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STATUTORY INSTRUMENTS

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**1992 No. 1599 (C.53) (S.154)**

**CHARITIES  
LEGAL PROFESSION  
CRIMINAL LAW, SCOTLAND**

**The Law Reform (Miscellaneous Provisions) (Scotland)  
Act 1990 (Commencement No. 10) Order 1992**

*Made* - - - -

*3rd July 1992*

The Secretary of State, in exercise of the powers conferred upon him by section 75(2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (Commencement No. 10) Order 1992.

**Interpretation**

2. In this Order—

“the Act” means the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

**Commencement**

3. The provisions of the Act which are specified in column 1 of Schedule 1 to this Order, and described by reference to the subject matter in column 2 of that Schedule shall, in so far as they are not then in force, come into force on 4th July 1992 but, where a particular purpose is specified in relation to any provision in column 3 of that Schedule, that provision shall come into force on that day only for that purpose.

4. The provisions of the Act which are specified in column 1 of Schedule 2 to this Order, and described by reference to the subject matter in column 2 of that Schedule shall, in so far as they are not then in force, come into force on 20th July 1992 but, where a particular purpose is specified in relation to any provision in column 3 of that Schedule, that provision shall come into force on that day only for that purpose.

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5. The provisions of the Act which are specified in column 1 of Schedule 3 to this Order, and described by reference to the subject matter in column 2 of that Schedule shall, in so far as they are not then in force, come into force on 27th July 1992.

6. The provisions of the Act which are specified in column 1 of Schedule 4 to this Order, and described by reference to the subject matter in column 2 of that Schedule shall, in so far as they are not then in force, come into force on 30th September 1992.

St Andrew's House,  
Edinburgh  
3rd July 1992

*Fraser of Carmyllie*  
Minister of State, Scottish Office

## SCHEDULE 1

Article 3

The provisions of the Act which come into force on 4th July 1992

Column 1	Column 2	Column 3
Section 3(1)	Designated religious bodies	Only for the purpose of bringing into force the power to make an order
Section 4(4)	Duty to keep accounting records	
Section 5(3) and (5)	Annual accounts and report	
Section 7(5)	Powers of Court of Session to deal with management of charities	Only for the purpose of bringing into force the power to make regulations
Section 9(5)	Re-organisation of public trusts by the court	Only for the purpose of bringing into force the power to make orders
Section 15(5)(b) and (d)	Interpretation of Part I, regulations and orders	Only for the purpose of bringing into force the power to make orders
Section 15(11)	Interpretation of Part I, regulations and orders	
Section 36(2)	Solicitors' and counsel's fees	Only for the purpose of bringing into force the power to make an act of sederunt
Section 36(3)	Solicitors' and counsel's fees	Only for the purpose of bringing into force the power to make the act of sederunt under section 61A of the Solicitors' (Scotland) Act 1980 (c. 46)

## SCHEDULE 2

Article 4

The provisions of the Act which come into force on 20th July 1992

Column 1	Column 2	Column 3
Section 36(1) to(3)	Solicitors' and counsel's fees	
Section 37	Admission of solicitors and notaries public	
Section 74(1)	Amendments	Only for the purpose of bringing into force the provisions of Schedule 8 to the Act specified or referred to in this Schedule.

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Column 1	Column 2	Column 3
In Schedule 8, paragraph 30	Amendment of Enactments	

SCHEDULE 3

Article 5

The provisions of the Act which come into force on 27th July 1992

Column 1	Column 2
Section 1	Information as to recognised charities
Section 2	Non-recognised bodies
Section 3	Designated religious bodies
Section 6	Powers of Lord Advocate to investigate charities and to suspend trustees
Section 7	Powers of Court of Session to deal with management of charities
Section 8	Disqualification of persons concerned in the management or control of recognised bodies
Section 9	Reorganisation of public trusts by the court
Section 13	Appointment of trustees
Section 14	Alteration of purposes and winding-up of charitable companies
Section 15	Interpretation of Part I, regulations and orders

SCHEDULE 4

Article 6

The provisions of the Act which come into force on 30th September 1992

Column 1	Column 2
Section 4	Duty to keep accounting records
Section 5	Annual accounts and report

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## EXPLANATORY NOTE

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

This Order appoints various dates as noted below for the coming into force of certain of the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

Article 3 appoints 4th July 1992 as the date for the coming into force of the provisions of the Act which are specified in Schedule 1 to the Order.

Article 4 appoints 20th July 1992 as the date for the coming into force of the provisions of the Act which are specified in Schedule 2 to the Order;

Article 5 appoints 27th July 1992 as the date for the coming into force of the provisions of the Act which are specified in Schedule 3 to the Order; and

Article 6 appoints 30th September 1992 as the date for the coming into force of the provisions of the Act which are specified in Schedule 4 to the Order.

## 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>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Sections 63, 72, 74(partially), 75 and Schedules 8 (partially) and 9 (partially)	1.12.1990	1990/2328
Sections 64, 65, 74 (partially) and Schedules 8 (partially) and 9 (partially)	1.1.1991	1990/2624
Section 69	1.3.1991	1991/330
Sections 68, 74 (partially) and Schedule 9 (partially)	1.4.1991	1991/330
Sections 16, 23, 34 (partially), 35, 44, 73 (partially), 74 (partially) and Schedules 1 (partially), 3, 4 and 8 (partially)	1.4.1991	1991/822
Sections 61 and 62 and Schedules 6 and 8 (partially)	1.4.1991	1991/850
Sections 24, 30, 33, 34 (partially), 43, 74 (partially) and Schedules 8 (partially) and 9 (partially)	3.6.1991	1991/1252

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 74 (partially) and Schedule 9 (partially)	15.8.1991	<a href="#">1991/1252</a>
Section 74 (partially) and Schedules 8 (partially) and 9 (partially)	26.8.1991	<a href="#">1991/1903</a>
Sections 17 (partially), 18 (partially), 38, 39,40, 41, 42, 56 (partially), 57 (partially), 58 (partially), 59 (partially), 60, 74 (partially) and Schedules 8 (partially) and 9 (partially)	30.9.1991	<a href="#">1991/2151</a>
Section 74 (partially) and Schedule 8 (partially)	31.12.1991	<a href="#">1991/2862</a>