

2005 No. 553 (C. 27)

CRIMINAL LAW

POLICE

LOCAL GOVERNMENT

ENVIRONMENTAL PROTECTION

The Antisocial Behaviour etc. (Scotland) (Commencement and Savings) Amendment Order 2005

Made - - - -

8th November 2005

The Scottish Ministers, in exercise of the powers conferred by sections 141(2) and 145(2) of the Antisocial Behaviour etc. (Scotland) 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 Antisocial Behaviour etc. (Scotland) (Commencement and Savings) Amendment Order 2005.

Amendment of 2004 Order

2. The Antisocial Behaviour etc. (Scotland) (Commencement and Savings) Order 2004(b) shall be amended as follows:—

- (a) in article 2, for “15th November 2005” substitute “31st March 2006”; and
- (b) in the table in article 3, at the end add—

“Schedule
6

Appointed day
9th November 2005”.

(a) 2004 asp 8.
(b) S.S.I. 2004/420.

3. After Schedule 5, insert the following Schedule—

“SCHEDULE 6

Article 3

PROVISIONS OF THE ACT WHICH COME INTO FORCE ON
9TH NOVEMBER 2005

<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 68	Antisocial behaviour notices	Only for the purpose of enabling orders to be made.
Section 72	Appeals against orders under section 71	Only for the purpose of enabling regulations to be made.
Section 74	Management Control Order	Only for the purpose of commencing Schedule 3 for the purposes of enabling regulations to be made.
Section 78	Action by local authority at landlord's expense	Only for the purpose of enabling regulations to be made.
Section 80	Advice and assistance	Only for the purpose of enabling regulations to be made.
Section 83	Application for registration	Only for the purpose of enabling regulations and orders to be made.
Section 87	Duty to provide information to local authority	Only for the purpose of enabling regulations to be made.
Section 97	Appeals	Only for the purpose of enabling regulations to be made.
Section 99	Advice and assistance	Only for the purpose of enabling regulations to be made.
Schedule 3	Management Control Orders	Only for the purpose of enabling regulations to be made.”.

MALCOLM CHISHOLM

A member of the Scottish Executive

St Andrew's House,
Edinburgh
8th November 2005

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Antisocial Behaviour etc. (Scotland) (Commencement and Savings) Order 2004 (“the 2004 Order”).

Article 2 makes changes to the 2004 Order so that Parts 7 and 8 of the Antisocial Behaviour etc. (Scotland) Act 2004 (“the 2004 Act”) come into force on 31st March 2006. There is one exception to that change. The necessary powers to make regulations and orders come into force on 9th November 2005. Without these amendments, article 2 of the 2004 Order would bring those sections into force on 15th November 2005.

The effect of this Order is to–

- (a) bring forward to 9th November 2005 the commencement of order and regulation making powers contained in Parts 7 and 8 of the 2004 Act; and
- (b) set as 31st March 2006 the date for commencement of all remaining provisions of that Act.

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