



# Environment Act 2021

## 2021 CHAPTER 30

### PART 8

#### MISCELLANEOUS AND GENERAL PROVISIONS

##### *General provisions*

#### **143 Regulations**

- (1) A power to make regulations under any provision of this Act includes power to make—
  - (a) supplementary, incidental, transitional or saving provision;
  - (b) different provision for different purposes or areas.
- (2) Subsection (1) does not apply to regulations under section 147 or 148.
- (3) Regulations under this Act made by—
  - (a) the Secretary of State, or
  - (b) the Welsh Ministers,are to be made by statutory instrument.
- (4) A power of a Northern Ireland department 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)).
- (5) Where regulations under this Act made or to be made by the Secretary of State—
  - (a) are subject to the negative procedure, the statutory instrument containing them is subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) are subject to the affirmative procedure, they 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.
- (6) Where regulations under this Act made or to be made by the Welsh Ministers—

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*Status: Point in time view as at 24/01/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Section 143. (See end of Document for details)*

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- (a) are subject to the negative procedure, the statutory instrument containing them is subject to annulment in pursuance of a resolution of Senedd Cymru;
  - (b) are subject to the affirmative procedure, they 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.
- (7) Where regulations under this Act made or to be made by a Northern Ireland Department—
- (a) are subject to the negative procedure, they are subject to negative resolution within the meaning given by section 41(6) of the [Interpretation Act \(Northern Ireland\) 1954 \(c. 33 \(N.I.\)\)](#) ;
  - (b) are subject to the affirmative procedure, they may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly.
- (8) See sections 28 and 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#)) for the meaning of “the negative procedure” and “the affirmative procedure” in relation to regulations under this Act made or to be made by the Scottish Ministers.
- (9) Any provision that may be made by regulations under this Act subject to the negative procedure may be made by regulations subject to the affirmative procedure.

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**Commencement Information**

- II** S. 143 in force at Royal Assent, see [s. 147\(1\)\(b\)](#)

**Status:**

Point in time view as at 24/01/2022.

**Changes to legislation:**

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