



Statutory Instruments Act 1946

1946 CHAPTER 36 9 and 10 Geo 6

8 Regulations.

- (1) [^{F1}The Secretary of State] may, with the concurrence of [^{F2}the Speaker of the House of Commons and the Speaker of the House of Lords], by statutory instrument make regulations for the purposes of this Act, and such regulations may, in particular:
- (a) provide for the different treatment of instruments which are of the nature of a public Act, and of those which are of the nature of a local and personal or private Act;
 - (b) make provision as to the numbering, printing, and publication of statutory instruments including provision for postponing the numbering of any such instrument which does not take effect until it has been approved by Parliament, or by the House of Commons, until the instrument has been so approved;
 - (c) provide with respect to any classes or descriptions of statutory instrument that they shall be exempt, either altogether or to such extent as may be determined by or under the regulations, from the requirement of being printed and of being sold by [^{F3}or under the authority of] the King's printer of Acts of Parliament, or from either of those requirements;
 - (d) determine the classes of cases in which the exercise of a statutory power by any rule-making authority constitutes or does not constitute the making of such a statutory rule as is referred to in subsection (2) of section one of this Act, and provide for the exclusion from that subsection of any such classes;
 - (e) provide for the determination by a person or persons nominated by [^{F2}the Speaker of the House of Commons and the Speaker of the House of Lords] of any question—
 - (i) as to the numbering, printing, or publication of any statutory instrument or class or description of such instruments:
 - (ii) whether or to what extent any statutory instrument or class or description of such instruments is, under the regulations, exempt from any such requirement as is mentioned in paragraph (c) of this subsection:
 - (iii) whether any statutory instrument or class or description of such instruments is in the nature of a public Act or of a local and personal or private Act:

Changes to legislation: There are currently no known outstanding effects for the Statutory Instruments Act 1946, Section 8. (See end of Document for details)

(iv) whether the exercise of any power conferred by an Act passed before the commencement of this Act is or is not the exercise of a power to make a statutory rule.

(2) Every statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in s. 8(1) substituted (31.10.2006) by virtue of [The Transfer of Functions \(Statutory Instruments\) Order 2006 \(S.I. 2006/1927\)](#), **art. 6(1)(3)** (with S.I. 1968/1656, art. 3(2))
- F2** Words in s. 8(1) substituted (24.3.2005) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 18, **Sch. 6 para. 4(3)**
- F3** Words in s. 8(1)(c) inserted (*retrospective* to 26.3.1946) by [1996 c. 54](#), **s. 1(1)(a)**

Modifications etc. (not altering text)

- C1** S. 8 amended (2.12.1999) by [1998 c. 47](#), **s. 85(11)** (with s. 95); S.I. 1999/3209, art. 2, **Sch.**
S. 8 excluded (1.7.1999) [S.I. 1999/1096](#), **art. 3(2)**; S.I. 1998/3178
S. 8 modified (12.2.2000) by [2000 c. 1](#), s. 1(8), **Sch. para. 3(2)**; S.I. 2000/396, **art. 2**
- C2** S. 8(1): functions transferred to the Secretary of State (31.10.2006) by [The Transfer of Functions \(Statutory Instruments\) Order 2006 \(S.I. 2006/1927\)](#), **art. 3(a)**

Changes to legislation:

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