

1987 No. 1489 (C.46) (S.110)

**RATING AND VALUATION
COMMUNITY CHARGES, SCOTLAND
LOCAL GOVERNMENT, SCOTLAND
SOCIAL SECURITY
WATER SUPPLY, SCOTLAND**

**The Abolition of Domestic Rates Etc. (Scotland) Act
1987 Commencement Order 1987**

Made - - - - *18th August 1987*

The Secretary of State, in exercise of the powers conferred upon him by section 35(2) of the Abolition of Domestic Rates Etc. (Scotland) Act 1987(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Abolition of Domestic Rates Etc. (Scotland) Act 1987 Commencement Order 1987.
2. In this Order, "the Act" means the Abolition of Domestic Rates Etc. (Scotland) Act 1987.
3. The provisions of the Act which are specified in column 1 of Schedule 1 to this Order shall come into force on 14th September 1987 but, where a particular purpose is specified in relation to any provision in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.
4. Sections 18 to 20 of the Act shall come into force on 1st October 1988.
5. The provisions of the Act which are specified in column 1 of Schedule 2 to this Order shall, in so far as they are not then in force, come into force on 1st April 1989 but, where a particular purpose is specified in relation to any provision in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.
6. The provisions of the Act which are specified in Schedule 3 to this Order shall, in so far as they are not then in force, come into force on 1st April 1994.

New St. Andrew's House, Edinburgh
18th August 1987

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

SCHEDULE 1

Article 3

The provisions of the Act which come into force on 14th September 1987.

Column 1	Column 2
<i>Provisions of the Act</i>	<i>Restriction of Purpose (if any)</i>
Sections 1 to 5.	
Section 6.	Only for the purpose of bringing into force the paragraphs of Schedule 1 to the Act specified in column 1 below, subject to any restriction of purpose indicated in relation to them in this column.
Sections 7, 8, 10 and 11.	Only for the purposes of and in relation to the community charges (and, as applied by paragraph 11 of Schedule 5 to the Act, the community water charges) in respect of the financial year 1989-90 and each subsequent financial year.
Sections 9, 12 to 17 and 21 to 25(1).	
Section 25(2) and (3).	Only for the purpose of bringing into force the paragraphs of Schedule 5 to the Act specified in column 1 below, subject to any restriction of purpose indicated in relation to them in this column.
Section 26(1).	
Section 26(2).	Only for the purpose of the provisions of the Act and any other enactment in relation to rates leviable in respect of the financial year 1989-90 and each subsequent financial year.
Sections 27 to 33.	
Section 34.	Only for the purpose of bringing into force the repeals in Schedule 6 to the Act which are referred to in column 1 below, subject to any restriction of purpose indicated in relation to them in this column.
Section 35.	
In Schedule 1, paragraphs 1 to 14, 20, 22, 23(b), 25, 26 and 33.	
In Schedule 1, paragraphs 15, 17, 19, 21, 23(a), 28, 32, 37 and 38.	Only for the purposes of and in relation to the determination and levying of the non-domestic rate, the non-domestic water rate and the non-domestic sewerage rate in respect of the financial year 1989-90 and each subsequent financial year.
Schedules 2, 3 and 4.	
In Schedule 5, paragraphs 1 to 22, 25, 26, 28, 29, 30(a), 31 to 37, 39 to 41 and 47 to 49.	Only for the purposes of and in relation to the community charges, the community water charges, the charges to be made under section 49 of the Water (Scotland) Act 1980(a), the non-domestic water rate and the non-domestic sewerage rate in respect of the financial year 1989-90 and each subsequent financial year.
In Schedule 6, the repeals listed in the Table below.	<p>Only for the purposes of and in relation to—</p> <p>(a) rates which are, or which but for the Act would be, leviable, and</p> <p>(b) other charges which may, or which but for the Act might, be imposed or payable,</p> <p>under any enactment contained in the Act or any other Act in respect of the financial year 1989-90 and each subsequent financial year.</p>

(a) 1980 c.45.

