

2002 No. 433 (C. 22)

HOUSING

**The Housing (Scotland) Act 2001 (Commencement No. 6
and Amendment) Order 2002**

Made

19th September 2002

The Scottish Ministers, in exercise of the powers conferred by section 113(1) and (2) of the Housing (Scotland) Act 2001(a) 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 Housing (Scotland) Act 2001 (Commencement No. 6 and Amendment) Order 2002.

(2) In this Order, “the Act” means the Housing (Scotland) Act 2001.

Commencement of provisions

2. The provisions of the Act which are specified in column 1 of the Schedule to this Order shall, insofar as not already in force, come into force on 30th September 2002, but, where a particular purpose in relation to any such provision is specified in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.

Amendment

3.—(1) The Housing (Scotland) Act 2001 (Commencement No. 5, Transitional Provisions and Savings) Order 2002(b) is amended in accordance with paragraph (2) below.

(2) In the Table in the Schedule, the second paragraph in the third column of the entry for the Housing (Scotland) Act 1988(c) is omitted.

MARGARET CURRAN

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
19th September 2002

(a) 2001 asp 10.
(b) S.S.I. 2002/321.
(c) 1988 c.43.

SCHEDULE

PROVISIONS OF THE ACT COMING INTO FORCE ON 30TH SEPTEMBER 2002

| <i>Column 1</i> <i>Provisions of the Act</i> | <i>Column 2</i> <i>Purposes</i> |
|---|--|
| Section 112 | Only for the purpose of bringing into force the modifications in Schedule 10 specified in the Table below. |

In Schedule 10, the modifications specified in the Table below.

TABLE Modifications

| <i>Chapter</i> | <i>Short title</i> | <i>Extent of Modifications</i> |
|----------------|-----------------------------|--|
| 1987 c.26 | Housing (Scotland) Act 1987 | The amendments referred to in paragraph 13(4) of Schedule 10 to the Act. |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force various provisions of the Housing (Scotland) Act 2001 (“the Act”).

Article 2 and the Schedule bring into force on 30th September 2002 provisions, listed in that Schedule, which relate to repeal of management agreements between housing co-operatives and local authorities.

Article 3 amends the Housing (Scotland) Act 2001 (Commencement No. 5, Transitional Provisions and Savings) Order 2002.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The Housing (Scotland) Act 2001 (Commencement No. 1, Transitional Provisions and Savings) Order 2001 (S.S.I. 2001/336) provides for commencement of provisions of the Act as follows:-

| <i>Provision</i> | <i>Date of commencement</i> |
|---|-----------------------------|
| Sections 1-2 | 1st October 2001 |
| Sections 57-83 | 1st November 2000 |
| Section 88 | 1st October 2001 |
| Sections 90 to 94 | 1st November 2001 |
| Section 95 | 1st October 2001 |
| Sections 106-107 | 1st November 2001 |
| Section 108 | 1st October 2001 |
| Section 111 | 1st October 2001 |
| Section 112 (only for the purpose of bringing into force certain paragraphs of Schedule 10) | 1st November 2001 |
| Schedule 7 to 9 | 1st November 2001 |
| Schedule 10 (partially) | 1st November 2001 |

The Housing (Scotland) Act 2001 (Commencement No. 2, Transitional Provisions, Savings and Variation) Order 2001 (S.S.I. 2001/397) provides for commencement of provisions of the Act as follows:-

| <i>Provision</i> | <i>Date of commencement</i> |
|---|-----------------------------|
| Section 84 (only for the purpose of transferring all of the functions of Scottish Homes to the Scottish Ministers except for the functions conferred by section 1(3)(b) of the Housing (Scotland) Act 1988) | 1st November 2001 |
| Section 85 | 1st November 2001 |
| Section 87 | 1st November 2001 |
| Section 89 | 1st November 2001 |
| Section 112 (only for the purposes of bringing into force certain paragraphs of Schedule 10) | 1st November 2001 |
| Schedule 10 (partially) | 1st November 2001 |

The Housing Scotland Act 2001 (Commencement No. 3, Transitional Provisions and Savings) Order 2001 (S.S.I. 2001/467) provides for commencement of provisions of the Act as follows:–

| <i>Provision</i> | <i>Date of commencement</i> |
|---|-----------------------------|
| Sections 112 (only for the purposes of bringing into force certain paragraphs of Schedule 10) | 19th December 2001 |
| Schedule 10 (partially) | 19th December 2001 |

The Housing (Scotland) Act 2001 (Commencement No. 4) Order 2002 (S.S.I. 2002/168) provides for commencement of provisions of the Act as follows:–

| <i>Provision</i> | <i>Date of commencement</i> |
|---|-----------------------------|
| Section 3(1)(a) and (c) | 1st April 2002 |
| Section 3(4)(b) | 1st April 2002 |
| Section 4 | 1st April 2002 |
| Sections 8 to 10 | 1st April 2002 |
| Section 112 (only for the purpose of bringing into force certain paragraphs of Schedule 10) | 1st April 2002 |
| Schedule 10 (partially) | 1st April 2002 |

The Housing (Scotland) Act 2001 (Commencement No. 5) Order 2002 (S.S.I. 2002/321) provides for commencement of provisions of the Act as follows:–

| <i>Provision</i> | <i>Date of commencement</i> |
|---|-----------------------------|
| Section 3 | 30th September 2002 |
| Sections 5 to 7 | 30th September 2002 |
| Sections 11 to 56 | 30th September 2002 |
| Section 112 (only for the purpose of bringing into force certain paragraphs of Schedule 10) | 30th September 2002 |
| Schedule 10 (partially) | 30th September 2002 |

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