

PATIENT RIGHTS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 25: Orders, regulations and directions

73. Subsection (1) provides that all regulations and orders under the Act are to be made in the form of a statutory instrument and that regulations and orders may make different provisions for different purposes.
74. Subsection (2) provides that (i) orders made under section 3(4), relating to changes in how healthcare is delivered, section 6(2) relating to changes in the healthcare principles, section 9(4) relating to the maximum length of time a patient should wait for treatment under the treatment time guarantee or section 24, relating to ancillary provision, and (ii) regulations made under section 9(1) or (3), relating to the treatment time guarantee, are to be subject to affirmative procedure.
75. Subsection (3) provides that any other statutory instrument made under the Act (apart from under sections 12(4) and 26(3), relating to the date that the provisions come into force) is to be subject to negative procedure.
76. Subsections (4) and (5) make provision for the way in which Scottish Ministers can exercise their powers of direction under the Act.