

SCHEDULES

SCHEDULE 7

REGULATIONS

PART 2

SCRUTINY OF OTHER POWERS UNDER ACT

Power to implement withdrawal agreement

- 10 (1) A statutory instrument containing regulations under section 9 which contain provision falling within sub-paragraph (2) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (2) Provision falls within this sub-paragraph if it—
- (a) provides for any function of an EU entity or public authority in a member State of making an instrument of a legislative character to be exercisable instead by a public authority in the United Kingdom,
 - (b) relates to a fee in respect of a function exercisable by a public authority in the United Kingdom,
 - (c) creates, or widens the scope of, a criminal offence, or
 - (d) creates or amends a power to legislate.
- (3) Any other statutory instrument containing regulations under section 9 is (if a draft of the instrument has not been laid before, and approved by a resolution of, each House of Parliament) subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) See paragraph 17 for restrictions on the choice of procedure under sub-paragraph (3).
- (5) Paragraphs 1(6) to (13)(a) and 2 apply to regulations under Part 2 of Schedule 2 as they apply to regulations under Part 1 of that Schedule except that any reference to provision falling within paragraph 1(2) is to be read as a reference to any provision falling within sub-paragraph (2) above.
- (6) This paragraph is subject to paragraph 19.