
STATUTORY INSTRUMENTS

1995 No. 2866 (C.60) (S.209)

**LOCAL GOVERNMENT, SCOTLAND
WATER SUPPLY, SCOTLAND**

**The Local Government etc. (Scotland) Act
1994 (Commencement No.5) Order 1995**

Made - - - - 25th October 1995

The Secretary of State, in exercise of the powers conferred on him by section 184(2) of the Local Government etc. (Scotland) Act 1994(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Local Government etc. (Scotland) Act 1994 Commencement No.5) Order 1995.

(2) In this Order—

“the Act” means the Local Government etc. (Scotland) Act 1994;

“the 1973 Act” means the Local Government (Scotland) Act 1973(2); and

“local authority” means—

- (i) a council in respect of which an ordinary election of councillors took place on 6th April 1995 in terms of section 5(2) of the Act; and
- (ii) the islands councils of Orkney, Shetland and the Western Isles.

Days appointed

2. 30th October 1995 is the day appointed for the coming into force of the following provisions of the Act:—

- (a) section 67 (Scottish Water and Sewerage Customers Council);
- (b) section 68(1), (4) and (5) (functions of Customers Council);
- (c) section 69 (power of Customers Council to require information);
- (d) section 70 (annual reports by, and information from, Customers Council);

(1) 1994 c. 39.
(2) 1973 c. 65.

- (e) section 71 (funding of Customers Council);
- (f) section 171 (economic development), only for the purposes of enabling—
 - (i) a local authority to comply with their duties under section 171A(5) of the 1973 Act before the beginning of the financial year starting on 1st April 1996; and
 - (ii) the Secretary of State to approve under section 171A(6) of the 1973 Act the proposals submitted by the local authority under subsection (5) of that section;
- (g) section 177 (Parliamentary disqualification), so far as not already in force; and
- (h) Schedule 9 (constitution and proceedings etc. of the Scottish Water and Sewerage Customers Council).

3. 1st April 1996 is the day appointed for the coming into force of the following provisions of the Act:—

- (a) section 171 (economic development), so far as not already in force; and
- (b) section 176 (powers to carry on tourism-related activities).

St Andrew's House,
Edinburgh
25th October 1995

George Kynoch
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for commencement on 30th October 1995 of provisions in the Local Government etc. (Scotland) Act 1994 relating to the Scottish Water and Sewerage Customers Council and the economic development powers of local authorities. It also provides for commencement on 1st April 1996 of provisions relating to the economic development and tourism-related powers of local authorities.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The Local Government etc. (Scotland) Act 1994 (Commencement No.1) Order 1994 (S.I. [1994/2850](#)) provides for commencement of provisions in the Act as follows:—

- (a) on 8th November 1994, sections 1, 5, 7, 12, 57, 61, 97(6), 125, 137(1) (partially), 157, 177 (partially), 178, 181 (partially), 183(1) and 184 and Schedules 1 and 2; and
- (b) on 4th January 1995, sections 8 to 11, 13 to 17, 24, 34, 38, 40, 44, 47, 49, 50, 51(3), 60, 97 (so far as not in force), 101, 104, 113 to 115, 124, 126, 137 (so far as not in force), 141, 143, 146 to 151, 165 to 167, 170, 172, 173, 175, 179, 180 (partially) and 182, Schedule 5 and Schedules 13 and 14 (both partially).

The Local Government etc. (Scotland) Act 1994 (Commencement No.2) Order 1994 (S.I. [1994/3150](#)) provides for commencement of provisions in the Act as follows:—

- (a) on 31st December 1994, section 180 (partially) and Schedule 13 (partially);
- (b) on 4th January 1995, sections 153, 160, 161 and 180 (partially) and Schedule 14 (partially); and
- (c) on 1st April 1995, sections 152, 154, 155, 156, 158, 159, 162(1) and 180 (partially) and Schedules 13 and 14 (both partially).

The Local Government etc. (Scotland) Act 1994 (Commencement No.3) Order 1995 (S.I. [1995/702](#)) provides for commencement of provisions in the Act as follows:—

- (a) on 10th March 1995, sections 91 to 96 and Schedule 11;
- (b) on 1st April 1995, sections 164(1) and (2), 168, and 180 (partially) and Schedules 13 and 14 (both partially);
- (c) on 6th April 1995, sections 2 to 4, 18, 19, 23, 25 to 29, 36, 39, 42, 43, 55, 56, 59, 127 (partially), 128 to 131, 133 to 136, 138, 169, 177 and 180 (both partially), 181 (so far as not in force) and 183(3) and (6), Schedules 3 and 12, and Schedule 13 (partially);
- (d) on 1st August 1995, section 58 (partially); and
- (e) on 1st April 1996, sections 20, 33 and 52, and Schedule 6.

The Local Government etc. (Scotland) Act 1994 (Commencement No.4) Order 1995 (S.I. [1995/1898](#)) provides for commencement on 17th July 1995 of the following provisions in the Act:—

sections 62 to 64, 65(2), 66, 73, 74, 76, 77, 79(1) to (3) and (5), 81, 83 to 90, 98, 116, 118(1), 120(1), 122, 123, 177 and 180 (both partially), Schedules 7 and 8, and Schedule 13 (partially).

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