



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 4

GENERAL

103 Subordinate legislation

- (1) The powers of the Scottish Ministers under this Act to make orders and regulations are exercisable by statutory instrument.
- (2) Each of those powers includes power to make—
 - (a) different provision for different purposes; and
 - (b) supplementary, incidental, consequential, transitory, transitional or saving provision.
- (3) Subject to subsections (4) and (5), a statutory instrument containing an order or regulations made under this Act is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4) The following statutory instruments are not to be made unless a draft of the instrument has been laid before, and approved by, the Scottish Parliament—
 - (a) a statutory instrument containing an order under section 18(1) or 24(1), paragraph 10(10) of schedule 1, ^{F1}... paragraph 9(1) of schedule 2 [^{F2}or paragraph 7A(8) or 7B(4) of schedule 4 or regulations under section 41D(1)]; or
 - (b) a statutory instrument containing an order under section 102(1) containing provisions which add to, replace or omit any part of the text of an Act.
- (5) Subsection (3) does not apply to an order under section 104(1).

Textual Amendments

- F1** Word in s. 103(4)(a) repealed (15.2.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 33\(15\)\(a\)](#); S.S.I. 2013/47, art. 2 (with art. 3)

Changes to legislation: *Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 103 is up to date with all changes known to be in force on or before 22 January 2024. 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*

F2 Words in s. 103(4)(a) inserted (15.2.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 33\(15\)\(b\)](#); S.S.I. 2013/47, art. 2 (with art. 3)

Changes to legislation:

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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):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)