



Human Rights Act 1998

1998 CHAPTER 42

Derogations and reservations

16 Period for which designated derogations have effect.

- (1) If it has not already been withdrawn by the United Kingdom, a designated derogation ceases to have effect for the purposes of this Act—
^{F1}
. . . , at the end of the period of five years beginning with the date on which the order designating it was made.
- (2) At any time before the period—
 - (a) fixed by subsection (1) ^{F2} . . . , or
 - (b) extended by an order under this subsection,comes to an end, the [^{F3}Secretary of State] may by order extend it by a further period of five years.
- (3) An order under section 14(1) ^{F4} . . . ceases to have effect at the end of the period for consideration, unless a resolution has been passed by each House approving the order.
- (4) Subsection (3) does not affect—
 - (a) anything done in reliance on the order; or
 - (b) the power to make a fresh order under section 14(1) ^{F4} . . .
- (5) In subsection (3) “period for consideration” means the period of forty days beginning with the day on which the order was made.
- (6) In calculating the period for consideration, no account is to be taken of any time during which—
 - (a) Parliament is dissolved or prorogued; or
 - (b) both Houses are adjourned for more than four days.
- (7) If a designated derogation is withdrawn by the United Kingdom, the [^{F5}Secretary of State] must by order make such amendments to this Act as he considers are required to reflect that withdrawal.

Changes to legislation: There are currently no known outstanding effects for the Human Rights Act 1998, Section 16. (See end of Document for details)

Textual Amendments

- F1** S. 16(1): words from “(a)” to “any other derogation” repealed (1.4.2001) by S.I. 2001/1216, **art. 3(a)**
- F2** Words in s. 16(2)(a) repealed (1.4.2001) by S.I. 2001/1216, **art. 3(b)**
- F3** Words in s. 16 substituted (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S. I. 2003/1887), art. 9, **Sch. 2 para. 10(1)**
- F4** S. 16(3)(4)(b): “(b)” repealed (1.4.2001) by S.I. 2001/1216, **art. 3(c)(d)**
- F5** Words in s. 16 substituted (19.8.2003) by The Secretary of State for Constitutional Affairs Order 2003 (S. I. 2003/1887), art. 9, **Sch. 2 para. 10(1)**

Changes to legislation:

There are currently no known outstanding effects for the Human Rights Act 1998, Section 16.