Changes to legislation: *Climate Change Act 2008, Part 3 is up to date with all changes known to be in force on or before 26 July 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*

SCHEDULES

SCHEDULE 6

CHARGES FOR [F1SINGLE USE CARRIER BAGS][F1CARRIER BAGS]

Textual Amendments

F1 Words in Sch. 6 para. 2 substituted (N.I.) (28.4.2014) by Carrier Bags Act (Northern Ireland) 2014 (c. 7), **s. 1(b)**

PART 3

PROCEDURES APPLYING TO REGULATIONS

Regulations made by a single authority

27 (1) This paragraph applies in relation to an instrument containing regulations under this Schedule made by a single national authority.

(2) Where the instrument contains regulations that—

(a) are to be made by the Secretary of State, and

(b) are subject to affirmative resolution procedure,

the regulations must not be made unless a draft of the statutory instrument containing them has been laid before and approved by a resolution of each House of Parliament.

(3) Where the instrument contains regulations that—

(a) are to be made by a national authority other than the Secretary of State, and

(b) are subject to affirmative resolution procedure,

the regulations must not be made unless a draft of the statutory instrument containing them has been laid before and approved by a resolution of the relevant devolved legislature.

(4) An instrument containing regulations made by the Secretary of State that are subject to negative resolution procedure is subject to annulment in pursuance of a resolution of either House of Parliament.

(5) An instrument containing regulations made by the Welsh Ministers that are subject to negative resolution procedure is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(6) An instrument containing regulations made by the Department of the Environment in Northern Ireland that are subject to negative resolution procedure is subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)) as if it were a statutory instrument within the meaning of that Act.

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(7) Any provision that may be made by regulations subject to negative resolution procedure may be made by regulations subject to affirmative resolution procedure.

Regulations made by two or more national authorities

28 (1) This paragraph applies in relation to an instrument containing regulations under this Schedule made or to be made by any two or more of—

(a) the Secretary of State,

(b) the Welsh Ministers, and

(c) the Department of the Environment in Northern Ireland.

(2) If any of the regulations are subject to affirmative resolution procedure, all of them are subject to that procedure.

(3) Sub-paragraphs (2) to (6) of paragraph 27 apply to the instrument as they apply to an instrument containing regulations made by a single national authority.

(4) If in accordance with that paragraph—

(a) either House of Parliament resolves that an address be presented to Her Majesty praying that an instrument containing regulations made by the Secretary of State be annulled, or

(b) a devolved legislature resolves that an instrument containing regulations made by a national authority be annulled,

nothing further is to be done under the instrument after the date of the resolution and Her Majesty may by Order in Council revoke the instrument.

(5) This is without prejudice to the validity of anything previously done under the instrument or to the making of a new instrument.

(6) This paragraph applies in place of provision made by any other enactment about the effect of such a resolution.

Hybrid instruments

29 If a draft of an instrument containing regulations under this Schedule would, apart from this paragraph, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not such an instrument.

Changes to legislation:
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Changes and effects yet to be applied to :

– Sch. 6 para. 28 cross-heading words substituted by 2016 anaw 3 Sch. 2 para. 12(4)(h)

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):

– s. 86(1)(a) words renumbered as s. 86(1)(a) by 2016 c. 22 s. 211(2)(a)
– s. 86(1)(b) and word inserted by 2016 c. 22 s. 211(2)(b)
– s. 86(7A)(7B) inserted by 2016 c. 22 s. 211(5)