



Judicial Review and Courts Act 2022

2022 CHAPTER 35

PART 3

FINAL PROVISIONS

49 Regulations

- (1) Regulations under this Act are to be made by statutory instrument.
- (2) A power to make regulations under this Act includes power to make—
 - (a) incidental, transitional or saving provision;
 - (b) different provision for different purposes or for different areas.

This subsection does not apply in relation to section 51 (but see subsections (5) and (6) of that section).

- (3) Where regulations under this Act are subject to “affirmative resolution procedure”, a statutory instrument containing the regulations (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (4) Where regulations under this Act are subject to “negative resolution procedure”, a statutory instrument containing the regulations is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) But regulations under this Act are not subject to negative resolution procedure (notwithstanding any other provision of this Act) if a draft of the statutory instrument containing them has been laid before and approved by a resolution of each House of Parliament.

50 Extent

- (1) An amendment or repeal made by this Act has the same extent as the provision amended or repealed, subject to subsections (3) to (6).

Status: This is the original version (as it was originally enacted).

- (2) Sections 1(4), 2(2), and 36 have the same extent as the amendments or repeals to which they relate.
- (3) The following provisions extend only to England and Wales—
 - (a) section 13(6) to (11);
 - (b) section 42;
 - (c) section 45(1);
 - (d) paragraph 3(2) of Schedule 2;
 - (e) Part 1 of Schedule 3.
- (4) Section 48(3) extends to England and Wales and Northern Ireland.
- (5) Section 48(2) and (4) extends to England and Wales, Scotland and Northern Ireland.
- (6) Paragraph 3(5) of Schedule 2 extends to England and Wales, Scotland and Northern Ireland.
- (7) Part 3 of Schedule 3 extends only to England and Wales and Scotland.
- (8) Except as otherwise provided above, this Act extends to England and Wales, Scotland and Northern Ireland.

51 Commencement and transitional provision

- (1) The following provisions of this Act come into force on the day on which this Act is passed—
 - (a) section 11;
 - (b) section 13(3);
 - (c) paragraphs 12 to 14 of Schedule 2, and section 18 so far as relating to those paragraphs;
 - (d) this Part.
- (2) If paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 (as it was enacted) has been brought in force in relation to either-way offences before the passing of this Act, the following provisions come into force on the day after the day on which this Act is passed—
 - (a) section 13 (except subsection (3));
 - (b) paragraphs 16 to 21 of Schedule 2, and section 18 so far as relating to those paragraphs.
- (3) The following provisions of this Act come into force at the end of the period of two months beginning with the day on which this Act is passed—
 - (a) section 15;
 - (b) section 16 (and Schedule 1);
 - (c) Chapter 4 of Part 2, except section 44;
 - (d) section 48.
- (4) Except as provided above, this Act comes into force on such day as the Lord Chancellor may by regulations appoint.
- (5) Different days may be appointed for different purposes.

- (6) The Lord Chancellor may by regulations make transitional, transitory or saving provision in connection with the coming into force of any provision of this Act.
- (7) The coming into force of paragraph 21(b) of Schedule 2 results in the provision it inserts becoming subject to section 417(1) of the Sentencing Act 2020 (power to commence Schedule 22 to that Act).
- (8) The power in section 419(1) of the Sentencing Act 2020 (power to state effect of commencement provisions) applies in relation to any amendment or repeal made by or under this Act of that Act as it applies in relation to an amendment or repeal made by Schedule 22 to that Act.

52 Short title

This Act may be cited as the Judicial Review and Courts Act 2022.