is fully repealed (rep) by a 2006 ASP (or by other 2006 legislation) other effects relating to that ASP indicated in different 2006 legislation will also be given as the Tables of Effect gives a record of all the effects of the current year even where immediately overtaken by a full repeal.

The effects themselves are abbreviated in accordance with the abbreviations on the first page of the Table. The effect types *rep in pt* (repealed in part), *am* (amended) and *added* record changes to the text of a previous Act and are sometimes termed textual amendments. The effect type modified (mod) will affect the text only in the limited circumstances indicated in the affecting legislation. Other effects termed non textual effects will indicate other matters. Some examples are that an Act/section, etc has been *saved* (from a repeal or amendment), extended (*ext*) or restricted (*restr*) in its scope or has been applied (*appl*) or excluded (*excl*) in respect of a subsequent Act.

The effect appointed day (*appt day*).

appt day (1.2.2007) – the Act/section, etc is brought into force on the appointed day indicated in brackets

appt day(s) for spec provns – the provisions of the Act specified in the Commencement Order (the SSI indicated in column 4) are brought into force on the day (or days) indicated in the Order...the user should link to the SSI on the OQPS site for details

The effects are very often qualified by words (often abbreviated) in brackets. Examples are

appl (mods) – applied with modifications

rep (saving) – repealed with savings

am (prosp) – amended prospectively

am (retrosp) – amended retrospectively to date Act first came into force

am (retrosp.to 1.10.2000) – amended retrospectively to date indicated

Effects which were not yet in force by the end of the Table year are indicated with (prosp).

The editors of the Tables take into account the Commencement Orders of the affecting year (2006 in the example). To update to see if the effect has now come into force the user must search in the OQPS website the title of the affecting ASP and "Commencement Order" for the year(s) subsequent to the relevant year (search in 2007 SSIs for this example).

If the relevant affecting legislation is brought into force on a definite future date after the end of the relevant year (2006 in the example) by a Commencement Order of 2006 then this is indicated by putting the date in brackets following the effect, example (1.4.2007).

The only other reason for a date appearing in brackets is that the affecting legislation itself provided for a definite future date for its coming into force.

B Tables of Effect relating to the status of Scottish Statutory Instruments

For each of the years the years 1999 to 2006 Tables are published. Each Table shows the effects from all legislation of that year upon previous Scottish Statutory Instruments (SSI)

Example from the 2006 Table:

Year and No of Scottish Statutory Instrument	Short Title	How affected	2006 Chapter of Act or No of Act of the Scottish Parliament, SI or SSI
2000			
7	Sea Fishing (Enforcement of Community Control Measures) (Scotland) Order 2000	art 2 am	SSI 341, art 26
62	Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000	regs 3 - 6 rev in pt	SSI 3, reg 34, sch 8
		reg 10 rev in pt	SSI 231, reg 21, schedule
		schs 1 - 3 rev in pt	SSI 3, reg 34, sch 8
		sch 4 rev in pt	SSI 3, reg 34, sch 8
		sch 8 rev in pt	SSI 231, reg 21, schedule
73	Police Grant (Scotland) Order 2000	arts 2 - 3 am (retrosp to 1.4.2000)	SSI 39, art 5
		art 4 rev in pt (retrosp to 1.4.2000)	SSI 39, art 5
110	Repayment of Student Loans (Scotland) Regulations 2000	regs 6, 7 am	SSI 326, reg 2
177	Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000	rev (prosp)	asp 1, s 192, sch 6, para 24
			asp 1, s 192, sch 7
184	Bovines and Bovine Products (Trade) Amendment (Scotland) Regulations 2000	rev	SSI 231, reg 21, schedule

Columns 1 and 2 guide the user to the affected SSI. Any SSI which has been affected in 2006 will appear in them.

Column 1 lists the affected SSI by number only. Column 2 indicates next to each number in column 1 title of each affected SSI

If a title does not appear in columns 1 and 2 then that SSI is unaffected in 2006 according to our records.

