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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 28 (C. 1)**

**LOCAL GOVERNMENT**

The Local Government in Scotland Act  
2003 (Commencement No. 2) Order 2004

Made - - - - 29th January 2004

The Scottish Ministers, in exercise of the powers conferred by section 62(2) of the Local Government in Scotland Act 2003<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Local Government in Scotland Act 2003 (Commencement No. 2) Order 2004.

(2) In this Order “the Act” means the Local Government in Scotland Act 2003.

**Appointed days**

2.—(1) Section 35(2) to (4) (capital expenditure limits) and section 36 (imposition of capital expenditure limits) of the Act shall come into force on the day after the day on which this Order is made.

(2) Section 60(1)(b) (repeal of section 94 of the Local Government (Scotland) Act 1973) of the Act shall come into force on 1st April 2004.

St Andrew’s House, Edinburgh  
29th January 2004

*ANDREW P KERR*  
A member of the Scottish Executive

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

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

This Order appoints days for the coming into force of provisions of the Local Government in Scotland Act 2003 (“the Act”).

Article 2(1) provides that section 35(2) to (4) and section 36 shall come into force on the day after the day on which the Order is made.

Article 2(2) provides that section 60(1)(b) of the Act shall come into force on 1st April 2004.

The Act received Royal Assent on 11th February 2003. Sections 42(1), 42(2), 50 and 62 came into force on Royal Assent. The first commencement order was made on 4th March 2003.

The provisions of the Act remaining to be commenced after the making of this Order are sections 8(2)(c)(ii), 9, 11, 40 and 47. Section 8(2)(a)(v) and (2)(d)(i) remains to be commenced for all purposes.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 1 to 7, 8 (partially), 10, 12 to 14, 15 to 34, 35 (partially), 37 to 39, 41, 42 (partially), 43 to 46, 48, 49, 51 to 59, 60 (partially), 61	1.4.2003	<a href="#">2003/134</a>
Section 60(1)(g)	1.5.2003	<a href="#">2003/134</a>