

#### SCHEDULE 4

##### APPLICATION OF PART 2 TO STATUTORY INSTRUMENTS LAID BEFORE THE PARLIAMENT

*Instruments which cannot be made unless a draft is laid before and approved by resolution of the Parliament*

- 3 (1) This paragraph applies where, in relation to subordinate legislation which is to be made by statutory instrument, a pre-commencement enactment provides, or has the effect of providing, that the legislation cannot be made unless a draft of the statutory instrument containing it is laid before, and approved by resolution of, the Scottish Parliament.
- (2) The enactment is to be read as if it instead provided for the subordinate legislation to be subject to the affirmative procedure in the Scottish Parliament.
- (3) Section 29 applies in relation to the subordinate legislation as it applies in relation to devolved subordinate legislation which is subject to the affirmative procedure, but as if the reference in it to a draft of a Scottish statutory instrument were a reference to a draft of a statutory instrument.