



# Patient Rights (Scotland) Act 2011

## 2011 asp 5

### *General*

#### **25 Orders, regulations and directions**

- (1) Any power conferred by this Act on the Scottish Ministers to make an order or regulations—
  - (a) must be exercised by statutory instrument,
  - (b) may be exercised so as to make different provision for different purposes (including different areas),
  - (c) except an order under section 26(3), includes power to make such consequential, supplemental, incidental, transitional, transitory or saving provision as appears to the Scottish Ministers to be necessary or expedient.
- (2) No—
  - (a) order is to be made under section 3(4), 6(2) or 9(4),
  - (b) regulations are to be made under section 9(1) or (3), or
  - (c) order is to be made under section 24 containing provisions which add to, omit or replace any part of the text of an Act,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 or regulations under this Act (except an order under section 12(4) or 26(3)) is subject to annulment in pursuance of a resolution of the Parliament.
- (4) Any power to make directions under this Act includes power to vary or revoke such directions.
- (5) Any power to make directions under this Act may be exercised—
  - (a) generally or to meet the circumstances of a particular area or matter,
  - (b) either in relation to all cases to which the power extends, or in those cases subject to exceptions, or in relation to any specified cases or classes of case, and
  - (c) subject to such other exceptions or conditions as the Scottish Ministers think fit.