



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 1

TRIBUNALS AND INQUIRIES

CHAPTER 6

SUPPLEMENTARY

49 Orders and regulations under Part 1: supplemental and procedural provisions

- (1) Power—
 - (a) of the Lord Chancellor to make an order, or regulations, under this Part,
 - (b) of the Senior President of Tribunals to make an order under section 7(9), or
 - (c) of the Scottish Ministers, or the Welsh Ministers, to make an order under paragraph 25(2) of Schedule 7,is exercisable by statutory instrument.
- (2) The Statutory Instruments Act 1946 (c. 36) shall apply in relation to the power to make orders conferred on the Senior President of Tribunals by section 7(9) as if the Senior President of Tribunals were a Minister of the Crown.
- (3) Any power mentioned in subsection (1) includes power to make different provision for different purposes.
- (4) Without prejudice to the generality of subsection (3), power to make an order under section 30 or 31 includes power to make different provision in relation to England, Scotland, Wales and Northern Ireland respectively.

Status: Point in time view as at 19/09/2007. This version of this provision has been superseded.

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Section 49 is up to date with all changes known to be in force on or before 16 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)

- (5) No order mentioned in subsection (6) is to be made unless a draft of the statutory instrument containing it (whether alone or with other provision) has been laid before, and approved by a resolution of, each House of Parliament.
- (6) Those orders are—
- (a) an order under section 11(8), 13(6) or (14), 30, 31(1), 32, 33, 34, 35, 36, 37 or 42(3);
 - (b) an order under paragraph 15 of Schedule 4;
 - (c) an order under section 42(1)(a) to (d) that provides for fees to be payable in respect of things for which fees have never been payable;
 - (d) an order under section 31(2), (7) or (9), or paragraph 30(1) of Schedule 5, that contains provision taking the form of an amendment or repeal of an enactment comprised in an Act.
- (7) A statutory instrument that—
- (a) contains—
 - (i) an order mentioned in subsection (8), or
 - (ii) regulations under Part 3 of Schedule 9, and
 - (b) 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,
- is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) Those orders are—
- (a) an order made by the Lord Chancellor under this Part;
 - (b) an order made by the Senior President of Tribunals under section 7(9).
- (9) A statutory instrument that contains an order made by the Scottish Ministers under paragraph 25(2) of Schedule 7 is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (10) A statutory instrument that contains an order made by the Welsh Ministers under paragraph 25(2) of Schedule 7 is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

Status:

Point in time view as at 19/09/2007. This version of this provision has been superseded.

Changes to legislation:

Tribunals, Courts and Enforcement Act 2007, Section 49 is up to date with all changes known to be in force on or before 16 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.