



2022 CHAPTER 31

PART 6

Supplementary

Regulation-making powers: advice

Requirement to obtain advice about proposals to make regulations

56.—(1) This section applies in relation to the making of regulations under any provision of this Act, except regulations that are made in accordance with section 54(2)(b) (recommendation by the Committee on Climate Change).

(2) Before making regulations under section 9(4) or 42(1), or laying draft regulations before the Assembly under section 53(3), the Department must—

- (a) request advice from the Committee on Climate Change about the proposal to make the regulations, and
- (b) take the Committee’s advice into account.

(3) When the Department requests advice from the Committee on Climate Change under this section, it must specify a reasonable period within which the advice must be provided.

(4) The Committee must provide the advice within that period.

(5) The Committee’s advice must set out the reasons for the advice.

(6) The Department must publish the Committee’s advice as soon as reasonably practicable after receiving it.

(7) Subsections (8) and (9) apply where—

- (a) the Committee’s advice includes recommendations as to provision that should be made by regulations, and

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(b) the Department intends to make regulations that differ from that recommendation.

(8) If the regulations are to be laid in draft before the Assembly, the Department must at the same time lay before the Assembly a statement setting out the reasons for the difference.

(9) Otherwise, the Department must, on making the regulations, publish a statement setting out the reasons for the difference.