

Status: Point in time view as at 26/06/2018.

Changes to legislation: European Union (Withdrawal) Act 2018, Cross Heading: Scrutiny procedure for certain powers to which this Part applies in urgent cases is up to date with all changes known to be in force on or before 27 May 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)

SCHEDULES

SCHEDULE 7

REGULATIONS

PART 2

SCRUTINY OF OTHER POWERS UNDER ACT

Scrutiny procedure for certain powers to which this Part applies in urgent cases

- 19 (1) Sub-paragraph (2) applies to—
- (a) a statutory instrument to which paragraph 9(1), 10(1) or 12(1) applies, or
 - (b) a statutory instrument to which paragraph 10(3), 12(2) or 15 applies which would not otherwise be made without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament.
- (2) The instrument may be made without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament if it contains a declaration that the Minister of the Crown concerned is of the opinion that, by reason of urgency, it is necessary to make the regulations without a draft being so laid and approved.
- (3) After an instrument is made in accordance with sub-paragraph (2), it must be laid before each House of Parliament.
- (4) Regulations contained in an instrument made in accordance with sub-paragraph (2) cease to have effect at the end of the period of 28 days beginning with the day on which the instrument is made unless, during that period, the instrument is approved by a resolution of each House of Parliament.
- (5) In calculating the period of 28 days, no account is to be taken of any time during which—
- (a) Parliament is dissolved or prorogued, or
 - (b) either House of Parliament is adjourned for more than four days.
- (6) If regulations cease to have effect as a result of sub-paragraph (4), that does not—
- (a) affect the validity of anything previously done under the regulations, or
 - (b) prevent the making of new regulations.
- (7) Paragraphs 6 to 8 apply to regulations under Part 2 of Schedule 2 as they apply to regulations under Part 1 of that Schedule but as if—
- (a) the references to paragraphs 1(6), (7), (8), (9), (10) or (11) were references to those provisions as applied by paragraph 10(5),
 - (b) the reference in paragraph 7(8) to paragraph 4 were a reference to that paragraph as applied by paragraph 18, and
 - (c) paragraphs 6(7), 7(9) and 8(7) were omitted.

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- (8) Sub-paragraph (9) applies to a statutory instrument to which paragraph 10(3) or 15 applies where the Minister of the Crown who is to make the instrument is of the opinion that the appropriate procedure for the instrument is for it to be subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) Paragraph 17 does not apply in relation to the instrument if the instrument contains a declaration that the Minister is of the opinion that, by reason of urgency, it is necessary to make the regulations without meeting the requirements of that paragraph.

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