

2016 No. 363 (C. 32)

COMMUNITY EMPOWERMENT

**The Community Empowerment (Scotland) Act 2015
(Commencement No. 4 and Transitory Provision) Order 2016**

Made - - - - - *8th November 2016*

Laid before the Scottish Parliament *10th November 2016*

Coming into force - - - *20th December 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 145(2) and (3) of the Community Empowerment (Scotland) Act 2015^(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Community Empowerment (Scotland) Act 2015 (Commencement No. 4 and Transitory Provision) Order 2016 and comes into force on 20th December 2016.

(2) In this Order “the Act” means the Community Empowerment (Scotland) Act 2015.

Appointed days

2. The day appointed for the coming into force, insofar as not already in force, of Part 2 and schedule 1 of the Act (community planning) is 20th December 2016.

3. The day appointed for the coming into force of the following provisions of the Act, insofar as not already in force, is 23rd January 2017:—

- (a) section 19 (participation requests: meaning of “community-controlled body”);
- (b) Part 5 and schedule 3 (asset transfer requests); and
- (c) Part 6 (delegation of Forestry Commissioners’ functions).

^(a) 2015 asp 6.

Transitory provision

4. For the purposes of section 95 of the Act the asset transfer report to be published no later than 30th June 2018 must also set out the information described in section 95(2) in respect of the period beginning on 23rd January 2017 and ending on 31st March 2018.

St Andrew's House,
Edinburgh
8th November 2016

KEVIN STEWART
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Community Empowerment (Scotland) Act 2015 (“the Act”).

Article 2 brings Part 2 (community planning) and schedule 1 (community planning partners) of the Act into force on 20th December 2016, insofar as not already in force.

Article 3 brings the following provisions of the Act into force on 23rd January 2017:—

- section 19 (participation requests: meaning of “community controlled body”);
- Part 5 (asset transfer requests) insofar as not already in force;
- schedule 3 (relevant bodies for the purposes of Part 5);
- Part 6 (delegation of Forestry Commissioners’ functions: amendment of the Forestry Act 1967).

Article 4 contains a transitory provision with regard to the information to be set out in the first asset transfer report.

The Bill for the Act received Royal Assent on 24th July 2015. Sections 141 to 143, 145 and 146 came into force the following day.

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 orders made before the date of this Order.

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 1	15th April 2016	S.S.I. 2015/399
Section 2	15th April 2016	S.S.I. 2015/399
Section 3	15th April 2016	S.S.I. 2015/399
Section 9(2),(5) and (6) (partially)	13th November 2015	S.S.I. 2015/358
Section 15(3) (partially)	13th November 2015	S.S.I. 2015/358
Section 18	13th November 2015	S.S.I. 2015/358
Section 20(2) and (3) (partially)	13th November 2015	S.S.I. 2015/358
Section 21(2), (3), (4), (8) and (9) (partially)	13th November 2015	S.S.I. 2015/358
Section 23	13th November 2015	S.S.I. 2015/358
Section 24(7)(a) and (8) (partially)	13th November 2015	S.S.I. 2015/358
Section 26(6) (partially)	13th November 2015	S.S.I. 2015/358
Section 29(3) (partially)	13th November 2015	S.S.I. 2015/358

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 31(6) (partially)	13th November 2015	S.S.I. 2015/358
Section 34 (partially)	13th November 2015	S.S.I. 2015/358
Section 35	13th November 2015	S.S.I. 2015/358
Section 36	15th April 2016	S.S.I. 2015/399
Section 37(1), (4), (7) and (8) (partially)	13th November 2015	S.S.I. 2015/358
Section 37 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 38	15th April 2016	S.S.I. 2015/399
Section 39	15th April 2016	S.S.I. 2015/399
Section 40 (partially)	13th November 2015	S.S.I. 2015/358
Section 40 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 41	15th April 2016	S.S.I. 2015/399
Section 42(1), (2), (4) and (9) (partially)	13th November 2015	S.S.I. 2015/358
Section 42 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 43	15th April 2016	S.S.I. 2015/399
Section 44 (partially)	13th November 2015	S.S.I. 2015/358
Section 44 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 45	15th April 2016	S.S.I. 2015/399
Section 46	15th April 2016	S.S.I. 2015/399
Section 47	15th April 2016	S.S.I. 2015/399
Section 48	15th April 2016	S.S.I. 2015/399
Section 49 (partially)	13th November 2015	S.S.I. 2015/358
Section 49 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 50 (partially)	13th November 2015	S.S.I. 2015/358
Section 50 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 51	15th April 2016	S.S.I. 2015/399
Section 52 (partially)	13th November 2015	S.S.I. 2015/358
Section 52 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 53	15th April 2016	S.S.I. 2015/399
Section 54	15th April 2016	S.S.I. 2015/399
Section 55	15th April 2016	S.S.I. 2015/399
Section 56	15th April 2016	S.S.I. 2015/399
Section 57	15th April 2016	S.S.I. 2015/399
Section 58	15th April 2016	S.S.I. 2015/399
Section 59	15th April 2016	S.S.I. 2015/399
Section 60	15th April 2016	S.S.I. 2015/399
Section 61	15th April 2016	S.S.I. 2015/399
Section 75 (partially)	15th April 2016	S.S.I. 2015/399
Section 76	13th November 2015	S.S.I. 2015/358
Section 77(2) and (3) (partially)	13th November 2015	S.S.I. 2015/358
Section 78(2), (3) and (4) (partially)	13th November 2015	S.S.I. 2015/358
Section 81	13th November 2015	S.S.I. 2015/358
Section 82(8)(a) and (9) (partially)	13th November 2015	S.S.I. 2015/358
Section 83(10) (partially)	13th November 2015	S.S.I. 2015/358
Section 85(3), (4) and (10) (partially)	13th November 2015	S.S.I. 2015/358
Section 86(3), (4), (7)(b)(i) and (9) (partially)	13th November 2015	S.S.I. 2015/358
Section 87(3), (4) and (9) (partially)	13th November 2015	S.S.I. 2015/358
Section 88(3) (partially)	13th November 2015	S.S.I. 2015/358
Section 89(2), (3), and (4) (partially)	13th November 2015	S.S.I. 2015/358

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 90(12), (13) and (14) (partially)	13th November 2015	S.S.I. 2015/358
Section 94(4), (5) and (6) (partially)	13th November 2015	S.S.I. 2015/358
Section 96 (partially)	13th November 2015	S.S.I. 2015/358
Section 97	13th November 2015	S.S.I. 2015/358
Section 103	13th November 2015	S.S.I. 2015/358
Section 105	13th November 2015	S.S.I. 2015/358
Section 106	13th November 2015	S.S.I. 2015/358
Section 137 (partially)	13th November 2015	S.S.I. 2015/358
Section 139(1) to (5) and (7) (partially)	13th November 2015	S.S.I. 2015/358
Section 140	31st October 2015	S.S.I. 2015/344
Section 144(1) and schedule 4 so far as they relate to paragraph 8(1), (2)(d) and (4)(a) of schedule 4 (partially)	13th November 2015	S.S.I. 2015/358
Section 144(1) and schedule 4 so far as they relate to paragraph 8 of schedule 4 (insofar as not already in force)	15th April 2016	S.S.I. 2015/399
Section 144(2) and schedule 5 so far as they relate to the Land Reform (Scotland) Act 2003	15th April 2016	S.S.I. 2015/399

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