



Small Business, Enterprise and Employment Act 2015

2015 CHAPTER 26

PART 11

EMPLOYMENT

Public sector exit payments

156 Power to make regulations to be exercisable by the Treasury or Scottish Ministers

- (1) The power to make regulations under section 154(1) is exercisable—
 - (a) by the Scottish Ministers in relation to payments made by a relevant Scottish authority;
 - (b) by the Treasury in relation to any other payments,
(but this subsection is subject to subsection (2)).
- (2) Where the relevant Scottish authority is the Scottish Administration the power to make regulations under section 154(1) is exercisable by the Treasury (instead of the Scottish Ministers) in relation to payments made to—
 - (a) the holders of offices in the Scottish Administration which are not ministerial offices (read in accordance with section 126(8) of the Scotland Act 1998), and
 - (b) the members of the staff of the Scottish Administration (read in accordance with section 126(7)(b) of that Act).
- (3) In this section “relevant Scottish authority” means—
 - (a) the Scottish Parliamentary Corporate Body, or
 - (b) any authority which wholly or mainly exercises functions which would be within devolved competence (within the meaning of section 54 of the Scotland Act 1998).
- (4) The first regulations under section 154(1)—

Status: This is the original version (as it was originally enacted).

- (a) if made by the Treasury, are subject to affirmative resolution procedure;
 - (b) if made by the Scottish Ministers, are subject to the affirmative procedure.
- (5) Any other regulations under section 154(1)—
- (a) if made by the Treasury, are subject to negative resolution procedure;
 - (b) if made by the Scottish Ministers, are subject to the negative procedure.