**TABLE
REPEALS**

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1947 c.43.	Local Government (Scotland) Act 1947	In section 379(1), the definition of "rate".
1956 c.60. (4 and 5 Eliz 2)	Valuation and Rating (Scotland) Act 1956	In section 43(1), in the definition of "rate", the words ", charge and assessment".
1963 c.12.	Local Government (Financial Provisions) (Scotland) Act 1963	In section 26(2), the definition of "rate".
1968 c.47.	Sewerage (Scotland) Act 1968	Section 18(3).
1973 c.65.	Local Government (Scotland) Act 1973	Sections 107 and 108.
1976 c.15.	Rating (Caravan Sites) Act 1976	Section 3(10).
1976 c.64.	Valuation and Rating (Exempted Classes) (Scotland) Act 1976	In section 1(4), the words "In this subsection "rate" includes domestic water rates."
1978 c.40.	Rating (Disabled Persons) Act 1978	In section 8(1), the definition of "rates".
1980 c.45.	Water (Scotland) Act 1980	Section 39. Section 41(3). In section 41(4), the words "premises occupied wholly as a dwelling house or". Section 44. Section 45. In section 60(1), the words "the aggregate amount by reference to which" and the words "is to be determined". Section 61(6).
1981 c.23	Local Government (Miscellaneous Provisions) (Scotland) Act 1981	In Schedule 3, paragraph 25.
1982 c.43.	Local Government and Planning (Scotland) Act 1982	In Schedule 3, paragraph 18.
1984 c.31.	Rating and Valuation (Amendment) (Scotland) Act 1984	Section 4.

SCHEDULE 2

Article 5

The provisions of the Act which, in so far as they are not then in force, come into force on 1st April 1989.

<i>Column 1</i>	<i>Column 2</i>
<i>Provisions of the Act</i>	<i>Restriction of Purpose (if any)</i>
Section 6.	
Sections 7, 8, 10 and 11	
Section 25(2) and (3).	
Section 26(2).	
Section 34.	Only for the purpose of bringing into force the repeals in Schedule 6 to the Act which are referred to in column 1 below.
In Schedule 1, paragraphs 15 to 19, 21, 23(a), 24, 27 to 32 and 34 to 39.	
Schedule 5.	
In Schedule 6, all the repeals in that Schedule except those specified in the Table in Schedule 3 to this Order.	

The provisions of the Act which, in so far as they are not then in force, come into force on 1st April 1994.

Provisions of the Act

Section 34.

In Schedule 6, the repeals listed in the Table below.

TABLE
REPEALS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1963 c.12.	Local Government (Financial Provisions) (Scotland) Act 1963	Sections 7(1) and (2), and 9.
1966 c.51.	Local Government (Scotland) Act 1966	Sections 2 to 4. Section 6. Sections 12 and 14. In section 46(1), the definitions of "product of a rate of one new penny in the pound" and "standard penny rate product". Schedule 1.
1973 c.65.	Local Government (Scotland) Act 1973	Section 120.
1981 c.23.	Local Government (Miscellaneous Provisions) (Scotland) Act 1981	Sections 16, 17 and 20.
1982 c.43.	Local Government and Planning (Scotland) Act 1982	Section 3. In Schedule 3, paragraphs 5 to 7.
1984 c.31.	Rating and Valuation (Amendment) (Scotland) Act 1984	Section 1(1).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints the days on which all the provisions of the Abolition of Domestic Rates Etc. (Scotland) Act 1987 ("the Act") are to come into force.

Article 3 of the Order provides that the provisions of the Act which are specified in Schedule 1 to the Order are to come into force on 14th September 1987, subject to any restrictions specified in that Schedule.

Article 4 of the Order provides that sections 18 to 20 of the Act are to come into force on 1st October 1988.

Article 5 of the Order provides that the provisions of the Act which are specified in Schedule 2 to the Order are to come into force on 1st April 1989, to the extent to which they are not already then in force and subject to any restrictions specified in that Schedule.

Article 6 of the Order provides that the provisions of the Act which are specified in Schedule 3 to the Order are to come into force on 1st April 1994, to the extent to which they are not already then in force.

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