
STATUTORY INSTRUMENTS

1990 No. 2624 (c. 73) (S. 219)

**ANTARCTICA
CRIMINAL LAW, SCOTLAND
HOUSING, SCOTLAND
LEGAL PROFESSION
MATRIMONIAL HOMES AND PROPERTY
REPRESENTATION OF THE PEOPLE
SHERIFF COURT, SCOTLAND**

The Law Reform (Miscellaneous Provisions) (Scotland)
Act 1990 (Commencement No. 2) Order 1990

Made - - - - 20th December 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⁽¹⁾ 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. 2) 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, and described by reference to subject matter in column 2 of that Schedule, shall, in so far as they are

(1) 1990 c. 40.

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not then in force, come into force on 1st January 1991, but, where a particular purpose is specified in relation to any provision in column 3 of that Schedule, that provision shall come into force on that day only for that purpose.

St. Andrew's House,
Edinburgh
20th December 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 January 1991

Column 1	Column 2	Column 3
Section 64	Matrimonial Interdicts	
Section 65	Homelessness	
Section 74	Amendments and repeals	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
In Schedule 8, paragraphs:–		
26	The Sheriff Court Rules Council	
29(6)(a) and (6)(b) (in so far as it inserts subsection (2B) into section 32 of the Solicitors (Scotland) Act 1980(2))	Offence for unqualified persons to prepare writs and papers relating to certain matters	
29(7)	Unqualified person not entitled to fees, etc.	
31	Occupancy rights after dealing with third parties	
32	Nomination paper in local election to contain statement of acceptance of office	
37	Definition of implicative gifts	
39	Amendment of the Antarctic Minerals Act 1989(3)	
In Schedule 9, the repeals specified in the Table below	Repeals	

TABLE

REPEALS

Chapter	Short Title	Extent of Repeal
1981 c. 59	The Matrimonial Homes (Family Protection) (Scotland) Act 1981	In section 6(3)(e), the words “, at or before the time of the dealing,”. In section 8, in subsection (2), the words “before the granting of the loan”, and in

(2) 1980 c. 46.

(3) 1989 c. 21.

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Chapter	Short Title	Extent of Repeal
1983 c. 2	The Representation of the People Act 1983	subsection (2A), the words “at or before the granting of the security”. Section 42(3)(b).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1st January 1991 as the date for the coming into force of the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 which are specified in the Schedule to the Order.

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 order made before the date of this Order:

Provision	Date of Commencement	S.I. No
Sections 63, 72, 74 (partially), 75 and Schedules 8 and 9 (partially)	1.12.1990	1990/2328