

## SCHEDULE 1

### MODIFICATIONS OF ENACTMENTS

#### ***Legislative and Regulatory Reform Act 2006***

**146.** For section 11 (Wales), substitute—

**“11. Wales**

(1) Except with the agreement of the Assembly, an order under this Part may not make provision which would be within the legislative competence of the Assembly if the provision were contained in—

- (a) an Assembly Measure (until the Assembly Act provisions of the Government of Wales Act 2006 come into force), or
- (b) an Act of the Assembly (after those provisions come into force).

(2) An order under this Part may not make any provision—

- (a) conferring a function on the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government,
- (b) modifying or removing a function of the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government,
- (c) restating any provision which confers a function on the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government, or
- (d) that could be made by the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government in the exercise of any of their functions,

except with the agreement of the Welsh Ministers.

(3) Subsections (1) and (2)(d) do not apply to any provision of an order under this Part falling within section 1(8) or 2(7).”.