



Marine (Scotland) Act 2010

2010 asp 5

PART 9

GENERAL PROVISIONS

165 Orders and regulations

- (1) Any power of the Scottish Ministers to make orders or regulations under this Act—
 - (a) may be exercised so as to make different provision for different purposes,
 - (b) includes power to make such incidental, consequential, supplemental, transitional, transitory or saving provision as the Scottish Ministers consider appropriate.
- (2) Any power of the Scottish Ministers to make orders or regulations under this Act must be exercised by statutory instrument.
- (3) But subsection (2) does not apply to an order made under section 67(1) (order designating a Nature Conservation MPA, a Demonstration and Research MPA or a Historic MPA).
- (4) A statutory instrument containing an order or regulations made under this Act (except an order made under section 168(1)) is (except where subsection (5) provides otherwise) subject to annulment in pursuance of a resolution of the Parliament.
- (5) A statutory instrument containing—
 - (a) an order under section 5(5), 21(3) or 32(1),
 - (b) regulations under section 33(1) or 38(1),
 - (c) an order under section 46(1), 48(1) or 51(1),
 - (d) regulations under section 61(1),
 - (e) an order under section 97(3),
 - (f) an order under section 164(1) containing provisions which add to, replace or omit any part of the text of an Act,

is not to be made unless a draft of the instrument has been laid before, and approved by resolution of, the Parliament.