



Crofting Reform (Scotland) Act 2010

2010 asp 14

PART 5

GENERAL AND MISCELLANEOUS

53 Subordinate legislation

- (1) Any power conferred by this Act on the Scottish Ministers to make regulations, rules or orders is exercisable by statutory instrument.
- (2) Any such power—
 - (a) may be exercised so as to make different provision for different cases or descriptions of case or for different purposes; and
 - (b) includes power to make such transitory, transitional or saving provision as the Scottish Ministers consider necessary or expedient.
- (3) Subject to subsections (4) and (7), a statutory instrument containing regulations, rules or an order under this Act is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) No order under—
 - (a) section 52(1);
 - (b) section 54(1) containing provisions which add to, replace or omit any part of the text of any Act; or
 - (c) section 57(2) bringing any of sections 3 to 32 into force,may be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the Scottish Parliament.
- (5) Before laying a draft of an order under section 52(1) before the Scottish Parliament, the Scottish Ministers must—
 - (a) lay before the Parliament—
 - (i) a copy of the proposed draft order;
 - (ii) a statement of their reasons for proposing to make the draft order;
 - (b) publicise the proposed draft order in such a manner as they consider appropriate; and
 - (c) have regard to—

Status: This is the original version (as it was originally enacted).

- (i) any representations about the proposed draft order;
 - (ii) any resolution of the Parliament about the proposed draft order; and
 - (iii) any report by a committee of the Parliament for the time being appointed by virtue of the standing orders of the Parliament about the proposed draft order,
made during the period mentioned in subsection (6).
- (6) The period is such period of 60 days or longer (including at least 30 days on which the Scottish Parliament is not dissolved or in recess) as the Scottish Ministers specify when laying the draft order.
- (7) Subsection (3) does not apply to an order under section 57(2).