

SCHEDULES

SCHEDULE 7

REGULATIONS

PART 3

GENERAL PROVISION ABOUT POWERS UNDER ACT

Further explanatory statements in urgency cases

- 35 (1) This paragraph applies where regulations are to be made by the Scottish Ministers under this Act by virtue of paragraph 6(2) (whether or not as applied by paragraph 19(7)).
- (2) The Scottish Ministers must make a statement in writing explaining the reasons for the Scottish Ministers' opinion that, by reason of urgency, it is necessary to make the regulations without them being subject to the affirmative procedure.
- (3) A statement under sub-paragraph (2) must be published before, or at the same time as, the regulations as made are laid before the Scottish Parliament.
- (4) If the Scottish Ministers—
- (a) fail to make the statement required by sub-paragraph (2) before the regulations are made, or
 - (b) fail to publish it as required by sub-paragraph (3),
- they must make a statement explaining the failure.
- (5) A statement under sub-paragraph (4) must be made in writing and be published in such manner as the Scottish Ministers consider appropriate.