



# Modern Slavery Act 2015

## 2015 CHAPTER 30

### PART 7

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **58 Regulations**

- (1) Any power of the Secretary of State to make regulations under this Act is exercisable by statutory instrument.
- (2) A statutory instrument containing regulations made by the Secretary of State under this Act is subject to annulment in pursuance of a resolution of either House of Parliament, unless—
  - (a) it contains only regulations under section 61 (commencement), or
  - (b) it contains regulations to which subsection (4) applies.
- (3) A statutory instrument containing regulations to which subsection (4) applies may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (4) This section applies to—
  - (a) regulations under section 14(4) (power to amend Schedule 1);
  - (b) regulations under section 31(1) (power to amend section 30);
  - (c) regulations under section 43(9) which remove a public authority from Schedule 3, other than in consequence of the authority having ceased to exist;
  - (d) regulations under section 43(9) which contain the provision mentioned in section 43(10) (power to modify section 43);
  - (e) regulations under section 45(8) (power to amend Schedule 4);
  - (f) regulations under section 48(6) (independent child trafficking advocates);
  - (g) regulations under section 50 (identifying and supporting victims);

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*Status: This is the original version (as it was originally enacted).*

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- (h) regulations under section 52(6) which remove a public authority from section 52(5), other than in consequence of the authority having ceased to exist;
  - (i) regulations under section 54(2) (minimum turnover for application of section 54);
  - (j) the first regulations under section 54(3) (definition of turnover for purposes of section 54);
  - (k) regulations under section 57(2) (consequential provision) which amend, or repeal any provision of, an Act.
- (5) Regulations made by the Scottish Ministers under section 43(7)—
- (a) are subject to the affirmative procedure if they contain—
    - (i) provision removing a public authority from Schedule 3, other than in consequence of the authority having ceased to exist, or
    - (ii) the provision mentioned in section 43(10) (power to modify section 43);
  - (b) otherwise, are subject to the negative procedure.
- (6) The power of the Department of Justice in Northern Ireland to make regulations under section 43(8) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).
- (7) Regulations made by the Department of Justice in Northern Ireland under section 43(8) are subject to negative resolution (within the meaning of section 41(6) of the Interpretation (Northern Ireland) Act 1954 (c. 33 (N.I.))), unless they are regulations to which subsection (9) applies.
- (8) The Department of Justice in Northern Ireland may not make regulations to which subsection (9) applies unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (9) This subsection applies to regulations under section 43(8) which contain—
- (a) provision removing a public authority from Schedule 3, other than in consequence of the authority having ceased to exist, or
  - (b) the provision mentioned in section 43(10) (power to modify section 43).
- (10) Regulations made under this Act may—
- (a) make different provision for different purposes;
  - (b) include saving, transitional, transitory, supplementary or consequential provision.
- (11) This section (apart from subsection (10)) does not apply to regulations under paragraph 5 of Schedule 2.