



Civil Contingencies Act 2004

2004 CHAPTER 36

PART 1

LOCAL ARRANGEMENTS FOR CIVIL PROTECTION

General

17 Regulations and orders

- (1) Regulations and orders under this Part shall be made [^{F1}by a Minister of the Crown [^{F2}, the Scottish Ministers or the Welsh Ministers]] by statutory instrument.
- [^{F3}(1A) Any power of the Department of Justice in Northern Ireland under this Part to make regulations or an order is exercisable by statutory rule for the purposes of the ^{M1}Statutory Rules (Northern Ireland) Order 1979.]
- (2) An order under section 1(4), 5(1) or 13(1) may not be made by a Minister of the Crown unless a draft has been laid before and approved by resolution of each House of Parliament.
- (3) An order under section 1(4), 5(2) or 13(2) may not be made by the Scottish Ministers unless a draft has been laid before and approved by resolution of the Scottish Parliament.
- [^{F4}(3ZA) An order under section 5(2A) or 13(2A) may not be made by the Welsh Ministers unless a draft has been laid before and approved by a resolution of the National Assembly for Wales.]
- [^{F5}(3A) An order under section 1(4), 5(1) or 13(1) may not be made by the Department of Justice in Northern Ireland unless a draft has been laid before and approved by resolution of the Northern Ireland Assembly.
- (3B) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (3A) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.]

Changes to legislation: Civil Contingencies Act 2004, Section 17 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) Regulations made by a Minister of the Crown under this Part shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Regulations made by the Scottish Ministers under this Part shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- [^{F6}(5ZA) Regulations made by the Welsh Ministers under this Part are subject to annulment in pursuance of a resolution of the National Assembly for Wales.]
- [^{F7}(5A) Regulations made by the Department of Justice in Northern Ireland under this Part are subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).]
- (6) Regulations or an order under this Part—
- (a) may make provision which applies generally or only in specified circumstances or for a specified purpose,
 - (b) may make different provision for different circumstances or purposes, and
 - (c) may make incidental, consequential or transitional provision.

Textual Amendments

- F1** Words in s. 17(1) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 5, **Sch. 3 para. 108(2)** (with arts. 28-31, Sch. 3 para. 110)
- F2** Words in s. 17(1) substituted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **41(17)(a)**
- F3** S. 17(1A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 5, **Sch. 3 para. 108(3)** (with arts. 28-31, Sch. 3 para. 110)
- F4** S. 17(3ZA) inserted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **41(17)(b)**
- F5** S. 17(3A)(3B) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 5, **Sch. 3 para. 108(4)** (with arts. 28-31, Sch. 3 para. 110)
- F6** S. 17(5ZA) inserted (24.5.2018) by [The Welsh Ministers \(Transfer of Functions\) Order 2018 \(S.I. 2018/644\)](#), arts. 1(1), **41(17)(c)**
- F7** S. 17(5A) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 5, **Sch. 3 para. 108(5)** (with arts. 28-31, Sch. 3 para. 110)

Commencement Information

- I1** S. 17 partly in force; s. 17 not in force at Royal Assent see s. 34; s. 17(6) in force for specified purposes at 22.7.2005 and s. 17(1)(2)(4) in force for specified purposes at 14.11.2005 by [S.I. 2005/2040](#), **arts. 2(g), 3(l)**; s. 17(3)(5) in force and s. 17(1)(6) in force for specified purposes (S.) at 6.10.2005 by [S.S.I. 2005/493](#), **art. 3(l)(m)**

Marginal Citations

- M1** [S.I. 1979/1573 \(N.I. 12\)](#).

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 11A inserted by [2006 c. 16 Sch. 11 para. 174](#) (Sch. 11 para. 174 repealed (12.1.2010) without ever being in force by 2009 c. 23, Sch. 22 Pt. 8; S.I. 2009/3345, art. 2, Sch. para 27(d))
- Sch. 1 para. 19(2)(d) and word inserted by [2023 c. 52 Sch. 17 para. 15\(2\)\(b\)](#)
- Sch. 1 para. 30(2)(d) and word inserted by [2023 c. 52 Sch. 17 para. 15\(3\)\(b\)](#)