

# Regulatory Reform (Scotland) Act 2014

## 2014 asp 3

### PART 5

#### GENERAL

#### 58 Subordinate legislation

- (1) Any power of the Scottish Ministers to make an order or regulations under this Act includes power to make—
  - (a) different provision for different purposes,
  - (b) incidental, supplemental, consequential, transitional, transitory or saving provision.
- (2) The power to make regulations under section 1 includes power to modify any enactment (including this Act other than that section and sections 2, 3 and 7).
- (3) The following orders are subject to the affirmative procedure—
  - (a) an order under section 9, 12, 20 or 23,
  - (b) an order under section 7 that contains provision such as is mentioned in subsection (1)(a) of that section,
  - (c) an order under that section that specifies under subsection (2) of that section—
    - (i) that a function is to be a regulatory function for the purposes of section 1, 4 or 5,
    - (ii) the extent to which a function is to be a regulatory function for such purposes,
  - (d) an order under section 59(1) which contains provisions that add to, replace or omit any part of the text of an Act.
- (4) The following regulations are subject to the affirmative procedure—
  - (a) regulations under section 1,
  - (b) regulations under section 18 which contain provisions that add to, replace or omit any part of the text of an Act.
- (5) All other orders and regulations under this Act are subject to the negative procedure.
- (6) This section does not apply to an order under—
  - (a) section 61(2), or

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**Changes to legislation:** Regulatory Reform (Scotland) Act 2014, Section 58 is up to date with all changes known to be in force on or before 18 July 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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(b) paragraph 30 of schedule 2.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(4) inserted by [S.S.I. 2019/436 reg. 2\(3\)\(a\)\(ii\)](#)
- sch. 2 para. 22(1)(b)(2)-(4) substituted for Sch. 2 para. 22(1)(b)(2) by [S.S.I. 2019/436 reg. 2\(3\)\(b\)](#)