



# Sentencing Act 2020

## 2020 CHAPTER 17

### SIXTH GROUP OF PARTS Supplementary

#### PART 14

##### SUPPLEMENTARY PROVISION

#### **407 Regulations and rules**

- (1) This section applies to—
  - (a) any power conferred by this Act on the Secretary of State to make regulations or rules;
  - (b) any power conferred by—
    - (i) sections 44 to 50 (criminal courts charge),
    - (ii) section 416(8) (commencement of amendment of the Code in Schedule 22 relating to determination of tariffs), or
    - (iii) paragraph 19 of Schedule 23 (power to amend minimum term of mandatory life sentence for murder),on the Lord Chancellor to make regulations.
- (2) The power is exercisable by statutory instrument.
- (3) Subsections (4) to (6) apply except where otherwise provided.
- (4) The power includes power to make supplementary, incidental or consequential provision.
- (5) The power also includes power to make transitory, transitional or saving provision.
- (6) The power may be exercised so as to make different provision—
  - (a) for different purposes, or
  - (b) for different areas.
- (7) Where regulations under this Act are subject to the “affirmative resolution procedure”, the regulations must not be made unless a draft of the statutory instrument containing

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*Status: This is the original version (as it was originally enacted).*

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them has been laid before Parliament and approved by a resolution of each House of Parliament.

- (8) Where regulations or rules under this Act are subject to the “negative resolution procedure” the statutory instrument containing the regulations or rules is subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) Provision that may be made by regulations under this Act for which no Parliamentary procedure is required may be included in regulations that are subject to the negative or affirmative resolution procedure.
- (10) Provision that may be made by regulations under this Act that are subject to the negative resolution procedure may be included in regulations that are subject to the affirmative resolution procedure.