



Health and Social Care Act 2008

2008 CHAPTER 14

PART 6

GENERAL

161 Orders, regulations and directions: general provisions

- (1) Orders and regulations made under this Act by the Secretary of State, the Treasury, the Privy Council or the Welsh Ministers are to be made by statutory instrument.
- (2) Regulations made by the Department of Health, Social Services and Public Safety in Northern Ireland under section 120 and orders made by that Department under section 170(3) are to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).
- (3) Any power to make orders or regulations mentioned in subsection (1) or (2) and any power of the Secretary of State to give directions under this Act—
 - (a) may be exercised either in relation to all cases to which the power extends, or in relation to all cases subject to specified exceptions, or in relation to any specified cases or classes of case,
 - (b) may be exercised 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 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, and
 - (c) may, in particular, be exercised so as to make different provision for different areas.
- (4) Any such power includes power—

Status: Point in time view as at 04/06/2009. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 161. (See end of Document for details)

- (a) to make such supplementary, incidental, consequential or transitional provision or savings as the person exercising the power considers to be appropriate, and
- (b) to provide for a person to exercise a discretion in dealing with any matter.

Status:

Point in time view as at 04/06/2009. This version of this provision has been superseded.

Changes to legislation:

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