

## SCHEDULES

### SCHEDULE 5

#### REGULATIONS UNDER THIS ACT

#### **PART 2**

##### GENERAL RESTRICTIONS ON CERTAIN POWERS OF DEVOLVED AUTHORITIES

##### *Meaning of devolved competence*

- 24 A provision is within the devolved competence of the Welsh Ministers for the purposes of this Part if—
- (a) it would be within the legislative competence of Senedd Cymru if it were contained in an Act of Senedd Cymru (ignoring section 108A(2)(e) of the Government of Wales Act 2006 so far as relating to EU law and retained EU law but including any provision that could be made only with the consent of a Minister of the Crown), or
  - (b) it is provision which could be made in other subordinate legislation by the Welsh Ministers acting alone (ignoring section 80(8) of the Government of Wales Act 2006).