



# Commissioner for Older People (Wales) Act 2006

## 2006 CHAPTER 30

### *General*

#### **28 Orders and regulations**

- (1) A power of the Assembly to make an order or regulations under this Act is exercisable by statutory instrument.
- (2) An order or regulations made by the Assembly under this Act may—
  - (a) make different provision for different purposes;
  - (b) make consequential, incidental, supplemental, transitory, transitional or saving provision.
- (3) The power to make consequential, incidental and supplemental provision in connection with—
  - (a) an order under section 16(4) specifying a person for the purposes of that section or providing for a person to cease to be specified for those purposes, or
  - (b) an order under section 17(8) adding a person to the list of other ombudsmen in that section or omitting a person from that list,includes power to make consequential, incidental and supplemental amendments or repeals in any enactment relating to that person or to his functions.
- (4) But the following consents are required for the making of an order by the Assembly which (whether by virtue of subsection (3) or otherwise) confers functions on a person other than the Commissioner or modifies the functions of such a person—
  - (a) if the functions relate wholly or partly to a transferred matter, the consent of a Northern Ireland department; and
  - (b) if the functions relate wholly or partly to a matter which (without being a transferred matter) is a matter in respect of which the Assembly has no functions, the consent of the Secretary of State.

---

*Status: This is the original version (as it was originally enacted).*

---

- (5) In this section “transferred matter” means a transferred matter within the meaning of section 4(1) of the Northern Ireland Act 1998 (c. 47).
- (6) An order made by the Assembly under this Act is, and regulations made by the Assembly under this Act are, to be regarded as Assembly general subordinate legislation for the purposes of the Government of Wales Act 1998 (c. 38).