



National Security Act 2023

2023 CHAPTER 32

PART 6

MISCELLANEOUS AND GENERAL PROVISIONS

General provisions

96 Regulations

- (1) A power to make regulations under any provision of this Act includes power to make—
 - (a) consequential, supplementary, incidental, transitional or saving provision;
 - (b) different provision for different purposes or different areas.
- (2) [Subsection \(1\)](#) does not apply to regulations under [section 100](#) or [101](#).
- (3) Regulations under this Act are to be made by statutory instrument.
- (4) Regulations under this Act are subject to annulment in pursuance of a resolution of either House of Parliament, except—
 - (a) regulations under [section 100](#) or [101](#);
 - (b) regulations to which [subsection \(6\)](#) applies;
 - (c) regulations under paragraph [46](#) of Schedule [6](#).
- (5) A statutory instrument containing (whether alone or with other provision) regulations to which [subsection \(6\)](#) applies may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) [This subsection](#) applies to—
 - (a) regulations under [section 65\(3\)](#);
 - (b) regulations under [section 66](#) specifying a foreign power, or a person other than a foreign power, who is not specified immediately before the regulations are made;
 - (c) regulations under [section 68\(5\)](#);
 - (d) regulations under [section 79\(1\)\(a\)](#);

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Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Section 96. (See end of Document for details)

- (e) regulations under [section 95](#) which contain provision within [section 95\(2\)](#);
 - (f) regulations under [paragraph 3\(2\)\(b\)](#) of [Schedule 6](#);
 - (g) regulations under [paragraph 4\(3\)](#) of [Schedule 6](#);
 - (h) regulations under [paragraph 15](#) of [Schedule 13](#);
 - (i) regulations under [paragraph 27](#) of [Schedule 14](#);
 - (j) regulations under [paragraph 8](#) of [Schedule 15](#).
- (7) A statutory instrument containing regulations under [paragraph 46](#) of [Schedule 6](#) must be laid before Parliament as soon as practicable after being made.
- (8) Regulations contained in a statutory instrument laid before Parliament under [subsection \(7\)](#) cease to have effect at the end of the period of 20 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament.
- (9) In calculating the period of 20 days no account is to be taken of any whole days that fall within a period during which—
- (a) Parliament is dissolved or prorogued, or
 - (b) either House of Parliament is adjourned for more than four days.
- (10) [Subsections \(8\)](#) and [\(9\)](#) do not apply to regulations under [paragraph 46](#) of [Schedule 6](#) which revoke regulations under that paragraph.
- (11) If a draft of a statutory instrument containing regulations under [section 65](#), [66](#) or [68](#) would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.

Commencement Information

II S. 96 in force at Royal Assent, see 100(2)

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