



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 12

#### FINAL PROVISIONS

#### **303 Power to make consequential provision**

- (1) The Secretary of State may by order make provision in consequence of this Act.
- (2) An order under this section may, in particular—
  - (a) amend, repeal, revoke or otherwise modify any enactment;
  - (b) include transitional, transitory or saving provision in connection with the commencement of provision made by the order.
- (3) Transitory provision by virtue of subsection (2)(b) may, in particular, modify the application of provision made by the order pending the commencement of—
  - (a) another provision of the order,
  - (b) a provision of this Act,
  - (c) any other enactment.
- (4) Before making an order under this section that contains provision which would, if included in an Act of the Scottish Parliament, fall within the legislative competence of that Parliament, the Secretary of State must consult the Scottish Ministers.
- (5) The power conferred by this section is not restricted by any other provision of this Act.
- (6) In this section, “enactment” includes—
  - (a) an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978), and
  - (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament, an Act or Measure of the National Assembly for Wales or Northern Ireland legislation,and references to an enactment include a reference to an enactment passed or made after the passing of this Act.