



# Historic Environment (Amendment) (Scotland) Act 2011 2011 asp 3

## PART 3

### MODIFICATIONS OF THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997

#### *Regulations and orders*

#### **30 Regulations and orders under the 1997 Act**

- (1) Section 82 of the 1997 Act (regulations and orders) is amended in accordance with this section.
- (2) In subsection (2)—
  - (a) the words “shall be exercisable by statutory instrument” become paragraph (a) of that subsection,
  - (b) after that paragraph insert—

“(b) may be exercised so as to make different provision for different purposes.”.
- (3) In subsection (3), at the beginning insert “Subject to subsection (3A),”.
- (4) After subsection (3) insert—

“(3A) A statutory instrument containing regulations made under section 39A(5) is not to be made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.”.
- (5) In subsection (4)—
  - (a) the words “shall be exercisable by statutory instrument” become paragraph (a) of that subsection,
  - (b) after that paragraph insert—

“(b) may be exercised so as to make different provision for different purposes.”.

*Status: This is the original version (as it was originally enacted).*

---

(6) For subsection (6) substitute—

“(6) Any power conferred by this Act to make regulations or orders includes power to make such incidental, supplemental, consequential, transitory, transitional or saving provision as the Scottish Ministers consider necessary or expedient.”.