



Protection of Freedoms Act 2012

2012 CHAPTER 9

PART 3

PROTECTION OF PROPERTY FROM DISPROPORTIONATE ENFORCEMENT ACTION

CHAPTER 1

POWERS OF ENTRY

Repealing, adding safeguards or rewriting powers of entry

45 Devolution: Scotland and Northern Ireland

- (1) An order under section 39(1), 40 or 41 may not make provision which would be within the legislative competence of the Scottish Parliament if it were contained in an Act of the Scottish Parliament.
- (2) An order under section 39(1), 40 or 41 may not make provision which, if it were contained in an Act of the Northern Ireland Assembly, would be within the legislative competence of the Northern Ireland Assembly and would deal with a transferred matter without being ancillary to other provision (whether in that Act or previously enacted) which deals with an excepted or reserved matter.
- (3) In subsection (2) “excepted matter”, “reserved matter” and “transferred matter” have the meaning given by section 4(1) of the Northern Ireland Act 1998.