



Building Safety Act 2022

2022 CHAPTER 30

PART 5

OTHER PROVISION ABOUT SAFETY, STANDARDS ETC

New homes ombudsman scheme

139 Regulations under section 138

- (1) The power to make regulations under section 138(7)(b) is exercisable—
- (a) in the case of regulations made by the Secretary of State or the Welsh Ministers, by statutory instrument, and
 - (b) in the case of regulations made by a Northern Ireland department, by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).

(For regulations under section 138(7)(b) made by the Scottish Ministers, see section 27 of the [Interpretation and Legislative Reform \(Scotland\) Act 2010 \(asp 10\)](#)).

- (2) Regulations under section 138(7)(b)—
- (a) may make different provision for different purposes;
 - (b) may contain consequential, supplementary, incidental, transitional or saving provision.
- (3) Regulations under section 138(7)(b)—
- (a) if made by the Secretary of State, 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;
 - (b) if made by the Welsh Ministers, 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;
 - (c) if made by the Scottish Ministers, are subject to the affirmative procedure (see section 29 of the [Interpretation and Legislative Reform \(Scotland\) Act 2010 \(asp 10\)](#));

Status: This is the original version (as it was originally enacted).

- (d) if made by a Northern Ireland department, may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.