



Water Services etc. (Scotland) Act 2005

2005 asp 3

PART 4

MISCELLANEOUS AND GENERAL

General

34 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 consider necessary or expedient; and
 - (b) different provision for different purposes.

[^{F1}(2A) Regulations under section 20C(4) or 20D(4) are subject to the negative procedure.]

- (3) A statutory instrument containing an order under—
 - (a) section 2, 7(2), 13(6), 14(1), (2), (6) or (9), 18(3), 20(8), 25(1) or 27(3);
 - (b) subject to subsection (4)(a), section 33; or
 - (c) paragraph 1(1) or (4)^{F2}, 1A(1)] or 12(1) or (2)(g) of schedule 2,is subject to annulment in pursuance of a resolution of the Parliament.
- (4) A statutory instrument containing—
 - (a) an order under section 33 which amends an Act; or
 - (b) regulations under section 4(7) or 5(7),is not made unless a draft of the instrument has been laid before, and approved by resolution of, the Parliament.

Textual Amendments

- F1** S. 34(2A) inserted (10.6.2013 for specified purposes, 1.1.2017 in so far as not already in force) by [Water Resources \(Scotland\) Act 2013 \(asp 5\)](#), **ss. 33(1), 56(1)(2)**; S.S.I. 2013/163, art. 3, sch.; S.S.I. 2016/327, art. 2

Changes to legislation: *There are currently no known outstanding effects for the*
Water Services etc. (Scotland) Act 2005, Section 34. (See end of Document for details)

F2 Words in s. 34(3)(c) inserted (20.11.2015) by [Water Act 2014 \(c. 21\)](#), **ss. 7(4)**, 94(3); S.S.I. 2015/360, art. 2(b)

Changes to legislation:

There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Section 34.