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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 134 (C. 7)**

**LOCAL GOVERNMENT**

**The Local Government in Scotland Act  
2003 (Commencement No.1) Order 2003**

*Made - - - - 4th March 2003*

The Scottish Ministers, in exercise of the powers conferred by section 62(2) of the Local Government in Scotland Act 2003<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Local Government in Scotland Act 2003 (Commencement No.1) Order 2003.

(2) In this Order “the Act” means the Local Government in Scotland Act 2003.

**Appointed days**

2.—(1) The provisions of the Act specified in column 1 of the Schedule (and the subject matter of which is described in column 2 of the Schedule) shall come into force on 1st April 2003 but, where a particular purpose is specified in relation to any provision in column 3 of the Schedule, that provision shall come into force on that day only for that purpose.

(2) Section 60(1)(g) (repeal of section 31 of the Local Government and Housing Act 1989) of the Act shall come into force on 1st May 2003.

St Andrew’s House, Edinburgh  
4th March 2003

*PETER J PEACOCK*  
Authorised to sign by the Scottish Ministers

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Article 2(1)

## PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 1ST APRIL 2003

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>	<i>Column 3</i> <i>Purpose</i>
Sections 1 and 2	Duty to secure best value	
Sections 3 to 5	Enforcement	
Section 6	Other provisions about best value	
Section 7	Local authority contracts: relaxation of exclusion of non-commercial considerations	
Section 8(1), (2)(a)(i) to (iv), (2)(b), (2)(c)(i),(iii) and (iv), (2)(d)(ii), (2)(e) and (3)	Relaxation of restrictions on supply of goods and services etc. by local authorities	
Section 8(2)(a)(v)	Relaxation of restrictions on supply of goods and services etc. by local authorities	Only for the purpose of repealing the words which follow paragraph (d)
Section 8(2)(d)(i)	Relaxation of restrictions on supply of goods and services etc. by local authorities	Only for the purpose of repealing the definition of “public body”
Section 10	Trading operations and accounts	
Sections 12 to 14	Accounts, finance and performance accountability	
Sections 15 to 19 (Part 2)	Community planning	
Sections 20 to 22 (Part 3)	Power to advance well-being	
Sections 23 to 27 (Part 4)	Enforcement and scrutiny	
Sections 28 to 33 (Part 5)	Rating and council tax	
Section 34	Waste management	
Section 35(1)	Capital expenditure limits	
Section 37	Capital grants	
Section 38	Scottish Ministers power to pay off loans made to local authorities	
Section 39	Provisions supplementary to sections 35 to 38	
Section 41	Establishment of local authority funds other than general fund: setting of council tax	

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 42(3)	Paid time off for councillors not to be a political donation	
Section 43	Remote participation in and calling of local authority meetings	
Section 44	Travel concessions	
Section 45	Power to charge for vacant places on school buses etc.	
Section 46	Power to provide funds for speed cameras etc.	
Section 48	Delegation of Strathclyde Passenger Transport Authority functions to officials	
Section 49	Parliamentary procedure for regulations about vehicles used as taxis and private hire cars	
Section 51	Arrangements and agreements with bodies corporate	
Section 52	Guidance on contractual matters	
Section 53	Qualification of and assistance for Accounts Commission auditors	
Section 54	Accounts Commission's and auditor's powers to obtain information from persons other than local authorities etc.	
Section 55	Auditor's duty in relation to aspects of best value and community planning	
Section 56	Extension of Controller of Audit's reporting functions to best value and community planning: amendment of section 102 of 1973 Act	
Section 57	Power to modify enactments	
Section 58	Ancillary provision	
Section 59	Equal opportunities	
Section 60, except sub-section (1)(b) and (g)	Repeals and consequential amendments	
Section 61	Definitions	

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order appoints various days for the coming into force of provisions of the Local Government in Scotland Act 2003 (“the Act”).

Article 2(1) provides that the provisions of the Act specified in column 1 of the Schedule shall come into force on 1st April 2003, subject to any restriction of purpose in column 3 of the Schedule.

Article 2(2) provides that section 60(1)(g) of the Act shall come into force on 1st May 2003.

The Act received Royal Assent on 11 February 2003. Sections 42(1), 42(2), 50 and 62 came into force on Royal Assent.

The provisions of the Act remaining to be commenced after the making of this Order are sections 8(2)(c)(ii), 9, 11, 35(2) to (4), 36, 40, 47 and 60(1)(b). Section 8(2)(a)(v) and (2)(d)(i) remains to be commenced for all purposes.