



2008 CHAPTER 13

PART 6

GENERAL

Orders and regulations

112.—(1) Subject to the following provisions of this section, any orders or regulations made by the Department under this Act are subject to negative resolution.

- (2) Subsection (1) does not apply to an order under section 118.
- (3) Orders or regulations to which this subsection applies—
 - (a) must be laid before the Assembly after being made; and
 - (b) take effect on such date as may be specified in the order or regulations, but (without prejudice to the validity of anything done thereunder or to the making of a new order or regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the order or regulations are approved by a resolution of the Assembly.
- (4) Subsection (3) applies to—
 - (a) regulations under section 16(3)(c), 17(1)(c), 28, 77 or 111;
 - (b) the first regulations under section 3(2) or (6), 5(2) or (7), 7(4)(b) or (6) or 9(3)(b);
 - (c) an order under section 28(9);
 - (d) an order under section 114 amending or repealing any relevant statutory provision;
 - (e) an order under paragraph 9(7) of Schedule 4.

Changes to legislation: *Pensions (No. 2) Act (Northern Ireland) 2008, Section 112 is up to date with all changes known to be in force on or before 08 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) This subsection applies to any regulations or orders made by the Department under this Act which—

- (a) but for subsection (6), would be subject to negative resolution, and
- (b) are contained in a statutory rule which includes any regulations or order subject to the confirmatory procedure.

(6) Any regulations or orders to which subsection (5) applies shall not be subject to negative resolution, but shall be subject to the confirmatory procedure.

(7) In this section—

“the confirmatory procedure” means the procedure described in subsection (3);

“relevant statutory provision” means a statutory provision contained in—

- (a) an Act of the Parliament of Northern Ireland;
- (b) an Order in Council under Schedule 1 to the Northern Ireland Act 1974 (c. 28) or the Schedule to the Northern Ireland Act 2000 (c. 1);
- (c) an Act of the Assembly; or
- (d) an Act of the Parliament of the United Kingdom.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 24\(1\)\(c\) inserted by 2016 c. 1 \(N.I.\) Sch. 2 para. 39\(2\)\(d\)](#)