



Legislative and Regulatory Reform Act 2006

2006 CHAPTER 51

PART 1

ORDER-MAKING POWERS

Procedure

12 Procedure: introductory

- (1) An order under this Part must be made by statutory instrument.
- (2) A Minister may not make an order under this Part unless—
 - (a) he has consulted in accordance with section 13;
 - (b) following that consultation, he has laid a draft order and explanatory document before Parliament in accordance with section 14; and
 - (c) the order is made, as determined under section 15, in accordance with—
 - (i) the negative resolution procedure (see section 16);
 - (ii) the affirmative resolution procedure (see section 17); or
 - (iii) the super-affirmative resolution procedure (see section 18).

[^{F1}(3) Paragraph 4 of Schedule 8 to the European Union (Withdrawal) Act 2018 (procedure for certain modifications of [^{F2}assimilated direct] legislation ^{F3}...) does not apply in relation to orders under this Part.]

Textual Amendments

- F1** S. 12(3) inserted (29.6.2023) by [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\)](#), ss. **16(3)**, 22(1)(d)
- F2** Words in s. 12(3) substituted (1.1.2024) by [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\)](#), s. 22(3), **Sch. 2 para. 6(3)** (with s. 22(6)); S.I. 2023/1363, reg. 3(e)

Changes to legislation: *Legislative and Regulatory Reform Act 2006, Section 12 is up to date with all changes known to be in force on or before 13 May 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) View outstanding changes*

F3 Words in s. 12(3) omitted (1.1.2024) by virtue of [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 62**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 23A inserted by [2016 c. 12 s. 15](#)