



# Housing (Scotland) Act 2006

## 2006 asp 1

### PART 10 **S**

#### GENERAL AND SUPPLEMENTARY

#### 191 Orders and regulations **S**

- (1) Any power of the Scottish Ministers under this Act to make orders or regulations is exercisable by statutory instrument.
- (2) Any such power includes power to make—
  - (a) such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers think necessary or expedient,
  - (b) different provision for different purposes.
- (3) Unless contrary provision is made in subsections (4) to (6), a statutory instrument containing an order or regulations under this Act is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) No order—
  - (a) under section [<sup>F1</sup>125(1)(b),] 126(2) or 127(1), or
  - (b) under section 190(1) containing provisions which add to, replace or omit any part of the text of an Act,

is to be made unless a draft of the statutory instrument containing the order has been laid before, and approved by resolution of, the Scottish Parliament.

- [<sup>F2</sup>(4A) Regulations under subsection (1) of section 28B (other than such regulations containing only provision under subsection (2)(b) of that section) are not to be made unless a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, the Scottish Parliament.]
- (5) Regulations under section [<sup>F3</sup>20A,] 73(3), 77(1), 79(6), 91(5), 99(2), 104(1), 105, 111(4) [<sup>F4</sup>, 121(1) or 174A(1)] are not to be made unless a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, the Scottish Parliament.
  - (6) Subsection (3) does not apply to any statutory instrument containing an order under section 195(3) (commencement orders).

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*Changes to legislation: There are currently no known outstanding effects for the  
Housing (Scotland) Act 2006, Section 191. (See end of Document for details)*

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#### **Subordinate Legislation Made**

- P1** S. 191(2) power partly exercised: different dates appointed for specified provisions by {[S.S.I. 2007/270](#)}, art. 3 Table
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#### **Textual Amendments**

- F1** Word in s. 191(4)(a) inserted (31.8.2011) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 13(6)**, 41(3); [S.S.I. 2011/270](#), art. 2, Sch.
- F2** S. 191(4A) inserted (22.9.2015) by [Private Rented Housing \(Scotland\) Act 2011 \(asp 14\)](#), **ss. 35(8)**, 41(3); [S.S.I. 2015/326](#), art. 2(2)(c)
- F3** Word in s. 191(5) inserted (20.11.2014) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 24(2)**, 104(3); [S.S.I. 2014/264](#), art. 2, Sch.
- F4** Words in s. 191(5) substituted (20.11.2014) by [Housing \(Scotland\) Act 2014 \(asp 14\)](#), **ss. 85(4)**, 104(3); [S.S.I. 2014/264](#), art. 2, Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Scotland) Act 2006, Section 191.