
STATUTORY INSTRUMENTS

1991 No. 1252 (C. 35) (S. 122)

LEGAL PROFESSION

**The Law Reform (Miscellaneous Provisions) (Scotland)
Act 1990 (Commencement No. 6) Order 1991**

Made - - - - *23rd May 1991*

The Secretary of State, in exercise of the powers conferred upon him by section 75(2) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (Commencement No. 6) Order 1991.

Interpretation

2. In this Order—

“the Act” means the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990.

Commencement

3. The provisions of the Act which are specified in column 1 of Schedule 1 to this Order, and described by reference to subject matter in column 2 of that Schedule, shall, in so far as they are not then in force, come into force on 3rd June 1991, but, where a particular purpose is specified in relation to any provision in column 3 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 column 1 of Schedule 2 to this Order, and described by reference to subject matter in column 2 of that Schedule, shall, in so far as they are not then in force, come into force on 15th August 1991, but, where a particular purpose is specified in relation to any provision in column 3 of that Schedule, that provision shall come into force on that day only for that purpose.

(1) 1990 c. 40.

Status: This is the original version (as it was originally made).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
23rd May 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

SCHEDULE 1

Article 3

The provisions of the Act which come into force on 3rd June 1991

Column 1	Column 2	Column 3
Section 24	Rights of audience in Court of Session, House of Lords, Judicial Committee of Privy Council and High Court of Justiciary	
Section 30	Regulation of right of English, Welsh and Northern Irish practitioners to practise in Scotland	
Section 33	Complaints in relation to legal services	
In section 34– subsections (2) to (8)	Powers and jurisdiction of Scottish legal services ombudsman	
Section 43	Functions of Director General of Fair Trading in relation to certain rules	
Section 74	Amendments and repeals	Only for the purpose of bringing into force the provisions of Schedules 8 and 9 specified or referred to in column 1 below
In Schedule 8 – paragraphs 27(1) and (2), 29(1) to (4), (8) to (14), (15)(a) and (e), (16) and (17), and 38	Amendments	
In Schedule 9 – the repeals specified in the Table below	Repeals	

TABLE

REPEALS

Chapter	Short Title	Extent of Repeals
1980 c. 46	The Solicitors (Scotland) Act 1980	In section 20(1), the word “and”. Section 31(3). In section 63(1), the words “and to imprisonment for a period not exceeding one month”.

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Chapter	Short Title	Extent of Repeals
		In Schedule 4, in paragraph 1, the words “appointed by the Lord President” following sub-paragraph (b), and in paragraph 17, the words from “also” to “before the order” and the words from “and in such other manner” to the end.

SCHEDULE 2

Article 4

The provisions of the Act which come into force on 15th August 1991

Column 1	Column 2	Column 3
Section 74(2)	Repeals	Only for the purpose of bringing into force the provisions of Schedule 9 referred to in column 1 below
In Schedule 9 – the repeals specified in the Table below	Repeals	

TABLE

REPEALS

Chapter	Short Title	Extent of Repeals
1975 c. 24	The House of Commons Disqualification Act 1975	In Schedule 1, the words “lay observer appointed under section 49 of the Solicitors (Scotland) Act 1980”.
1980 c. 46	The Solicitors (Scotland) Act 1980	Section 49. In section 65(1), the definition of “lay observer”. Schedule 5.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 3rd June 1991 as the date for the coming into force of the provisions of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 which are specified in Schedule 1 to the Order, and 15th August 1991 as the date for the coming into force of the provisions of the Act which are specified in Schedule 2 to the Order.

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 order made before the date of this Order:

Provision	Date of Commencement	S.I. No
Sections 63, 72, 74 (partially), 75 and Schedules 8 and 9 (partially)	1.12.1990	1990/2328
Sections 64, 65, 74 (partially) and Schedules 8 and 9 (partially)	1.1.1991	1990/2624
Section 69	1.3.1991	1991/330
Sections 68, 74 (partially) and Schedule 9 (partially)	1.4.1991	1991/330
Sections 16, 23, 34 (partially), 35, 44, 73 (partially), 74 (partially) and Schedules 1 (partially), 3, 4 and 8 (partially)	1.4.1991	1991/822
Sections 61 and 62 and Schedules 6 and 8 (partially)	1.4.1991	1991/850