
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 394 (C. 39)

COMMUNITY EMPOWERMENT

The Community Empowerment (Scotland)
Act 2015 (Commencement No. 5) Order 2016

Made - - - - 24th November 2016
*Laid before the Scottish
Parliament* - - - - 28th November 2016
Coming into force - - 16th December 2016

The Scottish Ministers make the following Order in exercise of the powers conferred by section 145(2) of the Community Empowerment (Scotland) Act 2015⁽¹⁾ and all other powers enabling them to do so⁽²⁾.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Community Empowerment (Scotland) Act 2015 (Commencement No. 5) Order 2016 and comes into force on 16th December 2016.

(2) In this Order—

“the 2003 Act” means the Land Reform (Scotland) Act 2003⁽³⁾;

“the Act” means the Community Empowerment (Scotland) Act 2015.

Appointed day

2.—(1) Subject to paragraph (2), the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the schedule (the subject matter of which is described in column 2 of that table) is 16th December 2016.

(2) Where a purpose is specified in column 3 of that table in relation to any provision specified in column 1, that provision comes into force on 16th December 2016 only for that purpose.

(1) 2015 asp 6.

(2) Section 8 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) allows the power to be exercised so as to appoint different days for different purposes.

(3) 2003 asp 2.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House, Edinburgh
24th November 2016

R CUNNINGHAM
A member of the Scottish Government

SCHEDULE

Article 2

PROVISIONS OF THE ACT COMING INTO FORCE ON 16TH DECEMBER 2016

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------|--|--|
| <i>Provisions of the Act</i> | <i>Subject Matter</i> | <i>Purpose</i> |
| Section 62 | Crofting community bodies | For the purpose of making regulations under section 71(A1)(b), (4A), (4B) and (5)(a)(iv) of the 2003 Act |
| Section 63 | Modification of memorandum, articles, constitution or registered rules | For the purpose of making orders under section 72(4) and (5) of the 2003 Act |
| Section 64 | Application: information about rights and interest in land | For the purpose of making regulations under section 73(5), (5AA) and (11) of the 2003 Act |
| Section 66 | Ballot: information and expenses | For the purpose of making regulations under section 75(6) and (7) of the 2003 Act |
| Section 70 | Compensation | For the purpose of making orders under section 89(4) of the 2003 Act |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Community Empowerment (Scotland) Act 2015 (“the Act”).

Article 2 appoints 16th December 2016 for the coming into force of the provisions of the Act set out in the table in the schedule, for limited purposes where specified. The provisions relate to Ministerial powers to make subordinate legislation.

The Bill for the Act received Royal Assent on 24th July 2015. Sections 141 to 143, 145 and 146 came into force the following day.

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 orders made before the date of this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>Instrument No.</i> |
|--|-----------------------------|---------------------------------|
| Section 1 | 15th April 2016 | S.S.I. 2015/399 |
| Section 2 | 15th April 2016 | S.S.I. 2015/399 |
| Section 3 | 15th April 2016 | S.S.I. 2015/399 |
| Section 4 | 20th December 2016 | S.S.I. 2016/363 |
| Section 5 | 20th December 2016 | S.S.I. 2016/363 |
| Section 6 | 20th December 2016 | S.S.I. 2016/363 |
| Section 7 | 20th December 2016 | S.S.I. 2016/363 |
| Section 8 | 20th December 2016 | S.S.I. 2016/363 |
| Section 9(2), (5) and (6) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 9 (so far as not already in force) | 20th December 2016 | S.S.I. 2016/363 |
| Section 10 | 20th December 2016 | S.S.I. 2016/363 |
| Section 11 | 20th December 2016 | S.S.I. 2016/363 |
| Section 12 | 20th December 2016 | S.S.I. 2016/363 |
| Section 13 | 20th December 2016 | S.S.I. 2016/363 |
| Section 14 | 20th December 2016 | S.S.I. 2016/363 |
| Section 15 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 15 (so far as not already in force) | 20th December 2016 | S.S.I. 2016/363 |
| Section 16 | 20th December 2016 | S.S.I. 2016/363 |
| Section 17 | 20th December 2016 | S.S.I. 2016/363 |
| Section 18 | 13th November 2015 | S.S.I. 2015/358 |
| Section 19 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 20(2) and (3) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 21(2), (3), (4), (8) and (9) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 23 | 13th November 2015 | S.S.I. 2015/358 |
| Section 24(7)(a) and (8) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 26(6) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 29(3) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 31(6) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 34 (partially) | 13th November 2015 | S.S.I. 2015/358 |

| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>Instrument No.</i> |
|---|-----------------------------|---------------------------------|
| Section 35 | 13th November 2015 | S.S.I. 2015/358 |
| Section 36 | 15th April 2016 | S.S.I. 2015/399 |
| Section 37(1), (4), (7) and (8) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 37 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 38 | 15th April 2016 | S.S.I. 2015/399 |
| Section 39 | 15th April 2016 | S.S.I. 2015/399 |
| Section 40 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 40 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 41 | 15th April 2016 | S.S.I. 2015/399 |
| Section 42(1), (2), (4) and (9) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 42 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 43 | 15th April 2016 | S.S.I. 2015/399 |
| Section 44 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 44 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 45 | 15th April 2016 | S.S.I. 2015/399 |
| Section 46 | 15th April 2016 | S.S.I. 2015/399 |
| Section 47 | 15th April 2016 | S.S.I. 2015/399 |
| Section 48 | 15th April 2016 | S.S.I. 2015/399 |
| Section 49 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 49 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 50 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 50 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 51 | 15 April 2016 | S.S.I. 2015/399 |
| Section 52 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 52 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 53 | 15th April 2016 | S.S.I. 2015/399 |
| Section 54 | 15th April 2016 | S.S.I. 2015/399 |
| Section 55 | 15th April 2016 | S.S.I. 2015/399 |

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>Instrument No.</i> |
|---|-----------------------------|---------------------------------|
| Section 56 | 15th April 2016 | S.S.I. 2015/399 |
| Section 57 | 15th April 2016 | S.S.I. 2015/399 |
| Section 58 | 15th April 2016 | S.S.I. 2015/399 |
| Section 59 | 15th April 2016 | S.S.I. 2015/399 |
| Section 60 | 15th April 2016 | S.S.I. 2015/399 |
| Section 61 | 15th April 2016 | S.S.I. 2015/399 |
| Section 75 (partially) | 15th April 2016 | S.S.I. 2015/399 |
| Section 76 | 13th November 2015 | S.S.I. 2015/358 |
| Section 77(2) and (3) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 77 (so far as not already in force) | 23rd January 2017 | S.S.I 2016/363 |
| Section 78(2), (3) and (4) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 78 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 79 | 23rd January 2017 | S.S.I 2016/363 |
| Section 80 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 81 | 13th November 2015 | S.S.I. 2015/358 |
| Section 82(8)(a) and (9) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 82 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 83(10) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 83 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 84 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 85(3), (4) and (10) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 85 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 86(3), (4), (7)(b)(i) and (9) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 86 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 87(3), (4) and (9) (partially) | 13th November 2015 | S.S.I. 2015/358 |

| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>Instrument No.</i> |
|---|-----------------------------|---------------------------------|
| Section 87 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 88(3) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 88 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 89(2), (3), and (4) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 89 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 90(12), (13) and (14) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 90 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 91 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 92 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 93 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 94(4), (5) and (6) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 94 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 95 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 96 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 96 (so far as not already in force) | 23rd January 2017 | S.S.I. 2016/363 |
| Section 97 | 13th November 2015 | S.S.I. 2015/358 |
| Section 98 | 23rd January 2017 | S.S.I. 2016/363 |
| Section 103 | 13th November 2015 | S.S.I. 2015/358 |
| Section 105 | 13th November 2015 | S.S.I. 2015/358 |
| Section 106 | 13th November 2015 | S.S.I. 2015/358 |
| Section 137 (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 139(1) to (5) and (7) (partially) | 13th November 2015 | S.S.I. 2015/358 |
| Section 140 | 31st October 2015 | S.S.I. 2015/344 |
| Section 144(1) and schedule 4 so far as they relate to paragraph 8(1), (2)(d) and (4) (a) of schedule 4 (partially) | 13th November 2015 | S.S.I. 2015/358 |

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>Instrument No.</i> |
|---|-----------------------------|---------------------------------|
| Section 144(1) and schedule 4 so far as they relate to paragraph 8 of schedule 4 (so far as not already in force) | 15th April 2016 | S.S.I. 2015/399 |
| Section 144(2) and schedule 5 so far as they relate to the 2003 Act (partially) | 15th April 2016 | S.S.I. 2015/399 |
| Schedule 1 | 20th December 2016 | S.S.I. 2016/363 |
| Schedule 3 | 23rd January 2017 | S.S.I. 2016/363 |