



# Coronavirus Act 2020

## 2020 CHAPTER 7

### PART 2

#### FINAL PROVISIONS

#### **91 Power to amend Act in consequence of amendments to subordinate legislation**

- (1) A relevant national authority may by regulations amend or repeal any provision of this Act which modifies a provision of subordinate legislation.
- (2) The power in subsection (1) may be exercised only if the amendment or repeal is necessary in consequence of the amendment or revocation of the provision of subordinate legislation by other subordinate legislation.
- (3) Regulations under subsection (1) may make transitional, transitory or saving provision.
- (4) In this section “relevant national authority” means a Minister of the Crown, subject as follows.
- (5) In the case of regulations under subsection (1) which could also be made by an authority by virtue of any of subsections (6) to (8), a Minister of the Crown may not make the regulations without the authority’s consent.
- (6) The Welsh Ministers are also a relevant national authority in relation to regulations under subsection (1) which make provision which would be within the legislative competence of the National Assembly for Wales if it were contained in an Act of that Assembly (including any provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975).
- (7) The Scottish Ministers are also a relevant national authority in relation to regulations under subsection (1) which make provision which would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.

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*Status: This is the original version (as it was originally enacted).*

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- (8) A Northern Ireland department is also a relevant national authority in relation to regulations under subsection (1) which make provision which, if it were contained in an Act of the Northern Ireland Assembly—
- (a) would be within the legislative competence of that Assembly, and
  - (b) would not require the consent of the Secretary of State.
- (9) Any power of a Minister of the Crown or the Welsh Ministers to make regulations under subsection (1) is exercisable by statutory instrument.
- (10) References in this section to regulations are to be read in relation to a Northern Ireland department as references to an order.
- (11) Any power of a Northern Ireland department to make an order under subsection (1) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (and not by statutory instrument).
- (12) In this section “subordinate legislation” means—
- (a) subordinate legislation within the meaning of the Interpretation Act 1978,
  - (b) an instrument made under an Act or Measure of the National Assembly for Wales,
  - (c) an instrument made under an Act of the Scottish Parliament, or
  - (d) an instrument made under Northern Ireland legislation.