



Deregulation Act 2015

2015 CHAPTER 20

Legislative reform

104 Power to spell out dates described in legislation

- (1) A Minister of the Crown may by order made by statutory instrument—
 - (a) replace a reference in legislation to the commencement of a provision with a reference to the actual date on which the provision comes into force;
 - (b) replace a reference in legislation to the date on which any other event occurs with a reference to the actual date on which that event occurs.
- (2) An order under subsection (1) may amend the legislation to include an explanation of the date and may make other consequential amendments to legislation.
- (3) An order under this section may not amend subordinate legislation made by the Welsh Ministers or by the National Assembly for Wales constituted by the Government of Wales Act 1998.
- (4) An order under this section may not amend provision that would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (5) An order under this section may not amend provision that would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, unless—
 - (a) a Bill for an Act of that Assembly containing the provision would require the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998, and
 - (b) the provision does not affect, other than incidentally, a transferred matter (within the meaning of that Act).
- (6) In this section—
 - “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;
 - “legislation” means an Act or subordinate legislation;

“subordinate legislation” has the same meaning as in the Interpretation Act 1978.

105 Combining different forms of subordinate legislation

- (1) Any provision that may be made by order, regulations or rules made by statutory instrument may be made by any other of those forms of legislation made by statutory instrument.
- (2) Subsection (1) does not affect the procedure for making the instrument.
- (3) A reference in any enactment or other instrument to an order, regulations or rules under an enactment (however expressed) includes a reference to provision made under it because of subsection (1).
- (4) Subsection (1) does not apply in relation to any power of the Welsh Ministers to make provision by statutory instrument.

106 Ambulatory references to international shipping instruments

After section 306 of the Merchant Shipping Act 1995 insert—

“306A Power to make ambulatory references to international instruments

- (1) This section applies where—
 - (a) a person has power under this Act to make subordinate legislation, and
 - (b) the person proposes to exercise that power to make subordinate legislation which refers to an international instrument.
- (2) The power may be exercised so as to have the effect that the reference to the instrument is construed—
 - (a) as a reference to the instrument as modified from time to time;
 - (b) if the instrument is replaced by another instrument, as a reference to that other instrument.
- (3) For the purposes of subsection (2)(a), an instrument is modified if—
 - (a) omissions, additions or other alterations to the text of the instrument take effect, or
 - (b) supplementary provision made under the instrument takes effect.
- (4) In this section, provision included in subordinate legislation by virtue of subsection (2) is referred to as ambulatory provision.
- (5) Subordinate legislation which makes ambulatory provision may make provision as to—
 - (a) when a modification of an international instrument is to be treated as taking effect for the purposes of subsection (2)(a) (read with subsection (3));
 - (b) when an international instrument is to be treated as having been replaced by another instrument for the purposes of subsection (2)(b).
- (6) In this section—

- (a) “international instrument” means an international convention or treaty or an instrument made under such a convention or treaty except that “international instrument” does not include an EU instrument;
- (b) “subordinate legislation” has the same meaning as in the Interpretation Act 1978.”