



Fire (Scotland) Act 2005

2005 asp 5

PART 5

GENERAL

88 Orders and regulations

- (1) Any power conferred by this Act on the Scottish Ministers to make orders or regulations shall be exercisable by statutory instrument.
- (2) Any power conferred by this Act on the Scottish Ministers to make orders or regulations—
 - (a) may be exercised so as to make different provision for different purposes; and
 - (b) includes power to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Scottish Ministers consider appropriate.
- (3) A statutory instrument containing an order or regulations made under this Act (other than an order under section 90) shall, subject to subsection (4), be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) A statutory instrument containing—
 - ^{F1}(a)
 - (b) an order under section 87(1) modifying an enactment; or
 - (c) regulations under section 60(2)(c), 61(10), 78(8) or (9) or 81,shall not be made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.

Textual Amendments

- F1** S. 88(4)(a) repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 8 Pt. 2](#); [S.S.I. 2013/51](#), art. 2 (with transitional provisions and savings in [S.S.I. 2013/121](#))

Changes to legislation:

There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 88.