



Local Democracy, Economic Development and Construction Act 2009

2009 CHAPTER 20

PART 6

ECONOMIC PROSPERITY BOARDS AND COMBINED AUTHORITIES

Supplementary

117 Orders [^{F1}and regulations]

(1) Orders [^{F2}and regulations] under this Part must be made by statutory instrument.

[^{F3}(1A) An order [^{F4}or regulations] under this Part may make different provision for different authorities or descriptions of authority or otherwise for different purposes.]

[^{F5}(2) An order to which subsection (2A) applies may not be made unless a draft of the statutory instrument containing the order (whether alone or with other provisions) has been laid before, and approved by a resolution of, each House of Parliament.

(2A) This subsection applies to an order under this Part other than—

- (a) an order under section 113C(1) that is made only for the purpose mentioned in section 113C(5)(b),
- (b) an order under section 113C(2) that is made only for that purpose or for imposing conditions on the doing of things for a commercial purpose, or
- (c) an order under section 116 that amends or revokes provision contained in an instrument subject to annulment by resolution of either House of Parliament.

(3) A statutory instrument that—

- (a) contains an order under this Part, and
- (b) is not subject to any requirement that a draft of the instrument be laid before, and approved by a resolution of, each House of Parliament,

is subject to annulment by resolution of either House of Parliament.]

Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 117. (See end of Document for details)

- [^{F6}(3A) A statutory instrument that contains (whether alone or with any other provisions) regulations under section 104C(1), 104C(4), or [107K\(1\)](#) may not be made unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.
- (3B) A statutory instrument that—
- (a) contains regulations under section [109A\(8\)](#) or [112A\(10\)](#), and
 - (b) is not by virtue of subsection (3A) subject to a requirement that a draft of the instrument be laid before, and approved by a resolution of, each House of Parliament,
- is subject to annulment by resolution of either House of Parliament.]
- (4) If a draft of an order under this Part [^{F7}or of regulations under section [104C\(1\)](#) or (4)] would, apart from this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.
- [^{F8}(5) An order under any provision of this Part, other than an order under section 116 or an order mentioned in subsection (2A)(a) or (b), may include provision amending, applying (with or without modifications), disapplying, repealing or revoking any enactment whenever passed or made.]

Textual Amendments

- F1** Words in [s. 117 heading](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. [68\(2\)](#), [255\(2\)\(j\)](#)** (with [s. 247](#))
- F2** Words in [s. 117\(1\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. [68\(3\)](#), [255\(2\)\(j\)](#)** (with [s. 247](#))
- F3** [S. 117\(1A\)](#) inserted (E.W.) (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), [s. 25\(2\)](#), **Sch. 5 para. [29\(2\)](#)**
- F4** Words in [s. 117\(1A\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. [68\(4\)](#), [255\(2\)\(j\)](#)** (with [s. 247](#))
- F5** [S. 117\(2\)-\(3\)](#) substituted for [s. 117\(2\)\(3\)](#) (18.2.2012) by [Localism Act 2011 \(c. 20\)](#), **ss. [13\(2\)](#), [240\(2\)](#)**; [S.I. 2012/411](#), [art. 2\(e\)](#)
- F6** [S. 117\(3A\)\(3B\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. [68\(5\)](#), [255\(2\)\(j\)](#)** (with [s. 247](#))
- F7** Words in [s. 117\(4\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. [68\(6\)](#), [255\(2\)\(j\)](#)** (with [s. 247](#))
- F8** [S. 117\(5\)](#) inserted (E.W.) (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), [s. 25\(2\)](#), **Sch. 5 para. [29\(3\)](#)**

Commencement Information

- II** [S. 117](#) in force at 12.1.2010 by [S.I. 2009/3318](#), **art. 3**

Changes to legislation:

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 117.