Column 3 gives the details of how each SSI in columns 1 and 2 has been affected by relevant 2006 legislation. Principal effects are revocations and amendments relating to the affected SSI
Column 4 provides the full reference in the 2006 legislation which has made the changes to the affected SSI

Example: the user wishes to see if the Police Grant (Scotland) Order 2000 (SSI 2000 no 73) has been affected in 2006: the year (2000) is found in the Table and the titles examined. In this case it can be seen that articles 2 and 3 of the Order were amended and article 4 was partially revoked (retrospectively to the 1st of April of 2000) by SSI 2006 no 39, article 5. Using the link below this SSI is identified as the Police Grant (Variation) (Scotland) Order 2006 and the changes can be viewed

Column 4 in the example has the details of the 2006 affecting legislation.

- The 2006 affecting Acts of the Scottish Parliament are indicated only by "asp" followed by the asp number. To find their titles and check the information in the Table the user should refer to the OQPS website using the path to the 2006 Acts of the Scottish Parliament arranged numerically - <http://www.oqps.gov.uk/legislation/acts/> after which select 2006. The 2006 Scottish Statutory Instruments are indicated by "SSI" followed by the number. The link is <http://www.oqps.gov.uk/legislation/ssi/> after which select 2006.

- Affecting 2006 UK Statutory Instruments are indicated by "SI" followed by the number. The link is <http://www.opsi.gov.uk/stat.htm> after which select the year (2006 in this case).

- Affecting 2006 UK Acts are indicated only by their chapter number "c 1" The link to find the 2006 titles on the OPSI site arranged numerically is <http://www.opsi.gov.uk/acts.htm> after which select the year (2006 in this case).

Column 3 in the Table gives the information as to how the SSI has been affected/

Where a SSI is affected the following is the order in which the effects are listed

- i) effects on that SSI as whole
- ii) effects on articles or regulations or rules of that SSI
- iv) effects on schedules to that SSI

Where a SSI is fully revoked (rev) by a 2006 SSI (or by other 2006 legislation) other effects relating to that SSI indicated in different 2006 legislation will also be given as the Tables of Effect give a record of all the effects of the current year even where immediately overtaken by a full revocation.

The effects themselves are abbreviated in accordance with the abbreviations on the first page of the Table. The effect types *rev in pt* (revoked in part), *am* (amended) and *added* record changes to the text of a previous SSI and are sometimes termed textual amendments. The effect type modified (mod) will affect the text only in the limited circumstances indicated in the affecting legislation. Other effects termed non textual effects will indicate other matters. Some examples are that a SSI/regulation, etc has been *saved* (from a revocation or amendment), extended (*ext*) or restricted (*restr*) in its scope or has been applied (*appl*) or excluded (*excl*) in respect of a subsequent SSI or ASP.

The effects are very often qualified by words (often abbreviated) in brackets. Examples are
appl (mods) – applied with modifications
rev (saving) – revoked with savings
am (prosp) – amended prospectively
am (retrosp.to 1.10.2000) – amended retrospectively to date indicated

Effects which were not yet in force by the end of the Table year are indicated with (prosp).

The editors of the Tables take into account the Commencement Orders of the affecting year (2006 in the example). To update to see if the effect has now come into force the user must search in the OQPS site the title of the affecting ASP and “Commencement Order” for the year(s) subsequent to the relevant year (search in 2007 SSIs for this example).

Affecting SSIs and SIs are rarely prospective. Occasionally the coming into force will be linked to a date to be appointed by a particular body usually with provision that the day appointed be published in the Gazettes. To establish if a day has been appointed, link to the Edinburgh Gazette from the home page of the OQPS site and then advance search in the Edinburgh Gazette for the title of the affecting SSI.

If the relevant affecting legislation is brought into force on a definite future date after the end of the relevant year (2006 in the example) by a Commencement Order of 2006 then this is indicated by putting the date in brackets following the effect, example (1.4.2007).

The only other reason for a date appearing in brackets is that the affecting legislation itself provided for a definite future date for its coming into force.