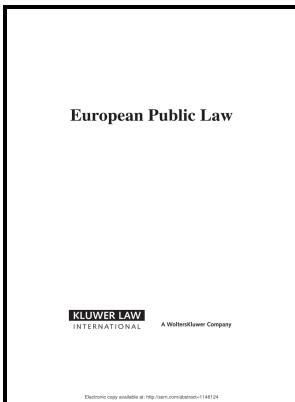


# Subordinate Legislation - 5th Report

## Stationery Office, Edinburgh - 5th Report, 2015 (Session 4): Report on subordinate legislation

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 Scottish Parliament Papers -- No.328 (Session 1,2001)Subordinate Legislation - 5th Report  
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 This edition was published in 2001



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Tags: #The #Scottish #Parliament

### The Scottish Parliament

Article 8 1 e enables the authority to make byelaws to temporarily close the bridge to traffic. Further, as a matter of law there can in any event be no difference because the wording in the Form must be read in a way that is consistent with the effect intended by the governing primary legislation. The approval of the Scottish Ministers has been included as an administrative safeguard in the exercise of this function by the joint board.

### 5th Report, 2015 (Session 4): Report on subordinate legislation

It is not clear what effect is intended by paragraph 3 of regulation 1 in the context of these Regulations and the Executive is asked to explain. The relevant sections are 95 5 , 97 2 and 97 4 a and c. The Order is made under powers contained in the Transport Scotland Act 2001.

### 5th Report, 2016 (Session 5): Subordinate Legislation : Scottish Parliament

The Committee accepts that the error does not affect the legality of the instrument. In relation to paragraph 4, these Regulations by virtue of the application provisions referred to above can apply in part to land outwith Scotland. The Executive is asked to justify the vires of regulation 12 5.

### 5th Report, 2016 (Session 5): Subordinate Legislation : Scottish Parliament

This is the reason for regulation 7 3. The new joint board will not be delegating any of its own functions but they will get involved in initiatives to fulfil the function of reducing congestion on the bridge or encouraging an increase in the use of public transport. The Executive acknowledges that the Regulations are less than perfect in a number of respects, particularly in relation to the extra-territorial provisions.

### The Scottish Parliament

It is accepted that such a limitation would have put the matter beyond doubt. The Committee notes that regulation 5 9 only applies to decisions made by the Ministers not deemed decisions under paragraph 8.

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