



2008 CHAPTER 9

General

Regulations

9.—(1) A reference in this Act to regulations is a reference to regulations made by the Department.

(2) The power to make regulations under this Act—

- (a) includes power to make such incidental, supplementary or transitional provision as the Department thinks fit;
- (b) may be exercised so as to provide for a person to exercise a discretion in dealing with any matter.

(3) Regulations may make provision consequential on this Act amending, repealing or revoking any statutory provision.

Commencement Information

- II** [S. 9](#) wholly in operation at 1.10.2008; [s. 9](#) not in operation at Royal Assent see [s. 12\(1\)](#); [s. 9](#) in operation for the purpose only of authorising the making of regulations at 27.8.2008 and for all other purposes at 1.10.2008 by [S.R. 2008/351](#), [art. 2\(1\)\(a\)\(b\)](#), [Sch.](#)

Assembly control

10.—(1) Subject to the following provisions of this section, any regulations made under this Act are subject to negative resolution.

(2) Regulations under section 1 [^{F1}or 5(1A)] or the first regulations under section 2—

- (a) must be laid before the Assembly after being made; and

Changes to legislation: There are currently no known outstanding effects for the Mesothelioma, etc., Act (Northern Ireland) 2008, Cross Heading: General. (See end of Document for details)

- (b) take effect on such date as may be specified in the regulations, but (without prejudice to the validity of anything done thereunder or to the making of new regulations) cease to have effect upon the expiration of a period of six months from that date unless at some time before the expiration of that period the regulations are approved by a resolution of the Assembly.
- (3) This subsection applies to any regulations made under this Act which—
- (a) but for subsection (4), would be subject to negative resolution, and
 - (b) are contained in a statutory rule which includes any regulations subject to the confirmatory procedure.
- (4) Any regulations to which subsection (3) applies shall not be subject to negative resolution, but shall be subject to the confirmatory procedure.
- (5) In this section “the confirmatory procedure” means the procedure described in subsection (2).

Textual Amendments

- F1** Words in s. 10(2) inserted (17.3.2016) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), [Sch. 11 para. 15](#); S.R. 2016/166, art. 2(b)

Commencement Information

- I2** S. 10 wholly in operation at 1.10.2008; s. 10 not in operation at Royal Assent see s. 12(1); s. 10 in operation for the purpose only of authorising the making of regulations at 27.8.2008 and for all other purposes at 1.10.2008 by [S.R. 2008/351](#), [art. 2\(1\)\(a\)\(b\)](#), [Sch.](#)

Interpretation

11 In this Act—

- “the 1979 Order” means the Pneumoconiosis, etc., (Workers' Compensation) (Northern Ireland) Order 1979 (NI 9);
- “the Department” means the Department for Social Development;
- “dependant” has the meaning given by Article 5 of the 1979 Order;
- “diffuse mesothelioma” has the same meaning as in the 1979 Order;
- “statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).

Commencement

- 12.—(1)** This Act (except section 11, this section and section 13) shall come into operation on such day or days as the Department may by order appoint.

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(2) An order under subsection (1) may include such transitional provision or savings as the Department considers necessary or expedient in connection with bringing any provision of this Act into operation.

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Subordinate Legislation Made

P1 [S. 12\(1\)](#) power fully exercised: 27.8.2008 and 1.10.2008 appointed for specified provisions by [S.R. 2008/351](#), [art. 2](#), [Sch.](#)

Short title

13 This Act may be cited as the Mesothelioma, etc., Act (Northern Ireland) 2008.

Changes to legislation:

There are currently no known outstanding effects for the Mesothelioma, etc., Act (Northern Ireland) 2008, Cross Heading: General.