



Statutory Instruments Act 1946

1946 CHAPTER 36 9 and 10 Geo 6

1 Definition of “Statutory Instrument”.

- (1) Where by this Act or any Act passed after the commencement of this Act power to make, confirm or approve orders, rules, regulations or other subordinate legislation is conferred on His Majesty in Council or on any Minister of the Crown then, if the power is expressed—
- (a) in the case of a power conferred on His Majesty, to be exercisable by Order in Council;
 - (b) in the case of a power conferred on a Minister of the Crown, to be exercisable by statutory instrument,

any document by which that power is exercised shall be known as a “statutory instrument” and the provisions of this Act shall apply thereto accordingly.

[^{F1}(1A) Where by any Act power to make, confirm or approve orders, rules, regulations or other subordinate legislation is conferred on the Welsh Ministers and the power is expressed to be exercisable by statutory instrument, any document by which that power is exercised shall be known as a “statutory instrument” and the provisions of this Act shall apply to it accordingly.]

- (2) Where by any Act passed before the commencement of this Act power to make statutory rules within the meaning of the ^{M1}Rules Publication Act 1893, was conferred on any rule-making authority within the meaning of that Act, any document by which that power is exercised after the commencement of this Act shall, save as is otherwise provided by regulations made under this Act, be known as a “statutory instrument” and the provisions of this Act shall apply thereto accordingly.

Textual Amendments

- F1** S. 1(1A) substituted by [Government of Wales Act 2006 \(c. 32\)](#) ss. 160(1), Sch. 10 para. 2 (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to [s. 161\(4\)\(5\)](#) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(4\)\(5\)](#) of the amending Act

Status: Point in time view as at 03/05/2007. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Statutory Instruments Act 1946, Section 1. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 1 extended (1.7.1999) by S.I. 1999/1096, **art. 3(1)(5)**; S.I. 1998/3178
- C2** S. 1 applied (E.W.S) (23.3.2004) by The European Parliamentary Elections Regulations 2004 (S.I. 2004/293), **reg. 15(5)**
- C3** S. 1 applied (N.I.) (30.4.2004) by The European Parliamentary Elections (Northern Ireland) Regulations 2004 (S.I. 2004/1267), **reg. 16(5)**

Marginal Citations

- M1** 1893 c. 66.

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