

LEGISLATIVE AND REGULATORY REFORM ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Supplementary and General

Supplementary

Section 30: Repeals and savings

156. Subsection (1) gives effect to the repeals set out in the Schedule to the Act.
157. The remainder of this section provides that, despite the repeal of the 2001 Act, some of its provisions are carried over for certain purposes. Subsection (2) provides that, if a draft RRO has been laid under section 6(1) of the 2001 Act before the day on which this Act comes into force, then that Act will continue to apply to that order. The order may continue to be made as a RRO under the 2001 Act, notwithstanding that Act's repeal.
158. Subsection (3) provides that even though the 2001 Act is repealed by this Act, any RROs which have been made under the power in that Act (either before the day this Act comes into force, or after that day if the order is made by virtue of subsection (2) of this section) are not affected and continue in force.
159. Subsection (4) provides that the repeal of the 2001 Act does not affect the ability of a Minister to make a subordinate provisions order under section 1 of that Act, pursuant to section 4(4) of that Act. This is to ensure that provisions in a RRO made under the 2001 Act which were designated as 'subordinate' in accordance with section 4(3) of that Act can continue to be amended using the procedure provided by that Act.
160. Subsection (5) provides that the repeal of the 2001 Act does not affect the continuation in force of any order which was made under the power in the Deregulation and Contracting Out Act 1994, provided that it continued in force by virtue of section 12(4) of the 2001 Act immediately before this Act comes into force.

Section 31: Consequential amendments

161. Subsection (1) amends section 6(7) of the Deregulation and Contracting Out Act 1994 ('the 1994 Act'). Section 6(7) of the 1994 Act defined "enforcement action" by reference to section 9 of the 2001 Act. As a consequence of the repeal of section 9 of the 2001 Act, subsection (1) substitutes the definition of "enforcement action" which was in section 9 of the 2001 Act into section 6(7) of the 1994 Act.
162. Subsections (2) and (3) amend respectively section 100 of the Local Government Act 2003 and article 17 of the Deregulation and Contracting Out (Northern Ireland) Order 1996. In each case a reference to section 1 of the 2001 Act is replaced by a reference to section 1 or 2 of this Act.