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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 47 (C. 5)**

**PUBLIC HEALTH**

**The Smoking, Health and Social Care (Scotland)  
Act 2005 (Commencement No. 3) Order 2006**

*Made - - - - 6th February 2006*

The Scottish Ministers, in exercise of the powers conferred by section 43(3) and (4) of the Smoking, Health and Social Care (Scotland) Act 2005<sup>(1)</sup>, hereby make the following Order:

**Citation**

1. This Order may be cited as the Smoking, Health and Social Care (Scotland) Act 2005 (Commencement No. 3) Order 2006.

**Appointed day**

2. The day appointed for the coming into force of section 4 of the Smoking, Health and Social Care (Scotland) Act 2005, in so far as not already in force, is 7th February 2006.

St Andrew's House,  
Edinburgh  
6th February 2006

*ANDREW P KERR*  
A member of the Scottish Executive

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(1) 2005 asp 13.

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

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

This Order appoints 7th February 2006 as the day for the coming into force of section 4 of the [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#) (“the Act”), in so far as it is not already in force.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:–

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No</i>
Sections 11, 16, 28 to 32, 36 and 37	17th October 2005	<a href="#">2005/492</a>
Section 42(1) and (2) (partially)	17th October 2005	
Paragraphs 1 and 2(1) of schedule 2	17th October 2005	
Schedule 3 (partially)	17th October 2005	
Sections 3(3) and 4(2), (3) and (7)	1st November 2005	<a href="#">2005/492</a>
Section 6 (partially)	1st November 2005	
Section 38	1st November 2005	
Section 42(1) and (2) (partially)	1st November 2005	
Paragraphs 2, 4(1), 5(2) and 12 of schedule 1 (partially)	1st November 2005	
Paragraph 2(19)(a)(iv) of schedule 2	1st November 2005	
Schedule 3 (partially)	1st November 2005	
Section 4(6), (8) and (9)	16th December 2005	<a href="#">2005/642</a>
Section 35	19th December 2005	<a href="#">2005/492</a>

Sections 1 to 10 of, and schedule 1 to, the Act will be brought into force by [S.S.I. 2005/492](#), in so far as not already in force, at 0600 hours on 26th March 2006. That Order also brings into force sections 12, 13 and 42(1) (partially) of, and paragraph 2(19)(a)(ii) of schedule 2 to, the Act on 1st April 2006.