

*These notes relate to the Tobacco and Primary Medical Services
(Scotland) Act 2010 (asp 3) which received Royal Assent on 3 March 2010*

TOBACCO AND PRIMARY MEDICAL SERVICES (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT – OVERVIEW

Part 3 – General Provision

Section 40 – Orders and regulations

62. This section provides that all regulations and orders under the Act are to be made in the form of a statutory instrument. Orders under sections 35(3), 39(1) and 42 (where the order amends primary legislation) and regulations under section 24 and paragraphs 3, 4, 10 and 11 of schedule 1 are subject to affirmative procedure in the Parliament. All other regulations and orders are subject to negative procedure.

Section 42 – Ancillary provision

63. This section gives the Scottish Ministers the power by order to make incidental, consequential, transitional, transitory and savings provision.