



Certification of Death (Scotland) Act 2011

2011 asp 11

General

29 Orders and regulations

- (1) Subject to subsection (9), any power conferred by this Act on the Scottish Ministers to make an order or regulations—
 - (a) must be exercised by statutory instrument,
 - (b) includes power to make supplementary, incidental, consequential, transitional, transitory or saving provision,
 - (c) may be exercised so as to make different provision for different purposes.
- (2) An order made under section 4(7) (other than one to which subsection (4) applies)—
 - (a) must be laid before the Parliament, and
 - (b) ceases to have effect at the expiry of a period of 28 days beginning with the date on which it was made unless, before the expiry of that period, the order has been approved by resolution of the Parliament.
- (3) Subsection (4) applies to an order made under section 4(7) consisting only of—
 - (a) provision revoking an earlier order under section 4(7), or
 - (b) such provision and provision made by virtue of section 29(1)(b).
- (4) An order to which this subsection applies is subject to annulment in pursuance of a resolution of the Parliament.
- (5) In reckoning for the purposes of subsection (2)(b) any period of 28 days, no account is to be taken of any period during which the Parliament is—
 - (a) dissolved, or
 - (b) in recess for more than 4 days.
- (6) Subsection (2)(b) is without prejudice to anything previously done by reference to an order under section 4(7) or to the making of a new order under that provision.
- (7) No order is to be made under section 28 containing provisions which add to, omit or replace any part of the text of an Act, unless a draft of the statutory instrument containing the order has been laid before, and approved by resolution of, the Parliament.

Status: This is the original version (as it was originally enacted).

- (8) Subject to subsection (9), any other statutory instrument containing an order or regulations is subject to annulment in pursuance of a resolution of the Parliament.
- (9) Subsections (1) and (8) do not apply in relation to an order made under section 32(3).