



# Infrastructure Act 2015

## 2015 CHAPTER 7

### PART 8

#### GENERAL PROVISIONS

#### 55 Regulations and orders

- (1) Regulations and orders made by the Secretary of State, the Treasury or the Welsh Ministers under this Act are to be made by statutory instrument.
- (2) A statutory instrument which contains an order under section 1—
  - (a) appointing a strategic highways company for an area other than the whole of England, and
  - (b) which is the first exercise of the power in respect of such an area,may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (3) A statutory instrument which contains an order under section 1—
  - (a) appointing a strategic highways company for an area other than the whole of England, and
  - (b) which is a subsequent exercise of the power in respect of such an area,is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) A statutory instrument [<sup>F1</sup>made by the Secretary of State] containing (whether alone or with other provisions)—
  - (a) regulations under section 18,
  - (b) regulations under section 38 <sup>F2</sup>...,
  - (c) regulations under section 45, 46, 47<sup>F3</sup>, 48] or 49, or
  - (d) regulations under section 19(1)(a), 30 or 53 which amend, repeal or modify the application of an Act,may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.

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*Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, Section 55. (See end of Document for details)*

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(5) Subsection (4) does not apply to a statutory instrument containing only regulations under section 38(5)(b).

[<sup>F4</sup>(5A) A statutory instrument made by the Welsh Ministers containing regulations under section 45, 46 or 48 may not be made unless a draft of the instrument has been laid before and approved by a resolution of the National Assembly for Wales.]

(6) A statutory instrument—

(a) which contains regulations under this Act other than under section 16 or 57, and

(b) to which subsection (4) [<sup>F5</sup>or (5A)] does not apply, is subject to annulment in pursuance of a resolution of either House of Parliament.

(7) A statutory instrument which contains regulations under section 16 is subject to annulment in pursuance of a resolution of the House of Commons.

(8) A power to make regulations under this Act may be used—

(a) to make different provision for different purposes;

(b) in relation to all or only some of the purposes for which it may be used.

(9) Regulations under this Act may include incidental, supplementary, consequential, transitional, transitory or saving provision.

(10) Subsections (8) and (9) do not apply to regulations under section 57.

#### **Textual Amendments**

- F1** Words in s. 55(4) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 32(2)(a)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F2** Words in s. 55(4)(b) omitted (1.10.2016) by virtue of [Energy Act 2016 \(c. 20\)](#), s. 84(3), **Sch. 1 para. 75**; [S.I. 2016/920](#), reg. 2(a)
- F3** Word in s. 55(4)(c) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 32(2)(b)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F4** S. 55(5A) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 32(3)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)
- F5** Words in s. 55(6)(b) inserted (1.10.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 6 para. 32(4)** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 4(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Infrastructure Act 2015, Section 55.