

2024 No. 1304 (S. 2)

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

CRIMINAL LAW

**The Miners' Strike (Pardons) (Scotland) Act 2022
(Consequential Modifications) Order 2024**

Made - - - - at 10.50 a.m. on 9th December 2024

Laid before Parliament at 4.00 p.m. on 9th December 2024

Coming into force - - - - 22nd January 2025

The Secretary of State makes the following Order in exercise of the power conferred by sections 104, 112(1) and 113(5) of the Scotland Act 1998(a).

Citation, commencement and extent

1.—(1) This Order may be cited as the Miners' Strike (Pardons) (Scotland) Act 2022 (Consequential Modifications) Order 2024 and comes into force on 22nd January 2025.

(2) This Order extends to Scotland only.

Amendment of the Miners' Strike (Pardons) (Scotland) Act 2022

2.—(1) The Miners' Strike (Pardons) (Scotland) Act 2022(b) is amended as follows.

(2) In section 1(1)(b)(i) (pardons for certain individuals convicted of certain offences committed during miners' strike), for "section 3(a) to (c)", substitute "section 3(a) to (ca)".

(3) In section 3 (pardons: offences), after paragraph (c), insert—

“(ca) an offence under section 7 of the Conspiracy, and Protection of Property Act 1875(c) (penalty for intimidation or annoyance by violence or otherwise),”.

Ian Murray

Secretary of State

Office of the Secretary of State for Scotland

At 10.50 a.m. on 9th December 2024

(a) 1998 c. 46. There are amendments to sections 104, 112 and 113 which are not relevant to this Order.

(b) 2022 asp 6.

(c) 1875 c. 86 (38 and 39 Vict). Section 7 was repealed by the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), section 300(1) and Schedule 1, paragraph 1.

EXPLANATORY NOTE

(This note is not part of the Order)

The Miners' Strike (Pardons) (Scotland) Act 2022 (asp 6) ("the Act") pardons qualifying individuals (miners and family and household members - see section 2 of the Act) convicted in relation to offences committed during the miners' strike of 1984-5 in circumstances connected with the strike. In order to fall within the pardon, the offence must be one listed in section 3 of the Act.

This Order amends section 3 by adding offences under section 7 of the Conspiracy, and Protection of Property Act 1875 (c. 86 (38 and 39 Vict)) to those listed. At the time of the strike, section 7 criminalised a person who carried out a specified act wrongfully and without lawful authority with a view to compelling another person to abstain from doing or to do something which that other person had the legal right to do or to abstain from doing. Section 7 was repealed by the Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), section 300(1) and Schedule 1, paragraph 1. A corresponding offence is contained in section 241 of that Act.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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£5.78

<http://www.legislation.gov.uk/id/uksi/2024/1304>

ISBN 978-0-34-826694-8



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