Financial Services Act 2012

2012 CHAPTER 21

PART 10

GENERAL

Orders

115 Orders: general

(1) Any power of the Treasury or the Secretary of State to make an order under this Act is exercisable by statutory instrument.

(2) Any order made by the Treasury or the Secretary of State under this Act may—

(a) contain such incidental or transitional provision as the Treasury consider appropriate, and

(b) make different provision for different cases.

116 Orders: Parliamentary control

(1) A statutory instrument containing (alone or with other provision) an order to which subsection (2) applies may not be made unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House.

(2) This subsection applies to—

(a) an order under section 37(2) (power to amend sections 391 and 395 of FSMA 2000);

(b) an order under Part 3 (mutual societies);

(c) an order under section 107 (power to make further provision about regulation of consumer credit);

(d) an order under section 118 (power to make further consequential amendments) that amends or repeals primary legislation.

Changes to legislation: *Financial Services Act 2012, Cross Heading: Orders is up to date with all changes known to be in force on or before 22 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*

(3) A statutory instrument containing an order under this Act, other than an instrument to which section 94 or subsection (1) applies or an instrument containing only provision made under section 122 (commencement), is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) In this section "primary legislation" means—

(a) an Act of Parliament,

(b) an Act of the Scottish Parliament,

(c) a Measure or Act of the National Assembly for Wales, or

(d) Northern Ireland legislation.

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

- Act power to apply conferred (temp.) by 2014 c. 21 s. 79(4)
- Act power to apply conferred (temp.) by 2014 c. 21 s. 81(10)