

**1988 No. 1043 (C.35) (S.100)**

**LOCAL GOVERNMENT, SCOTLAND**

**The Local Government Act 1988 (Commencement No.2)  
(Scotland) Order 1988**

*Made* - - - - *2nd June 1988*

The Secretary of State for Scotland, in exercise of the powers conferred on him by section 32(2) and (4) of the Local Government Act 1988(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, extent and interpretation**

1.—(1) This Order may be cited as the Local Government Act 1988 (Commencement No.2) (Scotland) Order 1988 and shall apply to Scotland only.

(2) In this Order—

“the Act” means the Local Government Act 1988;

“the 1980 Act” means the Local Government, Planning and Land Act 1980(b).

**Commencement of provisions in Schedule 6**

2. The provisions of Schedule 6 to the Act listed below shall come into force on 24th June 1988—

- (a) paragraphs 1 to 3;
- (b) paragraphs 5 to 7;
- (c) paragraph 8(2) and (4);
- (d) paragraph 9;
- (e) paragraph 10(1), (3) to (5) and (7);
- (f) paragraph 10(6) (insofar as it inserts section 20(5) in the 1980 Act).

3. The remaining provisions of Schedule 6 (so far as not already in force) shall come into force on 1st October 1988.

**Transitional provisions**

4. Section 9(4)(a) of the 1980 Act shall have effect as originally enacted (and not as amended by paragraph 3(2) of Schedule 6 to the Act), and section 9(4)(aaaa) shall not apply, in relation to the undertaking of functional work where a local authority have decided before 24th June 1988 that they should undertake the work.

5. Any directions given by the Secretary of State under section 17(4) of the 1980 Act before 24th June 1988 shall continue in force and, where any such direction has been given, sub-sections (5) and (6) and (8) to (11) of section 17 shall continue to have effect.

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(a) 1988 c.9.  
(b) 1980 c.65.

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**EXPLANATORY NOTE**

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

This Order brings into force in two stages in Scotland all the provisions of Schedule 6 to the Local Government Act 1988 which are not brought into force by the Act directly.

The provisions in question amend provisions of the Local Government, Planning and Land Act 1980 relating to direct labour organisations.

Articles 4 and 5 of the Order make transitional provisions in relation to, respectively, the regulation of functional work and directions given by the Secretary of State under section 17 of the 1980 Act.

Paragraphs 8(1) and (3) and 11 of Schedule 6 were brought into force by the Act itself on 24th March 1988. Article 2 of the Order brings into force on 24th June 1988 the provisions of Schedule 6 mentioned in that article. The remaining provisions of Schedule 6 brought into force on 1st October 1988 by article 3 are paragraphs 4, 10(2) and 10(6) (so far as it inserts section 20(6) in the 1980 Act).

**NOTE AS TO EARLIER COMMENCEMENT ORDERS**

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

The Local Government Act 1988 (Commencement No.1) Order 1988 (S.I. 1988/979), which applies to England and Wales only, brings into force on the same dates the same provisions as this Order.

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