



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 6

#### FINAL PROVISIONS

#### 178 Commencement

- (1) The following provisions come into force on the day on which this Act is passed—
  - (a) sections 117(7) (and section 117(6) so far as relates to it), 158, 167, 172, 173, 176, 177, this section and section 179, and
  - (b) Part 1 of Schedule 17 and (so far as it relates to that Part of that Schedule) section 174(2).
- (2) Section 163(4) comes into force at the end of the period of three months beginning with the day on which this Act is passed.
- (3) Sections 77 and 156 come into force on such day as the Scottish Ministers may by order appoint.
- (4) So far as they extend to Scotland—
  - (a) Chapter 1 of Part 2,
  - (b) sections 79 to 81,
  - (c) Chapter 4 of Part 2 (including Schedule 5),
  - (d) sections 163 to 166, and
  - (e) Schedule 14,come into force on such day as the Scottish Ministers may by order appoint.
- (5) So far as they relate—
  - (a) to sections 113 and 115 of the Police Act 1997 (c. 50) as those sections apply to Scotland;

**Changes to legislation:** *Serious Organised Crime and Police Act 2005, Section 178 is up to date with all changes known to be in force on or before 31 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) to section 125 of that Act, to the Regulation of Care (Scotland) Act 2001 (asp 8), to the Protection of Children (Scotland) Act 2003 (asp 5) and to the Criminal Justice (Scotland) Act 2003 (asp 7),  
section 174(2) and Schedule 17 come into force on such day as the Scottish Ministers may by order appoint.
- (6) The following provisions come into force on such day as the Scottish Ministers may by order appoint after consulting the Secretary of State—
- (a) section 96 so far as it has effect for the purpose of conferring functions on the Scottish Ministers, and
  - (b) section 171 and Schedule 15.
- (7) The following provisions come into force on such day as the Secretary of State may by order appoint after consulting the Scottish Ministers—
- (a) sections 95, 98(2), 99(2) and (3), 100, 101 and 107, and
  - (b) paragraphs 1 and 6 of Schedule 6, and section 109 so far as relating to those paragraphs.
- [<sup>F1</sup>(7A) The following provisions, so far as they extend to Northern Ireland, come into force on such day as the Department of Justice in Northern Ireland may by order appoint—
- (a) section 144 so far as it relates to Part 2 of Schedule 10,
  - (b) section 163(1),
  - (c) section 163(3) so far as it relates to paragraphs 4 and 10 of Schedule 14,
  - (d) Part 2 of Schedule 10, and
  - (e) paragraphs 4 and 10 of Schedule 14.]
- (8) Otherwise, this Act comes into force on such day as the Secretary of State may by order appoint.
- (9) Different days may be appointed for different purposes or different areas.
- (10) The Secretary of State may by order make such provision as he considers appropriate for transitory, transitional or saving purposes in connection with the coming into force of any provision of this Act.
- (11) The power conferred by subsection (10) is exercisable by the Scottish Ministers (rather than the Secretary of State) in connection with any provision of this Act which comes into force by order made by the Scottish Ministers.
- [<sup>F2</sup>(12) The power conferred by subsection (10) is exercisable by the Department of Justice in Northern Ireland (rather than the Secretary of State) in connection with any provision of this Act which comes into force by order made by the Department of Justice.]

#### Textual Amendments

- F1** S. 178(7A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 15 para. 26(2)** (with arts. 28-31)
- F2** S. 178(12) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 15 para. 26(3)** (with arts. 28-31)

**Changes to legislation:**

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[View outstanding changes](#)

**Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871