

*These notes relate to the Local Governance (Scotland) Act
2004 (asp 9) which received Royal Assent on 29 July 2004*

LOCAL GOVERNANCE (SCOTLAND) ACT 2004

EXPLANATORY NOTES

THE ACT — SECTION BY SECTION

Part 3 – Miscellaneous and general

Section 16 – Orders and regulations

37. Subsection (1) provides that powers to make orders or regulations under this Act shall be exercisable by statutory instrument. Subsection (4) provides that any statutory instrument containing an order or regulations made under the Act will be subject to negative resolution procedure with the exception of instruments containing an order made under section 17(2) (commencement) and those specified in subsection (5). Subsection (5) provides that statutory instruments containing the orders and regulations specified in that subsection will be subject to affirmative resolution procedure.