

2005 No. 493 (C.26)

CIVIL CONTINGENCIES

**The Civil Contingencies Act 2004 (Commencement) (Scotland)
Order 2005**

Made - - - -

5th October 2005

The Scottish Ministers, in exercise of the powers conferred by section 34(2) and (3) of the Civil Contingencies Act 2004(a) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation

1. This Order may be cited as the Civil Contingencies Act 2004 (Commencement) (Scotland) Order 2005.

Interpretation

2. In this Order “the Act” means the Civil Contingencies Act 2004.

Provisions coming into force on 6th October 2005

3. The following provisions of the Act shall come into force on 6th October 2005:–

- (a) section 2(4) and (6);
- (b) section 2(5) in so far as this provision relates to section 2(4) or (6);
- (c) section 3(2);
- (d) section 3(4) and (5) in so far as these provisions relate to section 3(2);
- (e) section 4(3) and (7);
- (f) section 4(4) and (5) in so far as these provisions relate to section 4(3) or (7);
- (g) section 6(2) and (5);
- (h) section 6(3) in so far as this provision relates to section 6(2) or (5);
- (i) section 13(2);
- (j) section 13(3) in so far as this provision relates to section 13(2);
- (k) section 14(2);
- (l) section 17(3) and (5); and
- (m) section 17(1) and (6) in so far as these provisions relate to section 17(3) or (5).

Provisions coming into force on 14th November 2005

4. The following provisions of the Act shall come into force on 14th November 2005:—
- (a) section 1(4) in so far as it relates to the Scottish Ministers;
 - (b) section 2(1) and (2) in so far as these provisions relate to section 2(4) or (6);
 - (c) section 3(3) in so far as this provision relates to sections 2(4) or 3(2);
 - (d) section 4(1) in so far as this provision relates to section 4(3) or (7) and only for the purpose of permitting a body specified in paragraph 13 of Schedule 1 to the Act to provide advice and assistance of the kind specified in section 4(1);
 - (e) section 4(8) in so far as this provision relates to section 4(3) or (7);
 - (f) section 5(2) and (5);
 - (g) section 5(3) and (4) in so far as these provisions relate to section 5(2) or (5);
 - (h) section 6(6) in so far as this provision relates to section 6(2) or (5);
 - (i) section 8;
 - (j) section 9(2);
 - (k) section 9(3) and (4) in so far as these provisions relate to section 9(2); and
 - (l) section 11.

Provision coming into force on 15th May 2006

5. Section 4(1) of the Act in so far as this provision relates to section 4(3) or (7) shall come into force on 15th May 2006 to the extent not already in force.

St Andrew's House,
Edinburgh
5th October 2005

HUGH HENRY
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the remaining provisions of Part 1 of the Civil Contingencies Act 2004 (“the Act”).

Article 3 brings various provisions into force on 6th October 2005 to enable the Scottish Ministers to make and lay regulations to come into force on the 14th November 2005.

Article 4 commences various provisions of Part 1 of the Act on 14th November 2005 to coincide with the regulations which will come into force on that date. Section 4(1) of the Act is commenced on this date only for the purpose of permitting local authorities to provide advice and assistance to the public in relation to business continuity.

Article 5 commences in full the duty imposed by section 4(1) of the Act on the 15th May 2006.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (except section 1(4) in so far as it relates to the Scottish Ministers)	14th November 2005	S.I. 2005/2040
Section 2(1) and (2) (except in so far as they relate to section 2(4) or (6))	14th November 2005	S.I. 2005/2040
Section 2(3) and (5) (except in so far as they relate to section 2(4) or (6))	22nd July 2005	S.I. 2005/2040
Section 3(1), (3), (4) and (5) (except in so far as they relate to section 3(2))	14th November 2005	S.I. 2005/2040
Section 4(2), (4) and (5) (except in so far as they relate to section 4(3) or (7))	22nd July 2005 (only for the purpose of permitting a body specified in paragraph 1 or 2 of Schedule 1 to the Act to provide advice and assistance of the kind specified in section 4(1))	S.I. 2005/2040
Section 4(1)(6) and (8) (except in so far as they relate to section 4(3) or (7))	14th November 2005 (only for the purpose of permitting a body specified in paragraph 1 or 2 of Schedule 1 to the Act to provide advice and assistance of the kind specified in section 4(1))	S.I. 2005/2040
Section 4(1), (2), (4), (5), (6) and (8) (except in so far as they relate to section 4(3) or (7))	15th May 2006 (to the extent not already in force)	S.I. 2005/2040

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 5(1), (3) and (4) (except in so far as they relate to section 5(2) or (5))	14th November 2005	S.I. 2005/2040
Section 6(1) (except in so far as it relates to section 6(2) or (5))	22nd July 2005	S.I. 2005/2040
Section 6(3), (4) and (6) (except in so far as it relates to section 6(2) or (5))	14th November 2005	S.I. 2005/2040
Section 7	14th November 2005	S.I. 2005/2040
Section 9(1), (3) and (4) (except in so far as they relate to section 9(2))	14th November 2005	S.I. 2005/2040
Section 10	14th November 2005	S.I. 2005/2040
Section 12	22nd July 2005	S.I. 2005/2040
Section 13(1) and (3) (except in so far as they relate to section 13(2))	22nd July 2005	S.I. 2005/2040
Section 14(1)	14th November 2005	S.I. 2005/2040
Section 15	22nd July 2005	S.I. 2005/2040
Section 16	14th November 2005	S.I. 2005/2040
Section 17(1), (2) and (4) (except in so far as they relate to section 17(3) or (5))	14th November 2005	S.I. 2005/2040
Section 17(6) (except in so far as it relates to section 17(3) or (5))	22nd July 2005	S.I. 2005/2040
Section 18	14th November 2005	S.I. 2005/2040
Sections 19 to 31	10th December 2004	S.I. 2004/3281
Section 32 (partially)	10th December 2004 (for certain purposes) 19th January 2005 (for certain purposes) 1st April 2005 (for certain purposes) 14th November 2005 (for certain purposes)	S.I. 2005/772 S.I. 2005/2040
Section 33	14th November 2005	S.I. 2005/2040
Schedule 1	14th November 2005	S.I. 2005/2040
Paragraphs 1, 2, 4, 5, 6, 7, 8 and 9 of Schedule 2	14th November 2005	S.I. 2005/2040
Paragraph 3 of Schedule 2	1st April 2005 (for certain purposes)	S.I. 2005/772
Paragraph 10 of Schedule 2	1st April 2005	S.I. 2005/772
Part 2 of Schedule 2	10th December 2004	S.I. 2004/3281
Part 3 of Schedule 2	19th January 2005	S.I. 2004/3281

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 3 (partially)	10th December 2004 (for certain purposes)	S.I. 2004/3281
	19th January 2005 (for certain purposes)	
	1st April 2005 (for certain purposes)	S.I. 2005/772
	14th November 2005 (for certain purposes)	S.I. 2005/2040

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