



# Legislative and Regulatory Reform Act 2006

## 2006 CHAPTER 51

### PART 1

#### ORDER-MAKING POWERS

##### *Procedure*

#### **15 Determination of Parliamentary procedure**

- (1) The explanatory document laid with a draft order under section 14 must contain a recommendation by the Minister as to which of the following should apply in relation to the making of an order pursuant to the draft order—
  - (a) the negative resolution procedure (see section 16);
  - (b) the affirmative resolution procedure (see section 17); or
  - (c) the super-affirmative resolution procedure (see section 18).
- (2) The explanatory document must give reasons for the Minister's recommendation.
- (3) Where the Minister's recommendation is that the negative resolution procedure should apply, that procedure shall apply unless, within the 30-day period—
  - (a) either House of Parliament requires that the super-affirmative resolution procedure shall apply, in which case that procedure shall apply; or
  - (b) in a case not falling within paragraph (a), either House of Parliament requires that the affirmative resolution procedure shall apply, in which case that procedure shall apply.
- (4) Where the Minister's recommendation is that the affirmative resolution procedure should apply, that procedure shall apply unless, within the 30-day period, either House of Parliament requires that the super-affirmative resolution procedure shall apply, in which case the super-affirmative resolution procedure shall apply.

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**Changes to legislation:** *Legislative and Regulatory Reform Act 2006, Section 15 is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (5) Where the Minister's recommendation is that the super-affirmative resolution procedure should apply, that procedure shall apply.
- (6) For the purposes of this section a House of Parliament shall be taken to have required a procedure within the 30-day period if—
- (a) that House resolves within that period that that procedure shall apply; or
  - (b) in a case not falling within paragraph (a), a committee of that House charged with reporting on the draft order has recommended within that period that that procedure should apply and the House has not by resolution rejected that recommendation within that period.
- (7) In this section the “30-day period” means the period of 30 days beginning with the day on which the draft order was laid before Parliament under section 14.

**Modifications etc. (not altering text)**

- C1** Ss. 15-19 applied (with modifications) (18.2.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 7\(3\), 240\(2\)](#); [S.I. 2012/411, art. 2\(b\)](#)
- C2** Ss. 15-19 applied (with modifications) by 2004 c. 21, s. 5E(3) (as inserted (18.2.2012) for specified purposes) by [Localism Act 2011 \(c. 20\)](#), [ss. 9\(1\), 240\(4\)\(b\)](#); [S.I. 2012/411, art. 2\(c\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 23A inserted by [2016 c. 12 s. 15](#)