
STATUTORY INSTRUMENTS

1996 No. 2894 (C.85) (S.222)

LEGAL PROFESSION

**The Law Reform (Miscellaneous Provisions) (Scotland)
Act 1990 (Commencement No. 13) Order 1996**

Made - - - - 6th November 1996

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. 13) Order 1996.

Interpretation

2. In this Order—

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

“the Board” means the Scottish Conveyancing and Executry Services Board.

Commencement

3. The provisions of the Act, which are specified in column 1 of the Schedule to this Order, and described by reference to the subject matter in column 2 of that Schedule, shall come into force on 5th December 1996 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
6th November 1996

James Douglas-Hamilton
Minister of State, Scottish Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Article 3

THE PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 5TH DECEMBER 1996

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 17, in so far as not already in force	Qualified conveyancers	
Section 18, in so far as not already in force	Executry practitioners	
Section 20	Professional misconduct, inadequate professional services, etc	
Section 21	Board's intervention powers	
Section 22, except subsection (1)(b) and (2)(c)	Disclosure of documents etc	
In section 34—subsection (9) (d), (e) and (g)	Scottish legal services ombudsman	
In Schedule 1, Part II	Board's powers of investigation	
Section 74	Amendments and repeals	Only for the purpose of bringing into force the provisions of Schedules 8 and 9 of the Act specified or referred to in column 1 below
In Schedule 8, paragraphs— 19 and 20	Amendments of enactments	
22(1)		For all purposes, except in relation to a recognised financial institution
22(2)		
24 and 25		
29(5) and (6)(b), insofar as not already in force		For all purposes, except in relation to a recognised financial institution
In Schedule 9—the repeals specified in the table below	Repeals	

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TABLE

REPEALS

<i>Chapter</i>	<i>Short title</i>	<i>Extend of Repeals</i>
1808 c. 149.	The Probate and Legacy Duties Act 1808.	In section 38, the words from “(which oath” to “administer”).
1858 c. 56.	The Confirmation of Executors (Scotland) Act 1858.	Section 11.
1875 c. 41.	The Intestates Widows and Children (Scotland) Act 1875	In section 6, the words from the beginning to “affirmations”. In Schedule A, the words from “All which” to the end.
1876 c. 24.	The Small Testate Estates (Scotland) Act 1876	Section 6. In Schedule A, the words from “All which” to the end.
1900 c. 55.	The Executors (Scotland) Act 1900.	Section 8.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 5th December 1996 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 insofar as these are not already in force.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act insofar as these are not already in force have been brought into force by Commencement Orders made before the date of this Order:

<i>Provisions</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Sections 63, 72, 74 (partially), 75 and Schedules 8 (partially) and 9 (partially)	1.12.1990	1990/2328

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<i>Provisions</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Sections 64, 65, 74 (partially) and Schedules 8 (partially) 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
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	1990/1903
Sections 17 (partially), 18 (partially), 38, 39, 40, 41, 42, 56 (partially), 57 (partially), 58 (partially), 59 (partially), 60, 74 (partially) and Schedules 8 (partially) and 9 (partially)	30.9.1991	1991/2151
Section 74 (partially) and Schedule 8 (partially)	31.12.1991	1990/2862
Section 3, 4, 5, 7, 9, 15 and 36 (all partially)	4.7.1992	1992/1599
Sections 36 (partially), 37, 74 (partially) and Schedule 8 (partially)	20.7.1992	1992/1599
Sections 1-3, 6-9 and 13-15	27.7.1992	1992/1599
Sections 4 and 5	30.9.1992	1992/1599
Section 31 and sections 32, 73, 74, Schedule 8 and Schedule 9 (all partially)	17.3.1993	1993/641
Section 10, 11 and 12	15.9.1993	1993/2253