



# Human Rights Act 1998

## 1998 CHAPTER 42

### *Derogations and reservations*

#### **16 Period for which designated derogations have effect**

- (1) If it has not already been withdrawn by the United Kingdom, a designated derogation ceases to have effect for the purposes of this Act—
  - (a) in the case of the derogation referred to in section 14(1)(a), at the end of the period of five years beginning with the date on which section 1(2) came into force;
  - (b) in the case of any other derogation, at the end of the period of five years beginning with the date on which the order designating it was made.
- (2) At any time before the period—
  - (a) fixed by subsection (1)(a) or (b), or
  - (b) extended by an order under this subsection,comes to an end, the Secretary of State may by order extend it by a further period of five years.
- (3) An order under section 14(1)(b) ceases to have effect at the end of the period for consideration, unless a resolution has been passed by each House approving the order.
- (4) Subsection (3) does not affect—
  - (a) anything done in reliance on the order; or
  - (b) the power to make a fresh order under section 14(1)(b).
- (5) In subsection (3) “period for consideration” means the period of forty days beginning with the day on which the order was made.
- (6) In calculating the period for consideration, no account is to be taken of any time during which—
  - (a) Parliament is dissolved or prorogued; or
  - (b) both Houses are adjourned for more than four days.

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*Status: This is the original version (as it was originally enacted).*

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- (7) If a designated derogation is withdrawn by the United Kingdom, the Secretary of State must by order make such amendments to this Act as he considers are required to reflect that withdrawal.