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STATUTORY INSTRUMENTS

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**1991 No. 2151 (C. 64) (S. 176)**

**COURT OF SESSION, SCOTLAND**

**EVIDENCE**

**FAIR TRADING**

**HIGH COURT OF JUSTICIARY, SCOTLAND**

**LEGAL AID AND ADVICE, SCOTLAND**

**LEGAL PROFESSION**

**SHERIFF COURT, SCOTLAND**

The Law Reform (Miscellaneous Provisions) (Scotland)  
Act 1990 (Commencement No. 8) Order 1991

Made - - - - 24th September 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<sup>(1)</sup> 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. 8) 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 the Schedule to this Order, and described by reference to subject matter in column 2 of that Schedule, shall, in so far as they are not

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(1) 1990 c. 40.

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then in force, come into force on 30th September 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.

St Andrew's House,  
Edinburgh  
24th September 1991

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

## SCHEDULE

Article 3

## THE PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 30TH SEPTEMBER 1991

Column 1	Column 2	Column 3
In section 17 – subsections (3) and (11) to (15)	Qualified Conveyancers	
In section 18 – subsections (10) to (11)	Executry Practitioners	
Section 38	Availability of legal aid for services provided under this Act	
Section 39	Removal of restrictions on the borrowing of process in the Court of Session or in inferior courts	
Sections 40 to 42	Advisory, investigatory and supervisory powers of the Director General of Fair Trading, and review of rules by the Secretary of State	
Sections 56, 58 and 59	Evidence by children in criminal trials	Only for the purpose of proceedings in– (a) the High Court of Justiciary sitting at Edinburgh or Glasgow; and (b) any sheriff court in the sheriffdom of Glasgow and Strathkelvin or Lothian and Borders
Section 57	Transfer of cases	Only for the purpose of proceedings in any sheriff court in the sheriffdom of Glasgow and Strathkelvin or Lothian and Borders
Section 60	Criminal jurisdiction of sheriff court	
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: 36(2) to (5) and (10) to (15)	Amendments	
In Schedule 9 – the repeals specified in the table below	Repeals	

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**TABLE  
REPEALS**

Chapter	Short Title	Extent of Repeals
1980 c. 46	The Solicitors (Scotland) Act 1980	Section 29
1986 c. 47	The Legal Aid (Scotland) Act 1986	In section 13(2), the words “(so far as is necessary)”.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order appoints 30th September 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 the Schedule 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)	1.12.90	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), 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

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Provision	Date of commencement	S.I. No.
Sections 24, 30, 33, 34 (partially), 43, 74 (partially) and Schedules 8 (partially) and 9 (partially)	3.6.1991	1991/1252
Section 74 (partially) and Schedule 9 (partially)	15.8.1991	1991/1252
Section 74 (partially) and Schedules 8 (partially) and 9 (partially)	26.8.1991	1991/1903