



# Welfare Reform and Pensions Act 1999

## 1999 CHAPTER 30

### PART VI

#### GENERAL

##### *Supplementary*

#### **83 Regulations and orders.**

- (1) Any power under this Act to make regulations or orders (other than orders under section 72(2)) shall be exercisable by statutory instrument.
- (2) A statutory instrument—
  - (a) which contains (whether alone or with other provisions) regulations made under this Act, and
  - (b) which is not subject to any requirement that a draft of the instrument be laid before and approved by a resolution of each House of Parliament,shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) A statutory instrument containing an order under section 27(3) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Any power under this Act to make regulations or orders may be exercised—
  - (a) either in relation to all cases to which the power extends, or in relation to those cases subject to specified exceptions, or in relation to any specified cases or classes of case;
  - (b) so as to make, as respects the cases in relation to which it is exercised—
    - (i) the full provision to which the power extends or any less provision (whether by way of exception or otherwise);
    - (ii) the same provision for all cases in relation to which the power is exercised, or different provision for different cases or different classes

*Status: Point in time view as at 11/11/1999.*

**Changes to legislation:** Welfare Reform and Pensions Act 1999, Section 83 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- of case or different provision as respects the same case or class of case for different purposes of this Act;
- (iii) any such provision either unconditionally or subject to any specified condition.
- (5) Where any such power is expressed to be exercisable for alternative purposes it may be exercised in relation to the same case for any or all of those purposes.
- (6) Any such power includes power—
- (a) to make such incidental, supplementary, consequential, saving or transitional provision (including provision amending, repealing or revoking enactments) as appears to the authority making the regulations or order to be expedient; and
  - (b) to provide for a person to exercise a discretion in dealing with any matter.
- (7) Any power to make regulations or an order for the purposes of any provision of this Act is without prejudice to any power to make regulations or an order for the purposes of any other provision of this or any other Act.
- (8) Any power conferred by this Act to make regulations or an order relating to—
- (a) housing benefit, or
  - (b) council tax benefit,
- includes power to make different provision for different areas or different authorities; and regulations under section 60 or 79 may make different provision for different areas.
- (9) Without prejudice to the generality of any of the preceding provisions of this section, regulations under section 60 or 72 may provide for all or any of the provisions of the regulations to apply only in relation to any area or areas specified in the regulations.
- (10) Any power to make regulations under Part IV, except sections 28 and 48, shall, if the Treasury so direct, be exercisable only in conjunction with them.
- (11) Before exercising any power to make regulations under Part IV, the authority on whom the power is conferred, or, if the power is the subject of a direction under subsection (10), that authority and the Treasury acting jointly, shall consult such persons as the authority, or the authority and the Treasury, may consider appropriate.

#### Subordinate Legislation Made

- P1** [S. 83\(1\)](#) power partly exercised (9.12.1999): different dates appointed for specified provisions by [S.I. 1999/3309](#), [art. 2](#)

**Status:**

Point in time view as at 11/11/1999.

**Changes to legislation:**

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