



# Transport (Scotland) Act 2019

## 2019 asp 17

### PART 10

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **128 Regulations**

- (1) Any power of the Scottish Ministers to make regulations under this Act includes power to make—
  - (a) incidental, supplementary, consequential, transitional, transitory or saving provision,
  - (b) different provision for different purposes or areas.
- (2) Regulations under sections 6(4)(a), 6(4)(b), 6(4)(c), 7(4)(b), 52(1), 55(12), 71(5), 78(4) and 107(1) are subject to the affirmative procedure.
- (3) Regulations under section 8(1) or 59(1)—
  - (a) which create a criminal offence are subject to the affirmative procedure,
  - (b) otherwise, are subject to the negative procedure.
- (4) Regulations under section 129(1)—
  - (a) which add to, replace or omit any part of the text of an Act are subject to the affirmative procedure,
  - (b) otherwise, are subject to the negative procedure.
- (5) Otherwise (and subject to subsection (6)) regulations under this Act are subject to the negative procedure.
- (6) This section does not apply to regulations under section 130(2).