



Interpretation and Legislative Reform (Scotland) Act 2010

2010 asp 10

PART 2

SCOTTISH STATUTORY INSTRUMENTS

Combination of certain powers

33 Combination of certain powers

- (1) This section applies where—
 - (a) a power of a person to make devolved subordinate legislation is subject to the affirmative procedure,
 - (b) a power of a person to make devolved subordinate legislation is subject to the negative procedure,
 - (c) section 30 applies to a power of a person to make devolved subordinate legislation, or
 - (d) a power of a person to make devolved subordinate legislation does not fall within any of paragraphs (a) to (c).
- (2) If the person considers that it is desirable to exercise two or more of the powers together, the powers may be exercised together and by the same Scottish statutory instrument.
- (3) If the powers exercised together include a power of the type mentioned in paragraph (a) of subsection (1), the devolved subordinate legislation contained in the instrument is subject to the affirmative procedure.
- (4) If the powers exercised together do not include a power of the type mentioned in paragraph (a) of subsection (1) but include a power of the type mentioned in paragraph (b) of that subsection, the devolved subordinate legislation contained in the instrument is subject to the negative procedure.

Status: This is the original version (as it was originally enacted).

- (5) If the powers exercised together do not include a power of the type mentioned in paragraph (a) or (b) of subsection (1), section 30 applies to the devolved subordinate legislation contained in the instrument.
- (6) Any other requirements relating to the exercise of one of the powers continue to apply only in relation to the exercise of that power.
- (7) References in this section to devolved subordinate legislation do not include references to subordinate legislation in relation to which an enactment provides, or has the effect of providing, that the subordinate legislation, or the Scottish statutory instrument containing it, cannot remain in force unless it is approved by resolution of the Scottish Parliament.