

CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 18 - General

Section 99 – Subordinate legislation

294. Subsection (1) provides that any power of the Scottish Ministers to make an order or regulations includes powers to make different provision for different purposes and such supplementary, incidental, consequential, transitional, transitory or saving provision as they consider appropriate.
295. Subsection (2) states that an order made under the following sections is subject to the affirmative procedure – sections 3(2), 7(5), 30(1), 31(2), 37(7), 43(1), 44(2), 47(2)(c) (ii), 47(4), 48(2), 51(2), 56(2), 57(2)(b), 58(2), 68(3)(b), 71(5)(b) and 96(6).
296. Subsection (3) provides that an order made under section 101 containing provisions which add to, replace or omit any part of the text of this or any other Act is subject to affirmative procedure.
297. Subsection (4) provides that other orders made under this Act, and any regulations made under this Act, are subject to negative procedure.
298. Subsection (5) provides that this section does not apply to an order made under section 102(3).