



Corporate Insolvency and Governance Act 2020

2020 CHAPTER 12

Implementation of insolvency measures

44 Modified procedure for regulations of the Welsh Ministers

- (1) During the period of six months beginning with the day on which this section comes into force, any relevant provision that may be made by the Welsh Ministers by regulations that are subject to the affirmative resolution procedure may be made by regulations that are subject to the made affirmative procedure.
- (2) In subsection (1) “relevant provision” means—
 - (a) provision under section [A50\(2\)](#) of the Insolvency Act 1986 (power to modify moratorium provisions in relation to certain companies);
 - (b) provision under paragraph [21](#) of Schedule ZA1 to the Insolvency Act 1986 (exclusion of registered social landlords from eligibility under Part A1 of that Act);
 - (c) provision under section 247A of the Charities Act 2011 (regulations about moratoriums for charitable incorporated organisations that are registered social landlords).
- (3) During the period of six months beginning with the day on which this section comes into force, the consultation duty in section 247A(6) of the Charities Act 2011 does not apply in relation to regulations under section 247A of that Act.
- (4) For the purposes of this section —
 - (a) “regulations that are subject to the affirmative resolution procedure” means regulations that may not be made unless a draft of the statutory instrument containing them has been laid before and approved by a resolution of Senedd Cymru;
 - (b) “regulations that are subject to the made affirmative procedure” means regulations that—

Status: This is the original version (as it was originally enacted).

- (i) are contained in a statutory instrument that must be laid before Senedd Cymru as soon as reasonably practicable after being made, and
 - (ii) cease to have effect at the end of the period of 40 days beginning with the day on which the instrument is made, unless during that period the instrument is approved by a resolution of Senedd Cymru.
- (5) In calculating the period of 40 days mentioned in subsection (4)(b)(ii), no account is to be taken of any time during which Senedd Cymru is—
 - (a) dissolved, or
 - (b) in recess for more than 4 days.
- (6) Where by virtue of this section the Welsh Ministers make regulations that are subject to the made affirmative procedure and the regulations cease to have effect because they are not approved within the period mentioned in subsection (4)(b)(ii), the fact that the regulations cease to have effect does not—
 - (a) affect anything previously done under or by virtue of the regulations, or
 - (b) prevent the making of new regulations.