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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 33**

**The Community Justice (Scotland) Act 2016 (Commencement No. 2, Transitional and Saving Provisions) Regulations 2017**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Community Justice (Scotland) Act 2016 (Commencement No. 2, Transitional and Saving Provisions) Regulations 2017 and come into force on 31st March 2017.

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

**Appointed days**

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 schedule 1 (the subject matter of which is specified in the corresponding entry in column 2) is 31st March 2017.

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

(3) The day appointed for the coming into force of all of the provisions of the Act, so far as not already in force, is 1st April 2017.

**Annual reports on exercise of functions**

3. Despite the coming into force of section 11 of the Act (annual reports on exercise of functions) in accordance with regulation 2(3), Community Justice Scotland is not required to produce an annual report for the financial year ending on 31st March 2017.

**Dissolution of community justice authorities - transfer of liabilities**

4.—(1) Any actual or contingent liabilities of a community justice authority established under section 3 of the Management of Offenders etc. (Scotland) Act 2005<sup>(1)</sup> become, on the appointed day in regulation 2(1), actual or contingent liabilities of the Scottish Ministers.

(2) Any legal proceedings raised by or against a community justice authority which have not been finally determined by that date may be continued by or against the Scottish Ministers.

**Auditing of community justice authorities' accounts**

5.—(1) Despite the revocation of the Management of Offenders etc. (Scotland) Act 2005 (Members' Remuneration and Supplementary Provisions) Order 2008<sup>(2)</sup> (“the Order”) by paragraph 6(c) of schedule 2 of the Act, article 2 of the Order (auditing of community justice authorities' accounts) continues to have effect for the purposes of the auditing of community justice authorities' accounts for the financial year ending on 31st March 2017, subject to paragraph (2).

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(1) 2005 asp 14.

(2) S.S.I. 2008/30.

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

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(2) The duties imposed on community justice authorities by article 2(1)(b) and (c) of the Order are to be discharged by the relevant local authority.

(3) For the purposes of paragraph (2), the “relevant local authority” in relation to each community justice authority set out in column 1 of the table in schedule 2 is specified in the corresponding entry in column 2.

St Andrew’s House,  
Edinburgh  
7th February 2017

*ANNABELLE EWING*  
Authorised to sign by the Scottish Ministers