

These notes refer to the Legislative and Regulatory Reform Act 2006 (c.51) which received Royal Assent on 8 November 2006

LEGISLATIVE AND REGULATORY REFORM ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: Order-Making Powers

Restrictions

Section 9: Scotland

77. This section prohibits an order made under Part 1 from making provision which would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament. So it prevents the amendment or repeal of Acts of the Scottish Parliament, instruments made under them, or Acts of the Westminster Parliament which make provision about devolved matters (having been passed prior to the passing of the Scotland Act 1998 or, in some cases, afterwards). However, section 9 makes clear that this prohibition does not affect the powers to make consequential, supplementary, incidental or transitional provision in sections 1(8) and 2(7).