

**1983 No. 201 (C. 9) (S. 14)**

**LOCAL GOVERNMENT, SCOTLAND  
LICENCES AND LICENSING  
POLICE  
BUILDING AND BUILDINGS  
CHARITIES**

**The Civic Government (Scotland) Act 1982  
(Commencement) Order 1983**

*Made - - - - 14th February 1983*

In exercise of the powers conferred on me by section 137(2) of the Civic Government (Scotland) Act 1982(a), and of all other powers enabling me in that behalf, I hereby make the following Order:—

**1.** This Order may be cited as the Civic Government (Scotland) Act 1982 (Commencement) Order 1983.

**2.** The provisions of the Civic Government (Scotland) Act 1982 (hereinafter referred to as “the Act”) which are specified in Column 1 of the Schedule to this Order shall, subject to any restrictions in application specified in Column 2 of the Schedule, come into operation on 1st April 1983.

**3.** The provisions of the Act in so far as not already fully in force, shall come into operation on 1st July 1984.

New St Andrew’s House,  
Edinburgh.  
14th February 1983.

*George Younger,*  
One of Her Majesty’s Principal  
Secretaries of State.

## SCHEDULE

## Article 2

## PROVISIONS COMING INTO EFFECT ON 1ST APRIL 1983

Column 1	Column 2
<p data-bbox="229 488 448 517"><i>Provisions of the Act</i></p> <p data-bbox="229 539 539 568">Parts I and II and Schedule 1</p>	<p data-bbox="619 488 895 517"><i>Restrictions in application</i></p> <p data-bbox="619 539 1038 568">Only to the extent necessary to enable—</p> <p data-bbox="619 591 1134 801">(a) licensing authorities to resolve that an activity be licensed as from 1st July 1984 or such later date as the licensing authority may resolve and to take such further action (including the fixing of licence fees) as may be necessary or required for the purpose of bringing Parts I and II of and Schedule 1 to the Act into full effect on that date;</p> <p data-bbox="619 831 1134 1016">(b) applications for licences which are to come into force on or after 1st July 1984 to be made and considered and dealt with in accordance with the provisions of Parts I and II of the Act by the licensing authority or any other person or appealed to and decided by the Courts before 1st July 1984;</p> <p data-bbox="619 1046 1134 1227">(c) the provisions of Parts I and II of and Schedule 1 to the Act to apply to any licences granted in respect of a period on or after 1st July 1984 in so far as the notification of changes, alteration of circumstances and variation and suspension of the licences are concerned which arise before that date;</p> <p data-bbox="619 1256 1134 1442">(d) licensing authorities to set taxi fare scales operative from 1st July 1984 and appeals against these scales to be heard by the traffic commissioners in accordance with the provisions of sections 17 and 18 and any rules which may be made by the Secretary of State under section 18(6);</p> <p data-bbox="619 1471 1134 1599">(e) the Secretary of State to make rules as to procedure in relation to appeals under section 18 and, in accordance with the provisions of section 44, to designate before 1st July 1984 any additional activity:—</p> <p data-bbox="651 1628 1102 1657">(i) for which a licence shall be required, or</p> <p data-bbox="651 1686 1102 1731">(ii) which a licensing authority may resolve shall be licensed,</p>

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## SCHEDULE

PROVISIONS COMING INTO EFFECT ON 1ST APRIL 1983

Column 1	Column 2
<i>Provisions of the Act</i>	<i>Restrictions in application</i>
	as from 1st July 1984 or such later date as the order may provide or the licensing authority may resolve.
Part III and Schedule 2	None.
Part IV	None.
Part V	Only to the extent necessary to enable— (a) notification of any proposal to hold a procession in public on or after 1st July 1984, or any application in relation thereto, to be made and considered; (b) any order in relation to a procession in public to be held on or after that date to be made by a regional or islands council under section 62(4), (6) or (7) or section 63(1); and (c) any appeal under section 64 to be made, considered and dealt with; all in accordance with the provisions of Part V.
Part VI	None.
Part VII	None.
Part VIII	None.
In Part IX	
Section 110(1) and (2)	Only so far as subsection (1) of section 110 relates to subsection (2).
Sections 111 to 118	None.
Sections 120 to 133	None.
Section 137(7)	Only so far as it relates to paragraphs 1 to 4 of Schedule 3 to the Act.
Section 137(8)	Only so far as it relates to the provisions of Schedule 4 to the Act which are set out in the Appendix to this Schedule.

## SCHEDULE

Article 2

## PROVISIONS COMING INTO EFFECT ON 1ST APRIL 1983

Column 1	Column 2
<i>Provisions of the Act</i>	<i>Restrictions in application</i>
In Schedule 3, paragraphs 1 to 4	None.
In Schedule 4, the repeals set out in the Appendix to this Schedule	None.

## APPENDIX TO SCHEDULE

## REPEALS COMING INTO EFFECT ON 1ST APRIL 1983

Chapter	Short Title	Extent of Repeal
1824 c. 83.	The Vagrancy Act 1824.	Section 4.
1871 c. 112.	The Prevention of Crime Act 1871.	Sections 7 and 15.
1903 c. 25.	The Licensing (Scotland) Act 1903.	The whole Act.
1906 c. 32.	The Dogs Act 1906.	In section 3(6), the words "on payment of a fee of one shilling".  In section 3(7), the words "on payment of a fee not exceeding one shilling".
1967 c. 86.	The Countryside (Scotland) Act 1967.	Section 56.  In section 57, in subsection (1), the words "section 56" and, in subsection (2), the words "or the said section 56".
1968 c. 54.	The Theatres Act 1968.	Section 2(4)(c).
1976 c. 67.	The Sexual Offences (Scotland) Act 1976.	Section 13(3).

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EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into operation on 1st April 1983 the following provisions of the Civic Government (Scotland) Act 1982—

- (a) Part III and Schedule 2 (Control of sex shops);
- (b) Part IV (Offences, powers of constables etc);
- (c) Part VI (Lost and abandoned property);
- (d) Part VII (Property in possession of persons taken into police custody);
- (e) Part VIII (Buildings, etc);
- (f) In Part IX (Miscellaneous and general) sections 110(1) and (2), 111 to 118, 120 to 133, along with the associated general provisions, minor and consequential amendments and repeals.

The Order also brings into restricted operation on 1st April 1983 Parts I, II and V and Schedule 1 (Licensing and Regulation of Certain Activities and the Control of Public Processions) for the purpose of enabling preliminary arrangements to be made for the provisions to be fully effective in operation as from 1st July 1984.

With the exception of the provisions brought fully into force on 1st April 1983, the Order brings all the remaining provisions of the Act into operation on 1st July 1984.

SI 1983/201  
ISBN 0-11-036201-2

