



# Postal Services Act 2011

## 2011 CHAPTER 5

### PART 5

#### GENERAL

#### **89 Orders and regulations made by Ministers of Crown**

- (1) This section applies to orders and regulations under this Act made by the Secretary of State, [<sup>F1</sup>the Minister for the Civil Service,] the Treasury or the Lord Chancellor.
- (2) Any order or regulations may—
  - (a) contain incidental, supplementary, consequential, transitional, transitory or saving provision, and
  - (b) make different provision for different cases or circumstances or for different areas.
- (3) Any order or regulations are to be made by statutory instrument.
- (4) Where any order or regulations are subject to “affirmative resolution procedure” the order or regulations may not be made unless a draft of the statutory instrument containing the order or regulations has been laid before, and approved by a resolution of, each House of Parliament.
- (5) Where any order is subject to “approval after being made”, the order—
  - (a) must be laid before Parliament after being made, and
  - (b) ceases to have effect at the end of the period of 28 days beginning with the day on which it was made unless, during that period, it is approved by a resolution of each House of Parliament.
- (6) In reckoning the period of 28 days no account is to be taken of any time—
  - (a) during which Parliament is dissolved or adjourned, or
  - (b) during which both Houses are adjourned for more than 4 days.
- (7) The order ceasing to have effect does not affect—
  - (a) anything previously done under it, or

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**Changes to legislation:** There are currently no known outstanding effects for the Postal Services Act 2011, Section 89. (See end of Document for details)

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- (b) the making of a new order.
- (8) Where any order or regulations 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.
- (9) Any provision that may be made by any order or regulations subject to negative resolution procedure may be included in an order or regulations subject to affirmative resolution procedure (in which case negative resolution procedure does not apply to the order or regulations).

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**Textual Amendments**

- F1** Words in s. 89(1) inserted (2.4.2014) by [The Transfer of Functions \(Royal Mail Pension Plan\) Order 2014 \(S.I. 2014/500\)](#), arts. 1(2), **5(8)** (with art. 4)

**Changes to legislation:**

There are currently no known outstanding effects for the Postal Services Act 2011, Section 89.