

2016 No. 262 (C. 25)

CRIMINAL LAW

**The Community Justice (Scotland) Act 2016 (Commencement
No. 1 and Transitional Provision) Regulations 2016**

<i>Made</i>	- - - -	<i>8th September 2016</i>
<i>Laid before the Scottish Parliament</i>		<i>12th September 2016</i>
<i>Coming into force</i>	- -	<i>1st October 2016</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 41(2) and (3) of the Community Justice (Scotland) Act 2016(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Community Justice (Scotland) Act 2016 (Commencement No. 1 and Transitional Provision) Regulations 2016 and come into force on 1st October 2016.

(2) In these Regulations “the Act” means the Community Justice (Scotland) Act 2016.

Appointed day

2.—(1) Subject to paragraph (2), the day appointed for the coming into force, so far as not already in force, of the provisions of the Act specified in column 1 of the table in the schedule (the subject matter of which is specified in column 2) is 1st October 2016.

(2) Where a purpose is specified in column 3 of the table in the schedule in relation to any provision specified in column 1, that provision comes into force in accordance with paragraph (1) only for that purpose.

Accounts

3. The reference in section 12(1) of the Act (accounts) to “each financial year” is to be read, in relation to the financial year ending on 31st March 2017, as a reference to “the period beginning on 1st October 2016 and ending on 31st March 2017”.

ANNABELLE EWING
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
8th September 2016

SCHEDULE

Regulation 2

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 3 and paragraphs 1 to 13 of schedule 1	Establishment of Community Justice Scotland	For the purpose of establishing Community Justice Scotland and making appointments under schedule 1; and for the purpose of enabling Community Justice Scotland to exercise any function conferred on it under or by virtue of sections 10, 12 and 19 to 21 of the Act.
Section 7	Funding	
Section 9	Governance and accountability	
Section 10	Corporate plan	
Section 12	Accounts	
Section 13	Community justice partners	
Section 14	Third sector bodies involved in community justice	
Section 19	Community justice outcomes improvement plan	
Section 20	Preparation of community justice outcomes improvement plan	
Section 21	Community justice outcomes improvement plan: participation statement	
Section 22	Review of community justice outcomes improvement plan	
Section 23	Reports on performance in relation to community justice outcomes	
Section 24	Guidance in relation to exercise of functions in sections 19 to 23	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force the following provisions of the Community Justice (Scotland) Act 2016 (“the Act”) (so far as not already in force) on 1st October 2016: sections 3, 7, 9, 10, 12 to 14, 19 to 24 and paragraphs 1 to 13 of schedule 1.

Section 3 and schedule 1 of the Act relate to the establishment of the new body Community Justice Scotland. These provisions are brought into force for the limited purposes set out in the corresponding column 3 of the table in the schedule to these Regulations. Section 7 provides Scottish Ministers with a power to make grants to the new body. Section 9 relates to governance and accountability in relation to the new body. Section 10 relates to the requirement for the new body to prepare a corporate plan for approval by the Scottish Ministers. Section 12 requires Community Justice Scotland to keep proper accounts and records and to prepare a statement of accounts in respect of each financial year.

Sections 13 and 14 make provision for community justice partners and third sector bodies involved in community justice and these Regulations bring into force the remaining parts of those provisions which were not brought into force by section 41(1) of the Act.

Sections 19 to 22 relate to the preparation and publication of a community justice outcomes improvement plan by the relevant community justice partners. Section 23 relates to reports by the relevant community justice partners on performance in relation to community justice outcomes. Section 24 provides that community justice partners must have regard to guidance prepared by the Scottish Ministers in relation to the exercise of functions conferred by sections 19 to 23.

Regulation 3 of these Regulations makes transitional provision in relation to section 12 (accounts) which provides that the first financial year runs from 1st October 2016 until 31st March 2017.

The Bill for the Act received Royal Assent on 21st March 2016. Sections 1, 2, 13(1), 14(1) to (6), 15, 17, 37, 39 and 40 to 42 came into force on 22nd March 2016.

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