



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 13

#### GENERAL

#### 252 Regulations

- (1) A power to make regulations under this Act includes power to make—
  - (a) different provision for different purposes;
  - (b) different provision for different areas;
  - (c) consequential, incidental, supplementary, transitional, transitory or saving provision.
- (2) A power to make regulations under [Chapter 1](#) of [Part 2](#), in the case of regulations other than regulations under [section 13\(1\)](#) or regulations mentioned in [subsection \(8\)\(a\)](#) to [\(c\)](#), includes power to make provision amending, applying (with or without modifications), disapplying, repealing or revoking any enactment whenever passed or made.
- (3) Regulations under this Act are to be made by statutory instrument.
- (4) A statutory instrument containing regulations that fall within [subsection \(5\)](#) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (5) Regulations fall within this subsection if they contain provision (whether alone or with other provision)—
  - (a) under [Chapter 1](#) of [Part 2](#), other than provision of the kind mentioned in [subsection \(8\)\(a\)](#) to [\(c\)](#);
  - (b) under [section 81\(6\)\(b\)](#);
  - (c) under [section 132](#);
  - (d) under [Part 5](#) other than [section 142\(1\)\(a\)](#);
  - (e) under [section 217](#);
  - (f) under [Part 11](#);

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*Status: Point in time view as at 31/03/2024.*

*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 252. (See end of Document for details)*

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- (g) under [section 228](#);
  - (h) under [section 233](#);
  - (i) which—
    - (i) amends or repeals any provision of primary legislation, and
    - (ii) is not made under [section 251](#) or under [section 250](#) in consequence of regulations under [section 251](#).
- (6) A statutory instrument containing regulations which fall within [subsection \(8\)](#) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) [Subsection \(6\)](#) does not apply if a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (8) Regulations fall within this subsection if they contain provision (whether alone or with other provision)—
- (a) under [section 45\(8\)](#) or [47\(9\)](#);
  - (b) under [section 51\(1\)](#) made only for the purpose mentioned in [section 51\(5\)\(b\)](#);
  - (c) under [section 51\(2\)](#) made only for that purpose or for imposing conditions on the doing of things for a commercial purpose;
  - (d) under [section 81](#), other than [section 81\(6\)\(b\)](#);
  - (e) under [section 108](#);
  - (f) under [section 142\(1\)\(a\)](#);
  - (g) under [section 187](#);
  - (h) under [Part 10](#);
  - (i) under [section 230\(2\)\(a\)\(vii\)](#) or [\(6\)\(a\)](#);
  - (j) under [section 250](#);
  - (k) under [section 251](#).
- (9) [Subsections \(3\) to \(8\)](#) do not apply to regulations under [Chapter 1](#) of [Part 3](#) or [Part 6](#).
- (10) [Schedule 24](#) contains provision about regulations made under [Chapter 1](#) of [Part 3](#) or [Part 6](#).
- (11) If a draft of a statutory instrument containing regulations under [Chapter 1](#) of [Part 2](#) or [section 228](#) 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 a hybrid instrument.
- (12) This section does not apply to regulations under [section 255](#).
- (13) In this section “primary legislation” means—
- (a) an Act,
  - (b) an Act or Measure of Senedd Cymru,
  - (c) an Act of the Scottish Parliament, or
  - (d) Northern Ireland legislation.

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**Commencement Information**

**II** S. 252 in force at Royal Assent, see [s. 255\(10\)\(a\)](#)

**Status:**

Point in time view as at 31/03/2024.

**Changes to legislation:**

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 252.