

These notes relate to the Forth Crossing Act 2011 (asp 2) which received Royal Assent on 20 January 2011

FORTH CROSSING ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 10 – Miscellaneous

Section 77 – Ancillary provision

246. This section allows the Scottish Ministers to make provision for ancillary matters and to enable unforeseen circumstances which may arise following enactment to be addressed without having recourse to primary legislation. The scope of this power is restricted. It can only be used to make provisions which are of a supplementary, incidental, consequential, transitional, transitory or saving nature. Subsection (2) provides that an order for the purposes of subsection (1) can make different provision for different purposes and may amend or repeal any other enactment. Subsection (3) requires that every order which makes supplementary, incidental or consequential provisions to be made under affirmative procedure. Any other statutory instrument containing such an order will, under subsection (4), be subject to a negative resolution.