



Agriculture Act 2020

2020 CHAPTER 21

PART 8

GENERAL AND FINAL PROVISIONS

53 Power to make consequential etc provision

- (1) The Secretary of State may, subject to subsections (5) and (6), by regulations make supplementary, incidental or consequential provision in connection with any provision of this Act.
- (2) The Welsh Ministers may by regulations make supplementary, incidental or consequential provision in connection with—
 - (a) sections 33 to 35, so far as relating to Wales,
 - (b) section 36 and Schedule 3, so far as relating to Wales,
 - (c) sections 38 and 39, so far as relating to Wales,
 - ^{F1}(d)
 - ^{F2}(e)
 - ^{F3}(f)
- (3) The Scottish Ministers may by regulations make supplementary, incidental or consequential provision in the law of Scotland in connection with—
 - (a) sections 33 to 35, so far as relating to Scotland, and
 - (b) sections 38 and 39, so far as relating to Scotland.
- (4) DAERA may by regulations make supplementary, incidental or consequential provision in the law of Northern Ireland in connection with—
 - (a) sections 33 and 34, so far as relating to Northern Ireland,
 - (b) sections 38 and 39, so far as relating to Northern Ireland,
 - (c) section 48 and Schedule 6, and
 - (d) section 52 and Schedule 7 so far as they apply in relation to Northern Ireland.

Changes to legislation: Agriculture Act 2020, Section 53 is up to date with all changes known to be in force on or before 01 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

- (5) The Secretary of State may not make regulations under subsection (1) containing provision which could be made—
- (a) by the Welsh Ministers under subsection (2)(a) or (b) [^{F4}, or under that subsection so far as it would have allowed the Welsh Ministers to make supplementary, incidental or consequential provision in connection with—
 - (i) section 46 and Schedule 5,
 - (ii) section 47, and
 - (iii) section 52 and Schedule 7 so far as applying in relation to Wales, but for the repeal of those provisions by the Agriculture (Wales) Act 2023].
 - (b) by the Scottish Ministers under subsection (3)(a), or
 - (c) by DAERA under subsection (4)(a), (c) or (d).
- (6) The Secretary of State may make regulations under subsection (1) containing provision which could be made—
- (a) by the Welsh Ministers under subsection (2)(c),
 - (b) by the Scottish Ministers under subsection (3)(b), or
 - (c) by DAERA under subsection (4)(b),
- only if the Secretary of State has first consulted (respectively) the Welsh Ministers, the Scottish Ministers or DAERA.
- (7) Regulations under this section may modify primary legislation, [^{F5}assimilated direct] legislation or subordinate legislation.
- (8) Regulations under this section which contain provision modifying primary legislation (with or without other provision) are subject to affirmative resolution procedure.
- (9) Other regulations under this section are subject to negative resolution procedure.

Textual Amendments

- F1** S. 53(2)(d) omitted (17.10.2023) by virtue of [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), s. 56(4), **Sch. 2 para. 1(5)(a)**; S.I. 2023/1092, art. 2(g)
- F2** S. 53(2)(e) omitted (17.10.2023) by virtue of [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), s. 56(4), **Sch. 2 para. 1(5)(a)**; S.I. 2023/1092, art. 2(g)
- F3** S. 53(2)(f) omitted (17.10.2023) by virtue of [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), s. 56(4), **Sch. 2 para. 1(5)(a)**; S.I. 2023/1092, art. 2(g)
- F4** Words in s. 53(5)(a) substituted (17.10.2023) by [Agriculture \(Wales\) Act 2023 \(asc 4\)](#), s. 56(3)(a), **Sch. 2 para. 1(5)(b)**; S.I. 2023/1092, art. 2(g)
- F5** Words in s. 53(7) 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)(m)**

Changes to legislation:

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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\(4\)](#)