



Victims and Prisoners Act 2024

2024 CHAPTER 21

PART 5

GENERAL

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

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- (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](#))).
- (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

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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

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

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