



Legislation (Wales) Act 2019

2019 anaw 4

PART 2

INTERPRETATION AND OPERATION OF WELSH LEGISLATION

Powers and duties

16 Exercise of a power or duty that is not in force

- (1) This section applies where a power or duty is conferred or imposed—
 - (a) by a provision in an Assembly Act which comes into force—
 - (i) other than by order or regulations, and
 - (ii) more than one day after the day on which the Act receives Royal Assent, or
 - (b) by a provision in a Welsh subordinate instrument which does not come into force immediately on the instrument being made.
- (2) The power or duty may be exercised (and any instrument made under the power or duty may come into force) during the period—
 - (a) beginning when the Assembly Act receives Royal Assent or the Welsh subordinate instrument is made, and
 - (b) ending when the provision conferring the power or imposing the duty comes into force.
- (3) But during that period the power or duty may be exercised only so far as is necessary or expedient for the purpose of giving full effect to—
 - (a) the Assembly Act or Welsh subordinate instrument conferring or imposing the power or duty, or
 - (b) a provision in that Act or instrument,at or after the time when the Act, instrument or provision comes into force.
- (4) Where a provision in an Assembly Act or a Welsh subordinate instrument which is not in force—

Status: This is the original version (as it was originally enacted).

- (a) is incidental or supplementary to a power or duty exercised in accordance with this section, and
 - (b) comes into force other than by order or regulations,
- that provision is to be treated as being in force so far as is necessary for the exercise of the power or duty in accordance with this section.
- (5) The exercise of a power or duty in accordance with this section is subject to any conditions or limitations imposed by the Assembly Act or Welsh subordinate instrument conferring or imposing the power or duty (whether or not the provision imposing the condition or limitation is in force).