



Public Service Pensions Act 2013

2013 CHAPTER 25

General

38 Regulations, orders and directions

- (1) For the purposes of this Act any power of the Secretary of State, the Minister for the Civil Service, the Treasury, the Lord Chancellor or the Welsh Ministers to make regulations or an order is exercisable by statutory instrument.
- (2) In this Act, the “affirmative procedure” means—
 - (a) in the case of regulations or an order of the Secretary of State, the Minister for the Civil Service or the Lord Chancellor, that the regulations or order may not be made unless a draft of the instrument containing them or it has been laid before, and approved by resolution of, each House of Parliament;
 - (b) in the case of regulations of the Welsh Ministers, that the regulations may not be made unless a draft of the instrument containing them has been laid before, and approved by resolution of, the National Assembly for Wales.
- (3) In this Act, the “negative procedure” means—
 - (a) in the case of regulations or an order of the Secretary of State, the Minister for the Civil Service, the Lord Chancellor or the Treasury, that the instrument containing them or it is subject to annulment in pursuance of a resolution of either House of Parliament;
 - (b) in the case of regulations or an order of the Welsh Ministers, that the instrument containing them or it is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (4) In this Act, the “affirmative Commons procedure”, in relation to a Treasury order, means that the order may not be made unless a draft of the instrument containing it has been laid before, and approved by resolution of, the House of Commons.
- (5) In this Act, the “negative Commons procedure”, in relation to Treasury regulations or a Treasury order, means that the instrument containing them or it is subject to annulment in pursuance of a resolution of the House of Commons.

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions Act 2013, Section 38. (See end of Document for details)

- (6) For regulations and orders of the Scottish Ministers, see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).
- (7) Treasury directions under this Act may be varied or revoked.

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There are currently no known outstanding effects for the Public Service Pensions Act 2013, Section 38.