

# **SOCIAL CARE CHARGES (WALES) MEASURE 2010**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 17 – Orders and regulations***

35. This section contains general provision about subordinate legislation (orders and regulations) made under the Measure.
36. Subsection (1) provides that where the Welsh Ministers are empowered by the Measure to make orders or regulations, these are to be made by statutory instrument. This means that the provisions of the Statutory Instruments Act 1946 are applied to such orders and regulations, including requirements about publication. Subsection (2) provides that orders or regulations made under the Measure may make different provision for different purposes and may include incidental, supplementary, consequential, transitory, transitional or saving provisions.
37. Subsection (3) confers on the Welsh Ministers the power by order to make provisions that are necessary or expedient for the purposes of the Measure, or in consequence of, or to give effect to, any provision of the Measure. Subsection (4) provides that such an order may amend, repeal or revoke any provision of an Act of Parliament, an Assembly Measure or subordinate legislation. Subsections (5) to (7) set out the Assembly procedure to which a statutory instrument made under the Measure will be subject. Orders that amend Acts or Measures will need to be approved by resolution of the National Assembly for Wales, as will any order made under section 13(3).