



# Anti-terrorism, Crime and Security Act 2001

## 2001 CHAPTER 24

### PART 13

#### MISCELLANEOUS

#### *Third pillar of the European Union*

#### **112 Third pillar: supplemental**

- (1) “Authorised Minister” in section 111(1) has the meaning given by subsections (2) and (3).
- (2) The Scottish Ministers are authorised Ministers for any purpose for which powers under section 111(1) are exercisable within devolved competence (within the meaning of the Scotland Act 1998 (c. 46)).
- (3) For any other purpose, the following are authorised Ministers—
  - (a) the Secretary of State,
  - (b) the Lord Chancellor,
  - (c) the Treasury,
  - (d) the National Assembly for Wales, if designated under subsection (4),
  - (e) the First Minister and deputy First Minister acting jointly, a Northern Ireland Minister or a Northern Ireland department, if the Ministers are, or the Minister or the department is, designated under subsection (4).
- (4) A designation under this subsection may be made by Order in Council in relation to any matter or for any purpose, and is subject to any restriction or condition specified in the Order.
- (5) An Order in Council under subsection (4) is subject to annulment in pursuance of a resolution of either House of Parliament.

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*Status: Point in time view as at 01/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Section 112. (See end of Document for details)*

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- (6) The power to make regulations under section 111(1)—
- (a) in the case of the First Minister and deputy First Minister acting jointly, a Northern Ireland Minister or a Northern Ireland Department, is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I.1979/1573 (N.I. 12)),
  - (b) in any other case, is exercisable by statutory instrument.
- (7) No regulations may be made under section 111(1) unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.
- (8) Subsection (7) has effect, so far as it relates to the exercise of powers under section 111(1) by the Scottish Ministers, as if the reference to each House of Parliament were a reference to the Scottish Parliament.
- (9) Subsection (7) does not apply to a statutory instrument containing regulations made by the National Assembly for Wales unless the statutory instrument contains regulations—
- (a) made by the Secretary of State, the Lord Chancellor or the Treasury (whether or not jointly with the Assembly),
  - (b) relating to an English border area, or
  - (c) relating to a cross-border body (and not relating only to the exercise of functions, or the carrying on of activities, by the body in or with respect to Wales or a part of Wales);
- and in this subsection expressions used in the Government of Wales Act 1998 (c. 38) have the same meaning as in that Act.
- (10) Subsection (7) has effect, so far as it relates to the exercise of powers under section 111(1) by the First Minister and deputy First Minister acting jointly, a Northern Ireland Minister or a Northern Ireland department, as if the reference to each House of Parliament were a reference to the Northern Ireland Assembly.

**Status:**

Point in time view as at 01/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Section 112.