



Corporate Insolvency and Governance Act 2020

2020 CHAPTER 12

Implementation of insolvency measures

46 Modified procedure for regulations of Northern Ireland departments

- (1) During the period of six months beginning with the day on which this section comes into force, any relevant provision that may be made by a Northern Ireland department by regulations that are subject to the affirmative resolution procedure may be made by regulations that are subject to the made affirmative procedure.
- (2) In subsection (1) “relevant provision” means—
 - (a) provision under Article 13HA(1) of the Insolvency (Northern Ireland) Order 1989 (power to modify moratorium provisions in relation to certain companies);
 - (b) provision under Article 13HB(1) of that Order (moratorium: power to make provision in connection with pension schemes).
- (3) For the purposes of this section—
 - (a) “regulations that are subject to the affirmative resolution procedure” means regulations that may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly;
 - (b) “regulations that are subject to the made affirmative procedure” means regulations that—
 - (i) must be laid before the Assembly as soon as reasonably practicable after being made, and
 - (ii) cease to have effect at the end of the period of 40 days beginning with the day on which the regulations are made, unless during that period the regulations are approved by a resolution of the Assembly.
- (4) In calculating the period of 40 days mentioned in subsection (3)(b)(ii), no account is to be taken of any time during which the Assembly is—
 - (a) dissolved,

Status: This is the original version (as it was originally enacted).

- (b) in recess for more than 4 days, or
 - (c) adjourned for more than 6 days.
- (5) Where by virtue of this section a Northern Ireland department makes regulations that are subject to the made affirmative procedure and the regulations cease to have effect because they are not approved within the period mentioned in subsection (3)(b)(ii), the fact that the regulations cease to have effect does not—
- (a) affect anything previously done under or by virtue of the regulations, or
 - (b) prevent the making of new regulations.
- (6) In this section “the Assembly” means the Northern Ireland Assembly.