
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision that is supplementary to and in consequence of Part 9 (allotments) of the Community Empowerment (Scotland) Act 2015 (“the 2015 Act”).

Article 2 makes supplementary and consequential provision in respect of the 2015 Act.

Article 2(2) modifies subsection (2) of section 115 of the 2015 Act. Section 115(2) provides that the first allotment site regulations to be made under section 115(1) must be made before the expiry of the period of two years beginning with the date on which this section comes into force. Article 2(2) clarifies that the first regulations a local authority makes must make provision for all the allotment sites in that authority’s area.

Article 2(3) modifies section 116 of the 2015 Act, which sets out the procedure that must be followed in making regulations under section 115. Article 2(3) replaces the word “executed” with “made” in subsection (5) for consistency with the rest of sections 115 and 116. Article 2(3) also amends subsections (6) and (8) to provide that in the case of the first regulations a local authority makes under section 115(1), these come into force on the day after the day on which they are made. In any other case, or in the case of any amendment or revocation of the first regulations, the coming into force date is the date after the regulations are made or such later date as may be specified in the regulations.

Article 3 repeals provisions of the Land Settlement (Facilities) Act 1919. These provisions are no longer required in consequence of Part 9 of the 2015 Act.