



Legislation (Wales) Act 2019

2019 anaw 4

PART 3

MISCELLANEOUS

39 Power to make subordinate legislation in different forms

- (1) Where the Welsh Ministers have a power or duty to make subordinate legislation in the form of regulations, rules or an order made by statutory instrument, they may exercise the power or duty by making the subordinate legislation in any other of those forms by statutory instrument.
- (2) This does not affect the procedure for making a statutory instrument containing the subordinate legislation.
- (3) A reference in any enactment, instrument or document to regulations, rules or an order made under the power or duty includes subordinate legislation made under it in any other form in reliance on subsection (1).
- (4) Subsection (1) does not apply to subordinate legislation that—
 - (a) is made under an Act of the Parliament of the United Kingdom or [F1assimilated direct] legislation, and
 - (b) applies otherwise than in relation to Wales.

Textual Amendments

- F1** Words in s. 39(4)(a) substituted (1.1.2024) by [Retained EU Law \(Revocation and Reform\) Act 2023](#) (c. 28), s. 22(3), [Sch. 2 para. 9\(4\)\(b\)](#) (with s. 22(6)); S.I. 2023/1363, reg. 3(e)

Changes to legislation:

There are currently no known outstanding effects for the Legislation (Wales) Act 2019, Section 39.