This SSI has been made in consequence of a defect in S.S.I. 2013/77 and is being issued free of charge to all known recipients of that instrument.

S C O T T I S H S T A T U T O R Y I N S T R U M E N T S

2013 No. 131

CONTRACTS

The Late Payment of Commercial Debts (Scotland) (No. 2) Regulations 2013

Made - - - -	*24th April 2013*
Laid before the Scottish Parliament	*26th April 2013*
Coming into force - -	*3rd May 2013*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**a**) and all other powers enabling them to do so.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Late Payment of Commercial Debts (Scotland) (No. 2) Regulations 2013 and come into force on 3rd May 2013.

(2) These Regulations extend to Scotland only.

(3) These Regulations do not affect contracts made before 3rd May 2013.

Amendment of the Late Payment of Commercial Debts (Interest) Act 1998

2. In section 4(5B) of the Late Payment of Commercial Debts (Interest) Act 1998(**b**) (period for which statutory interest runs: determination of relevant day for case involving acceptance or verification procedure), omit "which is 30 days".

FERGUS EWING
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
24th April 2013

(**a**) 1972 c.68; section 2(2) was amended by the Scotland Act 1998 (c.46) ("the 1998 Act"), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) ("the 2006 Act")); section 2(2) was also amended by section 27(1) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7), Schedule 1, Part 1; the functions conferred on the Minister of the Crown under section 2(2), insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(**b**) 1998 c.20; section 4 was amended by S.S.I. 2013/77.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Directive 2011/7/EU of the European Parliament and of the Council of 16th February 2011 on combating late payment in commercial transactions.

They do so by correcting an error in the Late Payment of Commercial Debts (Scotland) Regulations 2013 (S.S.I. 2013/77) which amended the Late Payment of Commercial Debts (Interest) Act 1998 so as to implement the Directive. In section 4(5B) of that 1998 Act, an incorrect reference to an additional 30 day time period is deleted. Section 4(5B) is concerned with determining the date from which interest will run in a case where there is a procedure of acceptance or verification under which the conforming of goods or services with a contract is to be ascertained.

These Regulations do not apply to contracts made before the day on which the Regulations come into force.

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Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland.

ISBN 978-0-11-102033-3



£4.00

S201304247 05/2013 19585

http://www.legislation.gov.uk/id/ssi/2013/131