



# Immigration Act 2016

## 2016 CHAPTER 19

### PART 9

#### MISCELLANEOUS AND GENERAL

##### *Final provisions*

### 93 Regulations

- (1) Regulations made by the Secretary of State or the Chancellor of the Duchy of Lancaster under this Act are to be made by statutory instrument.
- (2) A statutory instrument containing (whether alone or with other provision) any of the following regulations may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament—
  - (a) regulations under section 3 which amend or repeal primary legislation,
  - (b) regulations under section 6,
  - (c) regulations under section 11 which amend or repeal primary legislation,
  - (d) regulations under section 14, 15 or 21,
  - (e) regulations under section 36(2),
  - (f) regulations under section 42(1) or (2),
  - (g) regulations under section 73(1) or (2),
  - (h) regulations under section 78(9),
  - (i) regulations under section 79(1),
  - (j) passport fees regulations within the meaning of section 86 which include provision specifying functions as mentioned in subsection (1) of that section,
  - (k) regulations under section 92(2) which amend or repeal primary legislation,
  - (l) regulations under paragraph 1(13) of Schedule 6, and
  - (m) regulations under paragraph 2(7) of that Schedule.
- (3) Primary legislation means any of the following—
  - (a) an Act of Parliament;

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*Status: This is the original version (as it was originally enacted).*

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- (b) an Act of the Scottish Parliament;
  - (c) a Measure or Act of the National Assembly for Wales;
  - (d) Northern Ireland legislation.
- (4) A statutory instrument—
- (a) containing any other regulations made by the Secretary of State or the Chancellor of the Duchy of Lancaster under this Act, and
  - (b) to which subsection (2) does not apply,
- is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Subsection (4) does not apply to regulations under section 92(1) or 94(1).
- (6) Regulations made by the Secretary of State or the Chancellor of the Duchy of Lancaster under this Act—
- (a) may make different provision for different purposes or areas,
  - (b) may make provision which applies generally or for particular purposes or areas,
  - (c) may make transitional, transitory or saving provision, or
  - (d) may make incidental, supplementary or consequential provision.