

SCHEDULES

SCHEDULE 14

ORDERS AND REGULATIONS UNDER CA 1998 AND EA 2002

Orders and regulations under CA 1998

- 1 (1) In Part 4 of CA 1998 (supplemental and transitional), section 71 (regulations, orders and rules) is amended as follows.
 - (2) In subsection (4)—
 - (a) in the words before paragraph (a), for “No order is to be made” substitute “An order made”;
 - (b) for the words after paragraph (e) substitute “is subject to the affirmative procedure”.
 - (3) After subsection (4) insert—

“(4A) Regulations made under section 35B(7) or 40A(7A) are subject to the affirmative procedure.”
 - (4) In subsection (5)—
 - (a) in paragraph (a), after “(4)” insert “or (4A)”;
 - (b) for the words after paragraph (b) substitute “is subject to the negative procedure”.
 - (5) After subsection (5) insert—
 - “(6) Any provision that may be made by order or regulations under this Act subject to the negative procedure may instead be made by order or regulations subject to the affirmative procedure.
 - (7) Where orders or regulations under this Act are subject to “the affirmative procedure”, the orders or regulations 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.
 - (8) Where orders or regulations under this Act are subject to “the negative procedure”, the statutory instrument containing them is subject to annulment in pursuance of a resolution of either House of Parliament.”