Legislative and Regulatory Reform Act 2006

2006 CHAPTER 51

PART 1 U.K.

ORDER-MAKING POWERS

Procedure

16 Negative resolution procedure U.K.

(1) For the purposes of this Part, the "negative resolution procedure" in relation to the making of an order pursuant to a draft order laid under section 14 is as follows.

(2) The Minister may make an order in the terms of the draft order subject to the following provisions of this section.

(3) The Minister may not make an order in the terms of the draft order if either House of Parliament so resolves within the 40-day period.

(4) A committee of either House charged with reporting on the draft order may, at any time after the expiry of the 30-day period and before the expiry of the 40-day period, recommend under this subsection that the Minister not make an order in the terms of the draft order.

(5) Where a recommendation is made by a committee of either House under subsection (4) in relation to a draft order, the Minister may not make an order in the terms of the draft order unless the recommendation is, in the same Session, rejected by resolution of that House.

(6) For the purposes of this section an order is made in the terms of a draft order if it contains no material changes to the provisions of the draft order.

(7) In this section—

(a) the "30-day period" has the meaning given by section 15(7); and

Changes to legislation: *Legislative and Regulatory Reform Act 2006, Section 16 is up to date with all changes known to be in force on or before 23 June 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*

(b) the "40-day period" means the period of 40 days beginning with the day on which the draft order was laid before Parliament under section 14.

(8) For the purpose of calculating the 40-day period in a case where a recommendation is made under subsection (4) by a committee of either House but the recommendation is rejected by that House under subsection (5), no account shall be taken of any day between the day on which the recommendation was made and the day on which the recommendation was rejected.

Modifications etc. (not altering text)

C1 Ss. 15-19 applied (with modifications) (18.2.2012) by Localism Act 2011 (c. 20), **ss. 7(3)**, 240(2); S.I. 2012/411, art. 2(b)

C2 Ss. 15-19 applied (with modifications) by 2004 c. 21, s. 5E(3) (as inserted (18.2.2012) for specified purposes) by Localism Act 2011 (c. 20), ss.**9(1)**, 240(4)(b); S.I. 2012/411, art. 2(c))

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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. 23A inserted by 2016 c. 12 s. 15