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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 218 (C. 20)**

**NATIONAL HEALTH SERVICE**

**The Smoking, Health and Social Care (Scotland)  
Act 2005 (Commencement No. 5) Order 2007**

*Made* - - - - *6th March 2007*  
*Coming into force* - - *1st April 2007*

The Scottish Ministers, in exercise of the powers conferred by sections 40(1) and 43(3) and (4) of the Smoking, Health and Social Care (Scotland) Act 2005(1), hereby make the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Smoking, Health and Social Care (Scotland) Act 2005 (Commencement No. 5) Order 2007.

(2) In this Order—

“the Act” means the Smoking, Health and Social Care (Scotland) Act 2005.

**Appointed days**

2. The day appointed for the coming into force of the provisions of the Act specified in column 1 of the Schedule to this Order, in so far as those provisions are not already in force, is 1st April 2007, but only for the purpose specified in column 3 of that Schedule.

St Andrew’s House, Edinburgh  
6th March 2007

*LEWIS MACDONALD*  
Authorised to sign by the Scottish Ministers

*Status: This is the original version (as it was originally made). Scottish Statutory Instruments are not carried in their revised form on this site.*

## SCHEDULE

Article 2

## Provisions of the Act coming into force on 1st April 2007

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 42(2)	Repeals	Only for the purpose of bringing into force the provisions in Schedule 3 of the Act specified in this schedule.
Schedule 3	Repeals	Only for the purpose of bringing into force the repeal specified in the Table below.

## Table of Repeals

<i>Enactment</i>	<i>Extent of repeal</i>
Health and Medicines Act 1988 (c. 49)	Section 8

**EXPLANATORY NOTE**

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

This Order appoints 1st April 2007 as the day for the coming into force of the repeal of section 8 of the Health and Medicines Act 1988 (c. 49) specified in schedule 3 to the [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#) (“the Act”).

**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>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 11, 16, 28 to 32, 36 and 37	17th October 2005	<a href="#">2005/492</a>
Section 42(1) and (2) (partially)	17th October 2005	
Paragraphs 1 and 2(1) of schedule 2	17th October 2005	
Schedule 3 (partially)	17th October 2005	

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 3(3) and 4(2), (3) and (7)	1st November 2005	<a href="#">2005/492</a>
Section 6 (partially)	1st November 2005	
Section 38	1st November 2005	
Section 42(1) and (2) (partially)	1st November 2005	
Paragraphs 2, 4(1), 5(2) and 12 of schedule 1 (partially)	1st November 2005	
Paragraph 2(19)(a)(iv) of schedule 2	1st November 2005	
Schedule 3 (partially)	1st November 2005	
Section 4(6), (8) and (9)	16th December 2005	<a href="#">2005/642</a>
Section 35	19th December 2005	<a href="#">2005/492</a>
Section 4	7th February 2006	<a href="#">2006/47</a>
Sections 12, 13, 19, 26 and 27 (partially)	7th March 2006	<a href="#">2006/121</a>
Sections 1 to 10 and Schedule 1	26th March 2006	<a href="#">2005/492</a>
Sections 12 and 13	1st April 2006	<a href="#">2005/492</a>
Sections 19 and 26(1), (2)(a), (b), (c)(i), (d), (e)(i) and (f), (3)(a), (d) and (e), (4)(a) and (c), (5)(a), (6) and (7)(b)(ii) and (c)	1st April 2006	<a href="#">2006/121</a>
Sections 26(2)(c)(ii), 26(2)(e)(ii), 26(3)(c), 26(4)(b) and 26(7)(d) (partially)	1st April 2006	
Section 27	1st April 2006	
Section 42(1) and (2) (partially)	1st April 2006	<a href="#">2005/492</a>
Paragraphs 2(5), (10) to (14) of Schedule 2	1st April 2006	<a href="#">2006/121</a>
Paragraph 2(19)(a)(ii) of Schedule 2	1st April	<a href="#">2005/492</a>
Paragraph 2(20) of Schedule 2	1st April	<a href="#">2006/121</a>
Schedule 3 (partially)	1st April	

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