



Water Environment and Water Services (Scotland) Act 2003

2003 asp 3

PART 3

GENERAL

36 Orders and regulations

- (1) Any power of the Scottish Ministers to make orders or regulations under this Act is exercisable by statutory instrument.
- (2) Any such power includes power to make—
 - (a) such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers think necessary or expedient,
 - (b) provision for the delegation of functions,
 - (c) different provision for different purposes and different areas.
- (3) An order under section 24 or 37, and regulations under section 8, 20, 22 or 23, may modify any enactment, instrument or document.
- (4) A statutory instrument containing an order or regulations under—
 - (a) any of sections 2, 5 to 7, 9, 10 and (except where subsection (6) applies) 37, or
 - (b) paragraph 20(4) of schedule 2,is subject to annulment in pursuance of a resolution of the Parliament.
- (5) A statutory instrument containing regulations under section 8, 19, 20, 22 or 23, if made without a draft having been laid before, and approved by a resolution of, the Parliament is subject to annulment in pursuance of a resolution of the Parliament.
- (6) No—
 - (a) order under section 4 or 24,
 - (b) regulations under section 25,
 - (c) order under section 37 or regulations under section 8, 20, 22 or 23 containing provisions which add to, replace or omit any part of the text of an Act,

Status: This is the original version (as it was originally enacted).

is or are to be made unless a draft of the statutory instrument containing the order or regulations has been laid before, and approved by a resolution of, the Parliament.