



Climate Change Act 2008

2008 CHAPTER 27

PART 6

GENERAL SUPPLEMENTARY PROVISIONS

Orders and regulations

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- (1) Orders and regulations under this Act must be made by statutory instrument, subject as follows.
- (2) The power of a Northern Ireland department to make regulations under Part 3 (trading schemes) or Schedule 6 (charges for single use carrier bags)—
 - (a) is exercisable by statutory instrument if the instrument also contains regulations under that Part or Schedule made or to be made by another national authority, and
 - (b) otherwise, is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 ([S.I. 1979/1573 \(N.I. 12\)](#)).
- (3) An order or regulations under this Act may—
 - (a) make different provision for different cases or circumstances,
 - (b) include supplementary, incidental and consequential provision, and
 - (c) make transitional provision and savings.
- (4) Any provision that may be made by order under this Act may be made by regulations.
- (5) Any provision that may be made by regulations under this Act may be made by order.

91 Affirmative and negative resolution procedure

- (1) Where orders or regulations under this Act are subject to “affirmative resolution procedure” the order or regulations must not be made unless a draft of the statutory

Status: This is the original version (as it was originally enacted).

instrument containing them has been laid before and approved by a resolution of each House of Parliament.

- (2) Where orders or regulations under this Act are subject to “negative resolution procedure” the statutory instrument containing the order or regulations is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Any provision that may be made by an order or regulations under this Act subject to negative resolution procedure may be made by an order or regulations subject to affirmative resolution procedure.
- (4) This section does not apply to—
 - (a) regulations under Part 3 (trading schemes) (but see Schedule 3), or
 - (b) regulations under Schedule 6 (but see Part 3 of that Schedule).