



# Scotland Act 1998

## 1998 CHAPTER 46

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Supplementary powers*

#### **104 Power to make provision consequential on legislation of, or scrutinised by, the Parliament.**

- (1) Subordinate legislation may make such provision as the person making the legislation considers necessary or expedient in consequence of any provision made by or under any Act of the Scottish Parliament or made by legislation mentioned in subsection (2).
- (2) The legislation is subordinate legislation under an Act of Parliament made by—
  - (a) a member of the [<sup>F1</sup>Scottish Government],
  - (b) a Scottish public authority with mixed functions or no reserved functions, or
  - (c) any other person (not being a Minister of the Crown) if the function of making the legislation is exercisable within devolved competence.

<sup>F2</sup>(3) .....

#### **Textual Amendments**

**F1** Words in Act substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 12(2)(a)**, 44(5) (with s. 12(3));

[S.I. 2012/1710](#), art. 2(f)

**F2** [S. 104\(3\)](#) omitted (18.5.2017) by virtue of [Scotland Act 2016 \(c. 11\)](#), **ss. 10(3)**, 72(4)(a); [S.I. 2017/608](#),

reg. 2(1)(h)

#### **Modifications etc. (not altering text)**

**C1** [S. 104\(2\)\(c\)](#) modified (23.3.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 36(12)(b)**, 72(1)(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Section 104.