



# Public Services Reform (Scotland) Act 2010

2010 asp 8

## PART 10

### MISCELLANEOUS AND GENERAL

#### *General*

#### **132 Ancillary provision**

- (1) The Scottish Ministers may by order make such consequential, supplemental, incidental, transitional, transitory or saving provision as they consider necessary or expedient for the purposes of, or in consequence of, or for the purposes of giving full effect to, any provision of this Act.
- (2) An order under this section may modify any enactment, instrument or document.

#### **133 Orders and regulations: Parts 8 and 10**

- (1) Any power conferred by Part 8 or this Part on the Scottish Ministers to make an order or regulations—
  - (a) must be exercised by statutory instrument,
  - (b) except an order under section 134(7), includes power to make such consequential, supplemental, incidental, transitional, transitory or saving provision as the Scottish Ministers think necessary or expedient,
  - (c) may be exercised so as to make different provision for different purposes.
- (2) No—
  - (a) order is to be made under section 115(9),
  - (b) regulations are to be made under section 117,
  - (c) order is to be made under section 132 containing provisions which add to, omit or replace any part of the text of an Act,
  - (d) order is to be made under section 134(4),

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

- (3) Any other statutory instrument containing an order under Part 8 or this Part (except an order under section 134(7)) is subject to annulment in pursuance of a resolution of the Parliament.

#### **134 Short title and commencement**

- (1) This Act may be cited as the Public Services Reform (Scotland) Act 2010.
- (2) Sections 103, 109, 132 and 133 and this section come into force on Royal Assent.
- (3) Sections 14 to 30 and schedules 5, 6 and 7 cease to have effect 5 years after the date on which those sections and schedules (or the last of them) come into force.
- (4) But the Scottish Ministers may by order extend, or (on one or more occasion) further extend, the period for which those sections and schedules have effect.
- (5) An order made under subsection (4)—
- (a) must be made before the end of the period referred to in that subsection, and
  - (b) has the effect of extending, or further extending, that period for the period of 5 years beginning with the day the order is made.
- (6) Where, by virtue of subsection (3) (or that subsection read with subsection (4)) sections 14 to 30 and schedules 5 to 7 cease to have effect, that repeal does not affect any order made under section 14 or 17(1).
- (7) The remaining provisions of this Act come into force on such day as the Scottish Ministers may by order appoint.
- (8) An order bringing into force section 3, 130 or 131 or schedule 2 or 3 may not be made before the expiry of the period of 12 months beginning with Royal Assent.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)