

SCHEDULES

SCHEDULE 5

REGULATIONS UNDER THIS ACT

PART 1

PROCEDURE

Powers relating to the functioning of agreements

- 12 (1) A statutory instrument containing regulations under section 33 of a Minister of the Crown acting alone which contain provision falling within sub-paragraph (2) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (2) Provision falls within this sub-paragraph if it amends, repeals or revokes—
- (a) primary legislation, or
 - (b) retained direct principal EU legislation.
- (3) Any other statutory instrument containing regulations under section 33 of a Minister of the Crown acting alone is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Regulations under section 33 of the Scottish Ministers acting alone which contain provision falling within sub-paragraph (2) are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).
- (5) Any other regulations under section 33 of the Scottish Ministers acting alone are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).
- (6) A statutory instrument containing regulations under section 33 of the Welsh Ministers acting alone which contain provision falling within sub-paragraph (2) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.
- (7) Any other statutory instrument containing regulations under section 33 of the Welsh Ministers acting alone is subject to annulment in pursuance of a resolution of Senedd Cymru.
- (8) Regulations under section 33 of a Northern Ireland department acting alone which contain provision falling within sub-paragraph (2) may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

Status: This is the original version (as it was originally enacted).

- (9) Any other regulations under section 33 of a Northern Ireland department acting alone are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.
- (10) This paragraph is subject to paragraphs 14 to 17 (urgency procedures for regulations to which this paragraph applies).