



# Environment Act 2021

## 2021 CHAPTER 30

### PART 8

#### MISCELLANEOUS AND GENERAL PROVISIONS

##### *General provisions*

#### **148 Transitional or saving provision**

- (1) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act.
- (2) The Welsh Ministers may by regulations make transitional or saving provision in connection with the coming into force of any provision within section 147(4) (provisions to be commenced by Welsh Ministers).
- (3) The Scottish Ministers may by regulations make transitional or saving provision in connection with the coming into force of any provision within section 147(5) (provisions to be commenced by Scottish Ministers).
- (4) The Department of Agriculture, Environment and Rural Affairs in Northern Ireland may by regulations make transitional or saving provision in connection with the coming into force of any provision within section 147(6) (provisions to be commenced by Department).
- (5) Regulations under this section—
  - (a) made by the Welsh Ministers, may contain only provision which, if contained in an Act of Senedd Cymru, would be within the legislative competence of the Senedd;
  - (b) made by the Scottish Ministers, may contain only provision which, if contained in an Act of the Scottish Parliament, would be within the legislative competence of that Parliament;
  - (c) made by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, may contain only provision which, if contained in an Act of

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*Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Section 148. (See end of Document for details)*

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the Northern Ireland Assembly, would be within the legislative competence of the Assembly and would not require the Secretary of State's consent.

- (6) Regulations under this section made by the Secretary of State may not contain provision that could be contained in regulations under this section—
- (a) made by the Welsh Ministers, unless the Welsh Ministers consent;
  - (b) made by the Scottish Ministers, unless the Scottish Ministers consent;
  - (c) made by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, unless the Department consents.
- (7) Any provision which could be made by regulations under this section made by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland may be made by an order made by the Department under section 147.
- (8) A power to make regulations or an order under this section includes power to make different provision for different purposes or areas.

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**Commencement Information**

- II** S. 148 in force at Royal Assent, see [s. 147\(1\)\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Environment Act 2021, Section 148.