



Agriculture Act 2020

2020 CHAPTER 21

PART 8

GENERAL AND FINAL PROVISIONS

50 Regulations

- (1) Any power conferred on the Secretary of State or the Welsh Ministers to make regulations under this Act is exercisable by statutory instrument.
- (2) A power conferred on DAERA to make regulations under this Act is exercisable 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 regulations under this Act includes power—
 - (a) to modify [^{F1}assimilated direct] legislation;
 - (b) to make provision binding the Crown;
 - (c) to make different provision for different purposes;
 - (d) to make supplementary, incidental, consequential, transitional, transitory or saving provision.
- (4) The provision which may be made by virtue of subsection (3)(d) includes provision modifying primary legislation, [^{F2}assimilated direct] legislation or subordinate legislation.
- (5) Regulations which—
 - (a) contain provision made by virtue of subsection (3)(d) modifying primary legislation, and
 - (b) would, apart from this subsection, be subject to negative resolution procedure, are subject to affirmative resolution procedure.
- (6) Where regulations under this Act are subject to affirmative resolution procedure, the regulations—

Changes to legislation: Agriculture Act 2020, Section 50 is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) if made by the Secretary of State, may not be made unless a draft of the statutory instrument containing them has been laid before, and approved by a resolution of, each House of Parliament;
 - (b) if made by the Scottish Ministers, are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10));
 - (c) if made by the Welsh Ministers, 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;
 - (d) if made by DAERA, may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (7) Where regulations under this Act are subject to negative resolution procedure—
- (a) if made by the Secretary of State, the statutory instrument containing them is subject to annulment in pursuance of a resolution of either House of Parliament;
 - (b) if made by the Scottish Ministers, the regulations are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10));
 - (c) if made by the Welsh Ministers, the statutory instrument containing them is subject to annulment in pursuance of a resolution of Senedd Cymru;
 - (d) if made by DAERA, the regulations are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.
- (8) Any provision that may be made by regulations under this Act subject to negative resolution procedure may be made in regulations subject to affirmative resolution procedure.
- (9) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies in relation to the laying of a document before the Northern Ireland Assembly by virtue of this section as it applies in relation to the laying of a statutory document under an enactment (as defined in that Act).
- (10) This section does not apply to regulations under section 57.

Textual Amendments

- F1** Words in s. 50(3) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 93(2)(k)**
- F2** Words in s. 50(4) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 93(2)(k)**

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 42(4A)(4B) inserted by [2021 c. 10 s. 9\(2\)](#)
- s. 42(6A)-(6C) inserted by [2021 c. 10 s. 9\(4\)](#)