



Immigration Act 2014

2014 CHAPTER 22

PART 7

FINAL PROVISIONS

74 Orders and regulations

- (1) Any power of the Secretary of State or Treasury to make an order or regulations under this Act is exercisable by statutory instrument.
- (2) A statutory instrument containing any of the following orders or regulations may not be made unless a draft of the instrument has been laid before each House of Parliament and approved by a resolution of each House of Parliament—
 - (a) an order under section 20(7), 23(6) or 25(5);
 - (b) an order under section 38;
 - (c) regulations under section 41;
 - (d) an order under section 43, or under a section amended by such an order;
 - (e) the first regulations under section 50(1);
 - (f) the first regulations under section 50(5);
 - (g) the first regulations under section 51(3);
 - (h) the first regulations under section 51(4);
 - (i) an order under section 53 or 54(4) or (6);
 - (j) a fees order (within the meaning of section 68);
 - (k) an order under section 73(2) which amends or repeals primary legislation;
 - (l) an order under paragraph 2(3)(e) of Schedule 6.
- (3) “Primary legislation” means any of the following—
 - (a) a public general Act;
 - (b) an Act of the Scottish Parliament;
 - (c) a Measure or Act of the National Assembly for Wales;
 - (d) Northern Ireland legislation.

Status: This is the original version (as it was originally enacted).

- (4) A statutory instrument containing any other order or regulations made by the Secretary of State or Treasury under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) But subsection (4) does not apply to a statutory instrument containing an order under any of sections 35(3), 73(1) and 75(3) (subject to subsection (7)).
- (6) Subsection (7) applies if an order under section 75(3) is made which—
- (a) brings into force a provision of Chapter 1 of Part 3,
 - (b) brings that provision into force only in relation to a particular area or areas within England and Wales, Scotland or Northern Ireland, and
 - (c) is the first order to be made bringing into force a provision of that Chapter only in relation to an area or areas within England and Wales, Scotland or Northern Ireland.
- (7) A statutory instrument containing any subsequent order under section 75(3) (after the order mentioned in subsection (6)) that brings into force a provision of Chapter 1 of Part 3 for anywhere other than the area or areas mentioned in paragraph (b) of that subsection is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) An order or regulations made by the Secretary of State or Treasury under this Act may—
- (a) make different provision for different purposes or areas,
 - (b) make provision which applies generally or only for particular purposes or areas,
 - (c) make transitional, transitory or saving provision, or
 - (d) make incidental, supplementary or consequential provision.