

## SCHEDULES

### SCHEDULE 2

#### FURTHER PROVISION ABOUT THE SCOPE OF THE POWER UNDER SECTION 6

#### PART 2

##### SCOPE OF THE POWER OF A NORTHERN IRELAND DEPARTMENT ACTING ALONE

###### *Requirement for consultation where it would otherwise be required*

- 7 (1) No regulations may be made under section 6 by a Northern Ireland department acting alone, so far as they contain provision which relates to a matter in respect of which a power to make subordinate legislation otherwise than under this Act is exercisable by a Northern Ireland department after consulting with a Minister of the Crown, unless the regulations are, to that extent, made after consulting with the Minister of the Crown.
- (2) Sub-paragraph (1) does not apply if—
- (a) the provision could be contained in an Act of the Northern Ireland Assembly, and
  - (b) there would be no requirement for the consent of a Minister of the Crown, or for consultation with a Minister of the Crown, in that case.
- (3) Sub-paragraph (1) does not apply if—
- (a) the provision could be contained in different subordinate legislation made otherwise than under this Act by a Northern Ireland devolved authority acting alone, and
  - (b) there would be no requirement for the consent of a Minister of the Crown, or for consultation with a Minister of the Crown, in that case.