



Victims and Prisoners Act 2024

2024 CHAPTER 21

PART 5

GENERAL

77 Financial provision

There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred under or by virtue of this Act by the Secretary of State, and
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

Commencement Information

II S. 77 in force at Royal Assent, see [s. 81\(1\)\(c\)](#)

78 Power to make consequential provision

- (1) The Secretary of State may by regulations make provision that is consequential on, or on regulations under, Part 1, 2 or 4.
- (2) Each of the following may by regulations make provision that is consequential on, or on regulations under, Part 3—
 - (a) the Secretary of State or the Minister for the Cabinet Office,
 - (b) the Welsh Ministers,
 - (c) the Scottish Ministers, and
 - (d) a Northern Ireland department.
- (3) Regulations under subsection (2)—

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- (a) made by the Welsh Ministers, may contain only provision which would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd;
 - (b) made by the Scottish Ministers, may contain only provision which would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;
 - (c) made by a Northern Ireland department, may contain only provision which—
 - (i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and
 - (ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998.
- (4) Regulations under this section may amend, repeal or revoke any provision of or made under primary legislation (whenever passed or made).
- (5) In this section, “primary legislation” means—
- (a) an Act;
 - (b) a Measure or Act of Senedd Cymru;
 - (c) an Act of the Scottish Parliament;
 - (d) Northern Ireland legislation.

Commencement Information

I2 S. 78 in force at Royal Assent, see [s. 81\(1\)\(c\)](#)

79 Regulations

- (1) Regulations under this Act—
 - (a) may make different provision for different purposes or areas;
 - (b) may include supplementary, incidental, saving or transitional provisions.
- (2) Regulations under this Act made by the Secretary of State, the Minister for the Cabinet Office, the Treasury or the Welsh Ministers are to be made by statutory instrument.
- (3) For regulations made under [section 78\(2\)](#) by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#)) (Scottish statutory instruments).
- (4) The power of a Northern Ireland department to make regulations under [section 78\(2\)](#) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 ([S.I. 1979/1573 \(N.I. 12\)](#)).
- (5) A statutory instrument containing (alone or with other provision) regulations made by the Secretary of State under [section 17](#) 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) A statutory instrument containing (alone or with other provision) the first regulations made by the Secretary of State or the Minister for the Cabinet Office under [section 49](#) must be laid before Parliament after being made.
- (7) Regulations contained in a statutory instrument laid before Parliament under subsection (6) cease to have effect at the end of the period of 28 days beginning with

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the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament.

- (8) In calculating the period of 28 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.
- (9) If regulations cease to have effect as a result of subsection (7), that does not—
 - (a) affect the validity of anything previously done under the regulations, or
 - (b) prevent the making of new regulations.
- (10) Any other statutory instrument containing (alone or with other provision) regulations made by the Secretary of State or the Minister for the Cabinet Office under [section 49](#) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (11) A statutory instrument containing (alone or with other provision) regulations made by the Secretary of State or the Minister for the Cabinet Office under [section 56\(10\)](#) (unless it is a statutory instrument 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.
- (12) A statutory instrument containing (alone or with other provision) regulations made by the Secretary of State or the Minister for the Cabinet Office under [section 78\(1\)](#) or (2) that amend, repeal or revoke primary legislation (within the meaning of [section 78](#)) (unless it is a statutory instrument 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.
- (13) Any other statutory instrument containing regulations made by the Secretary of State or the Minister for the Cabinet Office under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.
- (14) A statutory instrument containing regulations made by the Treasury under paragraph 21 of [Schedule 1](#) is subject to annulment in pursuance of a resolution of the House of Commons.
- (15) A statutory instrument containing regulations made by the Welsh Ministers under [section 78\(2\)](#) that amend, repeal or revoke primary legislation (within the meaning of [section 78](#)) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, Senedd Cymru.
- (16) Any other statutory instrument containing regulations made by the Welsh Ministers under [section 78\(2\)](#) is subject to annulment in pursuance of a resolution of Senedd Cymru.
- (17) Regulations made by the Scottish Ministers under [section 78\(2\)](#) that amend, repeal or revoke primary legislation (within the meaning of [section 78](#)) are subject to the affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#))).
- (18) Any other regulations made by the Scottish Ministers under [section 78\(2\)](#) are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#))).

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- (19) Regulations made by a Northern Ireland department under [section 78\(2\)](#) that amend, repeal or revoke primary legislation (within the meaning of [section 78](#)) may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (20) Any other regulations made by a Northern Ireland department under [section 78\(2\)](#) are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)).
- (21) This section does not apply to regulations under [section 81](#).

Commencement Information

I3 S. 79 in force at Royal Assent, see [s. 81\(1\)\(c\)](#)

80 Extent

- (1) This Act extends to England and Wales only, subject as follows.
- (2) Section [45\(5\)](#) also extends to Scotland.
- (3) Section [19\(3\)](#) and [\(4\)](#) also extends to Northern Ireland.
- (4) The following also extend to Scotland and Northern Ireland—
- (a) [section 27](#);
 - (b) [section 29](#);
 - (c) [section 33\(3\)](#);
 - (d) [section 45\(1\)](#) to [\(4\)](#);
 - (e) [Part 3](#);
 - (f) this Part.
- (5) His Majesty may by Order in Council provide for any of the provisions of Part 3 to extend, with or without modifications, to—
- (a) any of the Channel Islands;
 - (b) the Isle of Man;
 - (c) Gibraltar;
 - (d) the Falkland Islands.

Commencement Information

I4 S. 80 in force at Royal Assent, see [s. 81\(1\)\(c\)](#)

81 Commencement

- (1) The following provisions come into force on the day on which this Act is passed—
- (a) Part 3;
 - (b) [section 73\(1\)](#) and [\(3\)](#);
 - (c) this Part.

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- (2) Except as mentioned in [subsection \(1\)\(b\)](#), Parts [1](#), [2](#) and [4](#) come into force on such day as the Secretary of State may by regulations appoint.
- (3) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of—
 - (a) Part [1](#), [2](#) or [4](#), or
 - (b) this Part.
- (4) The Secretary of State or the Minister for the Cabinet Office may by regulations make transitional or saving provision in connection with the coming into force of any provision of Part 3.
- (5) Regulations under this section may make different provision for different purposes or areas.
- (6) Regulations under this section are to be made by statutory instrument.

Commencement Information

15 S. 81 in force at Royal Assent, see [s. 81\(1\)\(c\)](#)

82 Short title

This Act may be cited as the Victims and Prisoners Act 2024.

Commencement Information

16 S. 82 in force at Royal Assent, see [s. 81\(1\)\(c\)](#)

Changes to legislation:

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