

SCHEDULES

SCHEDULE 5

REGULATIONS: PROCEDURE

PART 2

POWERS OF RELEVANT NATIONAL AUTHORITY: SEPARATE EXERCISE

Separate exercise by Northern Ireland department

- 10 (1) A Northern Ireland department may not make regulations to which [this Part](#) of [this Schedule](#) applies and which fall within [paragraph 5\(2\)](#) unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (2) Regulations made by a Northern Ireland department to which [this Part](#) of [this Schedule](#) applies and which are within [paragraph 5\(4\)](#) are subject to negative resolution.
- (3) Regulations made by a Northern Ireland department to which [this Part](#) of [this Schedule](#) applies and to which neither [sub-paragraph \(1\)](#) nor [sub-paragraph \(2\)](#) applies are (if a draft of the regulations has not been laid before, and approved by a resolution of, the Northern Ireland Assembly) subject to negative resolution.
- (4) In [this paragraph](#) “subject to negative resolution” means subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.

Commencement Information

- II** Sch. 5 para. 10 in force at Royal Assent, see [s. 22\(1\)\(e\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Retained EU Law (Revocation and Reform) Act 2023, Paragraph 10.