

2001 No. 467 (C. 21)

HOUSING

**The Housing (Scotland) Act 2001 (Commencement No. 3,
Transitional Provisions and Savings) Order 2001**

Made

17th December 2001

The Scottish Ministers, in exercise of the powers conferred by sections 109(2) and 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. 3, Transitional Provisions and Savings) Order 2001.

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

Commencement of provisions

2.—(1) This article has effect subject to the provisions of article 3 below.

(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 19th December 2001 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.

Transitional Provisions and Savings

3.—(1) Notwithstanding the modifications of provisions of the Housing (Scotland) Act 1987(b) which are brought into force by this Order, anything done under or by virtue of those provisions before 19th December 2001 shall continue to have effect for the purposes of any decision of the Scottish Ministers under section 12(7) of that Act.

(2) Without prejudice to paragraph (1) above, anything done or having effect as if done before 19th December 2001 for the purposes of the provisions referred to in that paragraph shall be treated as if it had been done for the purposes of section 66 of or, as the case may be, Schedule 9 to, the Act.

(3) Paragraphs (1) and (2) above are without prejudice to paragraph 13 of Schedule 1 to the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1991^(a).

St Andrew's House,
Edinburgh
17th December 2001

IAIN GRAY
A member of the Scottish Executive

^(a) S.I. 1999/1379.

SCHEDULE

PROVISIONS OF THE ACT COMING INTO FORCE ON 19TH DECEMBER 2001

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Purpose</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

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Modifications</i>
1987 c.26	Housing (Scotland) Act 1987	<p>The amendments listed in paragraph 13(2) of Schedule 10 to the Act but only to the extent of bringing into force the repeal of section 12A.</p> <p>The amendments listed in paragraph 13(17) of Schedule 10 to the Act but only to the extent of bringing into force the repeal of section 81B.</p> <p>The amendments listed in paragraph 13(42) of Schedule 10 to the Act but only to the extent of bringing into force the repeal of Schedule 6A.</p>

EXPLANATORY NOTE

(This note is not part of the Order)

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

Article 2(2) and the Schedule bring into force on 19th December 2001 the provisions listed in that Schedule.

Article 3 makes transitional and savings provisions.

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 2001
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

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