
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 25 (C.4)

LOCAL GOVERNMENT

**The Local Governance (Scotland) Act
2004 (Commencement No. 4) Order 2007**

Made - - - - 25th January 2007

The Scottish Ministers, in exercise of the powers conferred by sections 16(2) and 17(2) of the Local Governance (Scotland) Act 2004⁽¹⁾ 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 Governance (Scotland) Act 2004 (Commencement No. 4) Order 2007.

(2) In this Order “the Act” means the Local Governance (Scotland) Act 2004.

Appointed day

2.—(1) Section 9 (eligibility for membership: politically restricted posts) of the Act shall come into force on 28th February 2007.

(2) Section 1 (electoral wards), section 2 (single transferable vote), section 4(5)(d), (e), (g) and (h) (reviews of electoral arrangements), section 5 (consequential amendments and repeals) and section 10 (prohibitions on appointment of councillors and ex-councillors to local authority posts) of the Act shall come into force on 2nd May 2007.

St Andrew’s House,
Edinburgh
25th January 2007

TOM McCABE
A member of the Scottish Executive

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints days for the coming into force of provisions of the Local Governance (Scotland) Act 2004 (“the Act”).

Article 2 provides that sections 1, 2, parts of 4, 5 and 10 of the Act shall come into force on 2nd May 2007. Section 9 is to come into force on 28th February 2007. Section 1 relates to the division of local government areas into multi-member electoral wards. Section 2 relates to the manner in which persons are entitled to vote at contested elections and provides for the introduction of a single transferable vote electoral system. Section 4(5) (the other parts of section 4 were commenced in August 2004) makes changes to the Local Government (Scotland) Act 1973 (“the 1973 Act”) to reflect multi-member wards. Section 5 makes consequential amendments and repeals. Section 9 amends section 2 of the Local Government and Housing Act 1989 which stipulates which holders of politically restricted posts are disqualified from membership of the local authority. Section 10 substitutes a new section 67 into the 1973 Act setting out the prohibitions on councillors and ex-councillors being appointed to local authority posts.

The Act received Royal Assent on 29th July 2004. Sections 15, 16 and 17 came into force on Royal Assent. The first commencement order, the Local Governance (Scotland) Act 2004 (Commencement No. 1 and Transitional Provisions) Order 2004 ([S.S.I. 2004/351](#)), was made on 19th August 2004. The second commencement order, the Local Governance (Scotland) Act 2004 (Commencement No. 2) Order 2004 ([S.S.I. 2004/558](#)) was made on 23rd December 2004. The third commencement order, the Local Governance (Scotland) Act 2004 (Commencement No. 3) Order 2006 was made on 13th September 2006.

After the making of this Order all the provisions of the Act will have been commenced.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 4 (1) to (4), (5)(a) to (c) and (f) and 6	20th August 2004	2004/351
Sections 7, 8, 13, 14, and Schedule 1	20th January 2005	2004/558
Sections 3, 11 and 12	14th September 2006	2006/470