



2015 CHAPTER 8

PART 9

GENERAL

Orders and regulations

127.—(1) Except where subsection (3) provides otherwise, an order made under this Act (other than an order under section 130(2)) is subject to negative resolution.

(2) Except where subsection (3) provides otherwise, regulations made under this Act are subject to negative resolution.

(3) The following regulations and orders are not to be made unless a draft has been laid before, and approved by a resolution of, the Assembly—

- (a) regulations under any of the following—
 - (i) section 2(3) (structure or area to be treated as controlled reservoir),
 - (ii) section 3(1)(b) (further matters to be taken into account in making regulations under section 2(3)),
 - (iii) section 23(1) (further provision about matters that are to be taken into account under sections 17(3), 18(2), 20(3)(b)(ii) and 21(5)(a)),
 - (iv) section 27(1) (regulations as to visits by supervising engineer to high-consequence or medium-consequence reservoir),
 - (v) section 56(1) (incident reporting),
 - (vi) section 57(1) (flood plans),
 - (vii) section 77(1) (stop notices),
 - (viii) section 81(1) (enforcement undertakings),

- (ix) section 83(1) (fixed monetary penalties),
 - (x) section 86(1) (variable monetary penalties),
 - (xi) section 112(1) (extension of time limit for specified summary offences),
 - (xii) section 114(1) (grants),
- (b) an order under—
- (i) section 4(1) (substituting different volume of water in certain sections),
 - (ii) section 120 (amending references to Institution of Civil Engineers and its President),
- (c) an order under section 126(1) (supplementary, incidental, consequential etc. provision) containing provision which adds to, replaces or omits any part of the text of Northern Ireland legislation or an Act of Parliament.
- (4) Any power of the Department to make an order or regulations under this Act includes power to make such supplementary, incidental, consequential, transitional, transitory and saving provision as the Department considers appropriate.