



Business Rate Supplements Act 2009

2009 CHAPTER 7

Supplementary

29 Regulations, etc.

- (1) The power to make regulations under this Act is (subject to section 28) exercisable by the appropriate national authority.
- (2) Regulations and any commencement order under this Act must be made by statutory instrument.
- (3) Regulations and any commencement order under this Act—
 - (a) may make provision which applies generally or only for specified cases or which applies subject to specified exceptions;
 - (b) may make different provision for different cases or different areas;
 - (c) may make incidental, supplementary, consequential, transitional, transitory or saving provision.
- (4) A statutory instrument containing (whether alone or with other provision) regulations mentioned in subsection (5) may not be made unless—
 - (a) in the case of regulations made by the Secretary of State, a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament;
 - (b) in the case of regulations made by the Welsh Ministers, a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (5) The regulations are—
 - (a) regulations under section 3(4) (power to vary etc. matters for which money raised from the imposition of a BRS may not be used);
 - (b) regulations under section 5(5) (power to vary etc. descriptions of information for inclusion in an initial or final prospectus);
 - (c) regulations under section 15(4) (power to vary etc. conditions to be met in relation to rules for the application of a BRS relief);

- (d) regulations under section 21 which include provision within section 22(2) (power to amend section 90 of the 1988 Act);
 - (e) regulations under subsection (7) of section 27 which include provision within subsection (8)(b) or (c) of that section (special introductory provision);
 - (f) regulations under section 28 which include provision within subsection (2) (a) of that section (power to make consequential amendments etc. to primary legislation);
 - (g) regulations under paragraph 4(5), 5, 6 or 8 of Schedule 2 (BRS-BID arrangements: liability, ballots, disclosure of information);
 - (h) regulations under paragraph 10 of that Schedule which include provision within sub-paragraph (1)(f) or (g) of that paragraph (BRS-BID arrangements: alteration etc. of arrangements, ballots).
- (6) A statutory instrument containing regulations under this Act, other than regulations mentioned in subsection (5), is subject to annulment in pursuance of—
- (a) in the case of regulations made by the Secretary of State, a resolution of either House of Parliament;
 - (b) in the case of regulations made by the Welsh Ministers, a resolution of the National Assembly for Wales.
- (7) “Commencement order” means an order under section 32(2).