



Fire (Scotland) Act 2005

2005 asp 5

PART 5

GENERAL

[^{F1}86A Interpretation

(1) In this Act—

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39); and “area” in relation to a local authority, means the local government area for which the authority is constituted, “SFRS” has the meaning given by section 1A(1).

(2) References in this Act to the area of SFRS are to be construed as references to Scotland, but taking the seaward boundary of the area to be the low water mark.]

Textual Amendments

F1 S. 86A inserted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012](#) (asp 8), s. 129(2), [Sch. 7 para. 68\(27\)](#); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#))

87 Ancillary provision

(1) The Scottish Ministers may by order make such incidental, supplementary, consequential, transitory, transitional or saving provision as they consider appropriate for the purposes of, in consequence of or for giving full effect to this Act or any provision of it.

(2) An order under subsection (1) may modify any enactment, instrument or document.

88 Orders and regulations

(1) Any power conferred by this Act on the Scottish Ministers to make orders or regulations shall be exercisable by statutory instrument.

Changes to legislation: There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Part 5. (See end of Document for details)

- (2) Any power conferred by this Act on the Scottish Ministers to make orders or regulations—
- (a) may be exercised so as to make different provision for different purposes; and
 - (b) includes power to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Scottish Ministers consider appropriate.
- (3) A statutory instrument containing an order or regulations made under this Act (other than an order under section 90) shall, subject to subsection (4), be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) A statutory instrument containing—
- ^{F2}(a)
 - (b) an order under section 87(1) modifying an enactment; or
 - (c) regulations under section 60(2)(c), 61(10), 78(8) or (9) or 81,
- shall not be made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.

Textual Amendments

F2 S. 88(4)(a) repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 8 Pt. 2](#); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#))

89 Minor and consequential amendments and repeals

- (1) Schedule 3, which contains minor amendments and amendments consequential on the provisions of this Act, shall have effect.
- (2) The enactments mentioned in the first column of schedule 4 (which include enactments that are spent) are repealed to the extent set out in the second column.

90 Commencement

This Act, other than this section and section 88, shall come into force on such day as the Scottish Ministers may by order appoint.

Subordinate Legislation Made

P1 S. 90 power partly exercised: 6.4.2005 appointed for specified provisions by [{S. I. 2005/207}](#), art. 3; 2.8.2005 for specified provisions by [{S.S.I. 2005/392}](#), art. 2; 1.10.2006 for specified provisions by [{S.S.I. 2006/458}](#), art. 2

91 Short title

This Act may be cited as the Fire (Scotland) Act 2005.

Changes to legislation:

There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Part 5.