

1990 No. 2328 (C.60) (S.197)

COMPANIES

CRIMINAL LAW, SCOTLAND

The Law Reform (Miscellaneous Provisions) (Scotland)
Act 1990 Commencement (No.1) Order 1990

Made - - - - 22nd November 1990

The Secretary of State, in exercise of the powers conferred upon him by section 75(2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 Commencement (No. 1) Order 1990.

Interpretation

2. In this Order—
“the Act” means the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

Commencement

3. The provisions of the Act which are specified in column 1 of the Schedule to this Order shall, in so far as they are not then in force, come into force on 1st December 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 1990

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

SCHEDULE

Article 3

The provisions of the Act which come into force on 1st December 1990

Column 1	Column 2
Section 63	
Section 72	
Section 74	Only for the purpose of bringing into force the provisions of Schedules 8 and 9 to the Act specified or referred to in column 1 below
Section 75	
In Schedule 8, paragraphs 33 and 35	
In schedule 9, the repeals specified in the Table below	

**TABLE
REPEALS**

Chapter	Short Title	Extent of Repeals
1985 c.6.	The Companies Act 1985	<p>In section 38(1), the words “under the law of England and Wales”.</p> <p>In section 39(3), the words “or, in the case of a company registered in Scotland, subscribed in accordance with section 36B,”.</p> <p>In section 186, the words “(or, in the case of a company registered in Scotland, subscribed in accordance with section 36B)”.</p> <p>In section 188(2), the words “(or, in the case of a company registered in Scotland, subscribed in accordance with section 36B)”.</p> <p>Section 462(2).</p>
1986 c.45.	The Insolvency Act 1986	Section 53(3).
1989 c.40.	The Companies Act 1989	<p>Section 130(3).</p> <p>In Schedule 17, paragraphs 1(2), 2(4), 8 and 10.</p>

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1st December 1990 as the date for the coming into force of the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c.40) ("the Act") which are specified in the Schedule to the Order.

The provisions of the Act which are specified in the Schedule to the Order fall into 3 main groups, namely

- (a) section 63 which deals with drug trafficking confiscation orders;
- (b) section 72 and associated provisions in Schedule 8 (amendment of enactments) and 9 (repeals) which deal with execution of documents by companies under Scots law; and
- (c) ancillary provisions such as section 74 (amendments and repeals) and 75 (citation, commencement and extent).

This is the first Commencement Order made under the Act.

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