



# Planning (Scotland) Act 2019

## 2019 asp 13

### PART 6

#### FINAL PROVISIONS

#### 61 Regulation-making powers

- (1) A power to make regulations conferred by this Act includes the power to make different provision for different purposes and areas.
- (2) Regulations under section 59—
  - (a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of an Act (including this Act), but
  - (b) otherwise are subject to the negative procedure.
- (3) Regulations under sections <sup>F1</sup>... 54 and 57 are subject to the affirmative procedure.
- (4) Before making regulations under section 54, the Scottish Ministers must consult—
  - (a) any local authority that may be affected by the regulations, and
  - (b) any other persons the Ministers consider appropriate.

#### Textual Amendments

- F1** S. 61(3) punctuation marks omitted (18.12.2019) by virtue of [The Planning \(Scotland\) Act 2019 \(Ancillary Provision\) Regulations 2019 \(S.S.I. 2019/424\)](#), regs. 1, **2(4)**

**Changes to legislation:**

Planning (Scotland) Act 2019, Section 61 is up to date with all changes known to be in force on or before 03 October 2023. 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)