

1989 No. 2180 (C.66)

**COMMUNITY CHARGES, SCOTLAND  
HOUSING, SCOTLAND  
LOCAL GOVERNMENT, SCOTLAND  
RATING AND VALUATION  
SOCIAL SECURITY  
WATER SUPPLY, SCOTLAND**

**The Local Government and Housing Act 1989  
(Commencement No.1) Order 1989**

*Made* - - - - *22nd November 1989*

The Secretary of State, in exercise of the powers conferred upon him by section 195(2) of the Local Government and Housing Act 1989(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Local Government and Housing Act 1989 (Commencement No.1) Order 1989.

2. In this Order—  
“the Act” means the Local Government and Housing Act 1989.

3. The provisions of the Act which are specified in column 1 of Schedule 1 to this Order shall come into force on 1st December 1989, but, where a particular purpose is specified in relation to any provision in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.

4. The provisions of the Act which are specified in column 1 of Schedule 2 to this Order shall, insofar as they are not then in force, come into force on 16th January 1990 but, where a particular purpose is specified in relation to any provision in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.

5. The provisions of the Act which are specified in column 1 of Schedule 3 to this Order shall, insofar as they are not then in force, come into force on 1st April 1990, but, where a particular purpose is specified in relation to any provision in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.

St. Andrew's House, Edinburgh  
22nd November 1989

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State,  
Scottish Office

**SCHEDULE 1**

Article 3

**Provisions of the Act which come into force on 1st December 1989**

Column 1 Provisions of the Act	Column 2 Restriction of Purpose (if any)
Section 140	Only for the purposes of and in relation to the financial year 1990-91 and each subsequent financial year
Section 142	Only for the purposes of and in relation to the financial year 1990-91 and each subsequent financial year
Sections 143 and 144	
Section 145	Only for the purposes of the provisions in Schedule 6 which are mentioned in this Schedule
Section 159	
Section 179	
Section 194(1)	Only for the purposes of the provisions of Schedule 11 which are mentioned in this Schedule
Section 194(4)	Only for the purposes of the repeal of the enactments specified in Part II of Schedule 12 which are referred to in this Schedule
In Schedule 6, the following paragraphs:- paragraphs 3 and 4	Only for the purposes of and in relation to the financial year 1990-91 and each subsequent financial year
paragraphs 5 to 8, 11, 12, 16, 17, 20, 21, and 23 to 27	
paragraphs 28 and 29	Only for the purposes of and in relation to the financial year 1990-91 and each subsequent financial year
In Schedule 11, paragraphs 61 and 95	
In Part II of Schedule 12, the repeals listed in the Table below	

**TABLE**

**Repeals**

Chapter	Short Title	Extent of Repeal
4 and 5 Eliz. 2.c. 60	The Valuation and Rating (Scotland) Act 1956	Section 22(4)
1973 c.65	The Local Government (Scotland) Act 1973	Section 110A(2)
1988 c.41	The Local Government Finance Act 1988	Schedule 128(2)
		In Schedule 12, paragraph 16
1988 c.43	The Housing (Scotland) Act 1988	Section 2(6)

**SCHEDULE 2**

Article 4

**Provisions of the Act which come into force on 16th January 1990**

Column 1 Provisions of the Act	Column 2 Restriction of Purpose (if any)
Sections 176, 177 and 178	
Section 185	
Section 194(1)	Only for the purposes of the provisions of Schedule 11 which are mentioned in this Schedule
Section 194(4)	Only for the purposes of the repeal of enactments specified in Part II of Schedule 12 which are referred to in this Schedule
In Schedule 11, paragraphs 93, 94, 99 and 100	
In Part II of Schedule 12, the repeals listed in the Table below	

**TABLE**  
**Repeals**

Chapter	Short Title	Extent of Repeal
1987 c.26	The Housing (Scotland) Act 1987	In section 61(10)(a)(v), the words "in the discretion of the landlord"

**SCHEDULE 3**

Article 5

**Provisions of the Act which come into force on 1st April 1990**

Column 1 Provisions of the Act	Column 2 Restriction of Purpose (if any)
Section 145	Only for the purposes of the provisions of Schedule 6 mentioned in this Schedule
Section 170	
Section 194(4)	Only for the purposes of the repeal of enactments specified in Part II of Schedule 12 which are referred to in this Schedule
In Schedule 6, the following paragraphs:- paragraphs 1, 2, 9, 10, 13 to 15, 18, 19 and 22	
In Part II of Schedule 12, the repeals listed in the Table below	

**TABLE**  
**Repeals**

Chapter	Short Title	Extent of Repeal
10 and 11 Eliz. 2.c. 9	The Local Government (Financial Provisions etc) (Scotland) Act 1962	In section 4, subsections (3) and (4). The first Schedule
1980 c.45	The Water (Scotland) Act 1980	Section 40(7)
1988 c.41	The Local Government Finance Act 1988	In Schedule 12, paragraph 37

**EXPLANATORY NOTE**

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

This Order appoints the days for the coming into force of certain specified provisions of the Local Government and Housing Act 1989 c.42 ("the Act"). Those provisions relate to housing, local government and local government finance matters in Scotland, although the Order extends throughout Great Britain.

Articles 3, 4 and 5 of the Order provide that the provisions of the Act specified respectively in Schedules 1, 2 and 3 of the Order are to come into force on 1st December 1989, 16th January 1990 and 1st April 1990, subject to any restrictions specified in respective Schedules.

90p net

ISBN 0 11 098180 4