



Transport (Scotland) Act 2005

2005 asp 12

PART 4

GENERAL

52 Orders and regulations

- (1) Any power of the Scottish Ministers under this Act to make an order or regulations shall be exercisable by statutory instrument.
- (2) Subject to subsection (3) below, a statutory instrument containing an order (other than an order made under section 54(2) below) or regulations made under this Act shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (3) A statutory instrument containing an order made under section 1(1), 2(1) or (2), 10(1), 11(1), 13(1) or 40(1) above shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Scottish Parliament.
- (4) Orders and regulations under this Act may make—
 - (a) different provision for different purposes; and
 - (b) supplemental, incidental, consequential, transitory, transitional or saving provision.

Changes to legislation:

Transport (Scotland) Act 2005, Section 52 is up to date with all changes known to be in force on or before 05 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 52(3) words inserted by [2019 asp 17 s. 110\(3\)\(a\)](#)
- s. 52(3) words inserted by [2019 asp 17 s. 110\(3\)\(b\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Transport (Scotland) Act 2005

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing [SSI 2008/15 art. 3](#)