

## SCHEDULES

### SCHEDULE 3

#### TRADING SCHEMES REGULATIONS: FURTHER PROVISIONS

#### PART 3

##### POWER TO MAKE PROVISION BY ORDER IN COUNCIL

- 11 (1) This paragraph applies to an Order in Council under paragraph 9 containing any provision that, were it to be made by regulations under this Part of this Act, would be subject to affirmative resolution procedure.
- (2) No recommendation is to be made to Her Majesty in Council to make an Order in Council to which this paragraph applies unless—
- (a) in the case of an Order in Council containing provision that may be made by the Secretary of State by regulations under this Part of this Act, a draft of the statutory instrument containing the Order in Council has been laid before, and approved by a resolution of, each House of Parliament, and
  - (b) in the case of an Order in Council containing provision that may be made by a national authority other than the Secretary of State by regulations under this Part of this Act, a draft of the statutory instrument containing the Order in Council has been laid before, and approved by a resolution of, the relevant devolved legislature.