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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 339 (C. 18)**

**CRIMINAL LAW**

**The Criminal Justice and Licensing (Scotland)  
Act 2010 (Commencement No. 2) Order 2010**

Made - - - - 22nd September  
2010

The Scottish Ministers make the following Order in exercise of the powers conferred by section 206(1) of the Criminal Justice and Licensing (Scotland) Act 2010<sup>(1)</sup>.

**Citation**

1. This Order may be cited as the Criminal Justice and Licensing (Scotland) Act 2010 (Commencement No. 2) Order 2010.

**Commencement**

2. Sections 38 and 97 of the Criminal Justice and Licensing (Scotland) Act 2010 come into force on 6th October 2010.

St Andrew's House, Edinburgh  
22nd September 2010

*KENNY MACASKILL*  
A member of the Scottish Executive

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*Status: This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

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

The Criminal Justice and Licensing (Scotland) Act 2010 (“the Act”) received Royal Assent on 6th August 2010. Sections 201, 202, 204, 205 and 206 of the Act came into force on Royal Assent.

Article 2 of this Order brings into force sections 38 and 97 of the Act.

Section 38 of the Act amends the law to provide that it is an offence for a person to behave in a threatening or abusive manner where the person does so in the circumstances specified in that section. Section 38 comes into force on 6th October 2010.

Section 97 of the act amends the Public Finance and Accountability (Scotland) Act 2000<sup>(2)</sup> (“the 2000 Act”) to provide Audit Scotland with the statutory power to match data for one or more of the purposes specified in section 26A(3) of the 2000 Act. That section of the 2000 Act was inserted by section 97(3) of the Act. Section 97 comes into force on 6th October 2010.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provision of the Criminal Justice and Licensing (Scotland) Act 2010 has been brought into force by a commencement order made before the date of this Order.

<i>Provision</i>	<i>Purpose</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 178(3)(e)	To bring section 178(3)(e) of the Criminal Justice and Licensing (Scotland) Act 2010 into force but only in respect of applications for the grant or renewal of licences for sex shops under paragraph 6 of Schedule 2 to the Civic Government (Scotland) Act 1982 <sup>(3)</sup> made to the local authority on or after that date.	16th August 2010	2010/297

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(2) 2000 asp 1.  
(3) 1982 c.45.