



Corporate Insolvency and Governance Act 2020

2020 CHAPTER 12

Power to amend corporate insolvency or governance legislation: Northern Ireland

30 Restrictions

- (1) Before making regulations under section 28 the relevant authority concerned must consider the effect of the regulations on persons likely to be affected by them (for example, debtors, creditors or employees).
- (2) A relevant authority may only make regulations under section 28 if satisfied—
 - (a) that the need for the provision made by the regulations is urgent,
 - (b) that the provision made by the regulations is proportionate to the purpose for which it is made,
 - (c) that it is not practicable without legislation to bring about the result intended to be brought about by that provision, and
 - (d) if a Northern Ireland Department or the Secretary of State could make the same provision in exercise of power under a statutory provision other than section 28, that doing so would risk not achieving the purpose for which the regulations are made (because of possible delay or for any other reason).
- (3) Regulations under section 28—
 - (a) may not create a criminal offence or civil penalty (but may modify the circumstances in which a person is guilty of an existing offence or liable for an existing civil penalty);
 - (b) may not make provision so as to impose or increase a fee.