

1988 No. 1456 (C.54) (S.141)

**RATING AND VALUATION
COMMUNITY CHARGES, SCOTLAND
LOCAL GOVERNMENT, SCOTLAND
SOCIAL SECURITY**

**The Local Government Finance Act 1988
Commencement (Scotland) Order 1988**

Made - - - - *11th August 1988*

The Secretary of State, in exercise of the powers conferred upon him by sections 143(1) and (2) and 150 of the Local Government Finance Act 1988(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Local Government Finance Act 1988 Commencement (Scotland) Order 1988.
2. In this Order—
 - “the Act” means the Local Government Finance Act 1988;
 - “the 1987 Act” means the Abolition of Domestic Rates Etc. (Scotland) Act 1987(b),and any expression used in this Order which is also used in the 1987 Act shall have the same meaning in this Order as it has in that Act.
3. The provisions of the Act which are specified in column 1 of Schedule 1 to this Order shall come into force on 22nd August 1988 but, where a particular purpose is specified in relation to any provision in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.
4. The provisions of the Act which are specified in Schedule 2 to this Order shall come into force on 15th September 1988.
5. The provisions of the Act which are specified in Schedule 3 to this Order shall come into force on 1st October 1988.
6. The provisions of the Act which are specified in Schedule 4 to this Order shall, insofar as they are not then in force, come into force on 1st April 1989.
7. The provisions of the Act which are specified in Schedule 5 to this Order shall come into force on 1st April 1990.

(a) 1988 c.41.
(b) 1987 c.47.

St. Andrew's House, Edinburgh
11th August 1988

Ian Lang
Minister of State,
Scottish Office

The provisions of the Act which come into force on 22nd August 1988.

Column 1 <i>Provisions of the Act</i>	Column 2 <i>Restriction of Purpose (if any)</i>
Section 128.	
Section 129.	Only for the purposes of and in relation to the personal community charge and the personal community water charge in respect of the financial year 1989-90 and each subsequent financial year.
Section 150.	
In Part II of Schedule 12, the following paragraphs:-	
Paragraphs 4, 5, 6, 8 and 9.	
Paragraph 10.	Only for the purposes of and in relation to the financial year 1989-90 and each subsequent financial year.
Paragraphs 14, 16 and 17.	
Paragraphs 18 to 21.	Only for the purposes of and in relation to the community charges and the community water charges in respect of the financial year 1989-90 and each subsequent financial year.
Paragraphs 22 to 26, 28 and 31 to 34.	
Paragraph 35.	Only for the purposes of and in relation to the personal community charge and the personal community water charge in respect of the financial year 1989-90 and each subsequent financial year.
Paragraphs 36 to 38.	
In Part IV of Schedule 13, the repeals listed in the Table below.	

TABLE

Repeals

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1987 c.47	Abolition of Domestic Rates Etc. (Scotland) Act 1987	In section 4(1), the words "or of section 7(3) of the 1966 Act (which relates to the reduction of rates on premises occupied partly as a dwelling house by reference to the domestic element)". In section 11(11), in paragraph (c) the words "under this Act". In section 17(5), the words "in respect of any premises in his registration area". Section 30(2). In Schedule 2, paragraph 4(2) and in paragraph 7, in sub-paragraph (2) the words "Subject to sub-paragraph (4) below", and sub-paragraph (4).

SCHEDULE 2

Article 4

Provisions of the Act which come into force on 15th September 1988.

In Part II of Schedule 12, paragraph 15.

In Part IV of Schedule 13, the repeals listed in the Table below.

TABLE

Repeals

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1987 c.47	Abolition of Domestic Rates Etc. (Scotland) Act 1987	In section 2, in subsection (3), paragraph (b); and in subsection (5) the words "or part of a class" and the words "(3)(b) or".

SCHEDULE 3

Article 5

Provisions of the Act which come into force on 1st October 1988.

In Part II of Schedule 12, paragraphs 27, 29 and 30.

In Part IV of Schedule 13, the repeals listed in the Table below.

TABLE

Repeals

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1987 c.47	Abolition of Domestic Rates Etc. (Scotland) Act 1987	In section 20, in subsection (3) the words "and at such other places as may be prescribed" and the words from "and in relation" to the end, and in subsection (7) the words "(other than a copy made available for sale under subsection (4) above)".

SCHEDULE 4

Article 6

Provisions of the Act which, insofar as they are not then in force, come into force on 1st April 1989.

Section 129.

In Part II of Schedule 12, paragraphs 10, 18 to 21 and 35.

In Part IV of Schedule 13, the repeals listed in the Table below.

TABLE

Repeals

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1947 c.42	Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947	In section 5, in subsection (3) the words "from the valuation roll or otherwise known", and the words from "Service of a notice" to the end of the subsection.

SCHEDULE 5

Article 7

Provisions of the Act which come into force on 1st April 1990.

In Part II of Schedule 12, paragraphs 7, 11, 12 and 13.

In Part IV of Schedule 13, the repeals listed in the Table below.

TABLE

Repeals

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1975 c.30	Local Government (Scotland) Act 1975	Schedule 1.
1978 c.4	Local Government (Scotland) Act 1978	Section 2.
1980 c.45	Water (Scotland) Act 1980	In Schedule 10, the entry relating to Schedule 1 to the Local Government (Scotland) Act 1975.
1981 c.23	Local Government (Miscellaneous Provisions) (Scotland) Act 1981	Section 10.
1981 c.38	British Telecommunications Act 1981	Section 36.
1982 c.23	Oil and Gas (Enterprise) Act 1982	In Schedule 3, paragraph 23.
1984 c.31	Rating and Valuation (Amendment) (Scotland) Act 1984	In Schedule 2, paragraph 18.
1986 c.44	Gas Act 1986	In Schedule 7, paragraph 21.
1987 c.47	Abolition of Domestic Rates Etc. (Scotland) Act 1987	Section 24.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints the days on which the provisions of the Local Government Finance Act 1988 ("the Act") which extend only to Scotland are to come into force.

Article 3 of the Order provides that the provisions of the Act which are specified in Schedule 1 to the Order are to come into force on 22nd August 1988, subject to any restrictions specified in that Schedule.

Articles 4, 5, 6 and 7 of the Order provide that the provisions of the Act which are specified in Schedules 2, 3, 4 and 5 to the Order are to come into force respectively on 15th September 1988, 1st October 1988, 1st April 1989 and 1st April 1990.

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