

SOUTH OF SCOTLAND ENTERPRISE ACT 2019

EXPLANATORY NOTES

THE ACT

Final provisions

Section 22 (Ancillary provision)

53. [Section 22](#) enables the Scottish Ministers to make ancillary provision, by regulations, to give full effect to the Act or any provision made under it. This includes the power to modify other enactments (including the Act itself).
54. Regulations made under section 22 that amend the text of primary legislation (including the Act) are subject to the affirmative procedure. Otherwise, regulations under section 22 are subject to the negative procedure (see section 23).

Section 23 (Regulation-making powers)

55. [Section 23](#) makes provision in relation to the regulation-making powers that the Act confers on the Scottish Ministers.
56. The negative procedure is defined in [section 28 of the Interpretation and Legislative Reform \(Scotland\) Act 2010](#). The affirmative procedure is defined in [section 29 of that Act](#).

Section 24 (Commencement)

57. [Section 24](#) deals with when the Act's provisions come into effect as a matter of law.
58. The Act's final provisions (i.e. sections 22 to 25) take effect on 13 July 2019, which is the day after the Bill for the Act received Royal Assent.¹
59. The rest of the Act's provisions take effect on the day, or days, appointed by the Scottish Ministers in regulations. Section 23(1) allows the regulations to appoint different days for different purposes. Regulations appointing the day that some or all of the Act's provisions take effect will be laid before the Scottish Parliament in accordance with [section 30 of the Interpretation and Legislative Reform \(Scotland\) Act 2010](#).

¹ The process for a Bill becoming an Act is set out in [section 28 of the Scotland Act 1998](#).