



# Adoption and Children Act 2002

## 2002 CHAPTER 38

### PART 3

#### MISCELLANEOUS AND FINAL PROVISIONS

### CHAPTER 2

#### FINAL PROVISIONS

#### **142 Supplementary and consequential provision**

- (1) The appropriate Minister may by order make—
  - (a) any supplementary, incidental or consequential provision,
  - (b) any transitory, transitional or saving provision,which he considers necessary or expedient for the purposes of, in consequence of or for giving full effect to any provision of this Act.
- (2) For the purposes of subsection (1), where any provision of an order extends to England and Wales, and Scotland or Northern Ireland, the appropriate Minister in relation to the order is the Secretary of State.
- (3) Before making an order under subsection (1) containing provision which would, if included in an Act of the Scottish Parliament, be within the legislative competence of that Parliament, the appropriate Minister must consult the Scottish Ministers.
- (4) Subsection (5) applies to any power of the Lord Chancellor, the Secretary of State or the Assembly to make regulations, rules or an order by virtue of any other provision of this Act<sup>F1</sup>....
- (5) The power may be exercised so as to make—
  - (a) any supplementary, incidental or consequential provision,
  - (b) any transitory, transitional or saving provision,which the person exercising the power considers necessary or expedient.

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**Changes to legislation:** *Adoption and Children Act 2002, Section 142 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (6) The provision which may be made under subsection (1) or (5) includes provision modifying Schedule 4 or amending or repealing any enactment or instrument.

In relation to an Order in Council, “enactment” in this subsection includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.

- (7) The power of the Registrar General to make regulations under Chapter 5 of Part 1 may, with the approval of [<sup>F2</sup>the Secretary of State], be exercised so as to make—
- (a) any supplementary, incidental or consequential provision,
  - (b) any transitory, transitional or saving provision,
- which the Registrar General considers necessary or expedient.

#### **Textual Amendments**

- F1** Words in s. 142(4) omitted (13.5.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), [Sch. 1 para. 9](#); S.I. 2014/889, art. 5(f)
- F2** Words in s. 142(7) substituted (3.4.2008) by [The Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#), art. 1(2), [Sch. 2 para. 12\(e\)](#) (with art. 4)

#### **Modifications etc. (not altering text)**

- C1** S. 142(1) modified (6.4.2005) by [Pensions Act 2004 \(c. 35\)](#), [ss. 265\(2\)](#), 322(1) (with s. 313); S.I. 2005/275, art. 2(7), [Sch. Pt. 7](#) (with art. 2(12))
- C2** S. 142(1) modified (N.I.) (6.4.2005) by [The Pensions \(Northern Ireland\) Order 2005 \(S.I. 2005/255\)](#), arts. 1(2), [242\(2\)](#) (with art. 285(5)); S.R. 2005/48, art. 2(7), [Sch. Pt. 7](#) (with art. 2(12))
- C3** S. 142(7): transfer of functions (3.4.2008) by [The Transfer of Functions \(Registration\) Order 2008 \(S.I. 2008/678\)](#), art. 1(2), [Sch. 1 para. 12\(e\)](#) (with art. 4)

**Changes to legislation:**

Adoption and Children Act 2002, Section 142 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 142(4) words substituted by [2005 c. 4 Sch. 1 para. 26\(2\)28](#) (This amendment is not have effect at any time after the amendments made to the Adoption and Children Act 2002 by paragraph 413 of Schedule 8 to the Courts Act 2003 (c. 39) have come into force, see [2005 c. 4, Sch. 1 para. 26\(2\)](#). The amendments by [Sch. 8 para. 413](#) came into force on 1.4.2005 by S.I. 2005/910, art. 3(y))

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2014 c. 6 s. 5](#)
- s. 141(7) inserted by [2010 c. 26 Sch. 3 para. 13](#) (This amendment not applied to [legislation.gov.uk](#). [Sch. 3 Pt. 2](#) repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))