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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 458**

**The Community Empowerment (Scotland)  
Act 2015 (Commencement No. 10, Saving,  
Transitional and Transitory Provisions) Order 2017**

**PART 5**

Transitory provisions

**Transitory provisions**

**13.** Notwithstanding the commencement of the provisions of the Act specified in column 1 of the table in the schedule, the transitory provisions specified in articles 14 to 21 have effect.

**14.—(1)** Section 109(1) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force, no request may be made before that date under section 109(1) of the Act to that local authority by a person who resides in the area of that authority.

**15.—(1)** Section 112(1)(b) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the expiry of the period of 8 years beginning with the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force, the duty imposed by section 112(1)(b) of the Act does not have effect in relation to that authority.

**16.—(1)** Section 117(2) and (6) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force—

- (a) the prohibition in section 117(2) of the Act on a local authority does not have effect in relation to that authority; and
- (b) section 117(6) of the Act does not have effect.

**17.—(1)** Section 118(2) and (7) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force—

- (a) the prohibition in section 118(2) of the Act on a local authority does not have effect in relation to that authority; and
- (b) section 118(7) of the Act does not have effect.

**18.**—(1) Section 121(2) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force, the following paragraphs in section 121(2) of the Act do not have effect in relation to that authority:—

- (a) paragraph (i);
- (b) paragraph (j);
- (c) paragraph (k);
- (d) paragraph (l);
- (e) paragraph (m); and
- (f) paragraph (p).

**19.**—(1) Section 127(2) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force, the conditions in section 127(2)(a) to (c) of the Act do not have effect in relation to that authority.

**20.**—(1) Section 128(2) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force, section 128(2) of the Act does not have effect in relation to that authority.

**21.**—(1) Section 134(2) of the Act has effect in relation to each local authority subject to the provisions of paragraph (2).

(2) Until the day on which the first regulations made by the local authority in question under section 115(1) of the Act come into force, section 134(2) of the Act does not have effect.