



Local Audit and Accountability Act 2014

2014 CHAPTER 2

PART 7

MISCELLANEOUS AND SUPPLEMENTARY

Supplementary

43 Orders and regulations

- (1) Any power of the Secretary of State or the Minister for the Cabinet Office to make regulations or an order under this Act is exercisable by statutory instrument.
- (2) Any power of the Secretary of State or the Minister for the Cabinet Office to make regulations or an order under this Act includes—
 - (a) power to make different provision for different cases or classes of case, including different provision for different authorities;
 - (b) power to make incidental, supplementary, consequential, transitional or transitory provision or savings.
- (3) A statutory instrument containing regulations or an order to which subsection (4) applies (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (4) This subsection applies to—
 - (a) regulations under section 2(3) (power to amend list of relevant authorities in Schedule 2),
 - (b) regulations or an order under section 2(5) (power to make provision about application of Act to a person or body coming to fall within Schedule 2) which amends this Act,
 - (c) regulations under section 3(5)(a) (power to modify financial year of relevant authority) which amend this Act,
 - (d) regulations under section 5(1) (modification of Act in relation to smaller authorities),

Changes to legislation: Local Audit and Accountability Act 2014, Section 43 is up to date with all changes known to be in force on or before 28 February 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

- (e) regulations under section 6(5) (power to amend definition of “smaller authority”),
 - (f) regulations under section 7(4) (power to amend intervals at which local auditor must be appointed),
 - (g) regulations under section 17 (appointment of auditor by specified person),
 - (h) regulations under section 18(2) (power to amend Schedule 5),
 - (i) regulations under section 40 (access to local government meetings and documents) which amend or repeal any provision of an Act,
 - (j) regulations under section 46 (power to make consequential provision) which amend or repeal any provision of an Act,
 - (k) regulations under paragraph 2(9) of Schedule 4 (power to amend definition of “independent” member of auditor panel),
 - (l) regulations under paragraph 5(1)(a) of that Schedule (power to amend etc local authority enactments in their application to auditor panels),
 - (m) regulations under paragraph 8(3) of that Schedule (power to amend definition of “connected entity”), and
 - (n) regulations under paragraph 8 of Schedule 9 (power to amend data-matching provisions).
- (5) Any other statutory instrument containing regulations or an order under this Act is subject to annulment in pursuance of a resolution of either House of Parliament, subject to subsection (6).
- (6) Subsection (5) does not apply to a statutory instrument containing only—
- (a) an order under section 49 (commencement),
 - ^{F1}(b)
 - ^{F2}(c)
- (7) If a draft of a statutory instrument containing regulations or an order under section 2 would, apart from this subsection, 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.

Textual Amendments

- F1** S. 43(6)(b) omitted (1.7.2022) by virtue of [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 7 para. 24](#); [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)
- F2** S. 43(6)(c) omitted (1.7.2022) by virtue of [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 7 para. 24](#); [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)

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Changes and effects yet to be applied to :

- s. 43(6)(b) words omitted by [2016 c. 10 Sch. 1 para. 18\(f\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/841 by [S.I. 2016/675 art. 2](#)