

*These notes relate to the Adult Support and Protection (Scotland) Act 2007 (asp 10) which received Royal Assent on 21 March 2007*

# **ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **THE ACT – AN OVERVIEW**

#### **Part 5**

#### **Final Provisions**

#### **Section 78 – Orders**

178. This sets out the procedure under which the Scottish Ministers can exercise powers which the Act gives them to make subordinate legislation.
179. All orders are to be made by statutory instrument (and will be published as such). Most will be subject to the Scottish Parliament's negative resolution procedure. Orders under section 76 which make changes to primary legislation will be subject to the Scottish Parliament's affirmative resolution procedure. Commencement orders will not be subject to parliamentary procedure.
180. Subordinate legislation powers which the Act adds to other Acts will be regulated by the procedures set out in the Acts into which they are inserted.