



# Public Service Pensions and Judicial Offices Act 2022

## 2022 CHAPTER 7

### PART 4

#### GENERAL

#### **129 Regulations and directions**

- (1) Regulations under any provision of this Act may make—
  - (a) consequential, supplementary, incidental, transitional, or saving provision;
  - (b) different provision for different cases or purposes.
- (2) Regulations under this Act made by the Treasury or the Lord Chancellor are to be made by statutory instrument.
- (3) A power or duty of a Northern Ireland department to make regulations under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 ([S.I. 1979/1573 \(N.I. 12\)](#)).
- (4) In this Act “the affirmative procedure” means—
  - (a) in the case of regulations made by the Treasury or the Lord Chancellor, that the regulations may not be made unless a draft of the instrument containing them has been laid before, and approved by resolution of, each House of Parliament;
  - (b) in the case of regulations made by the Welsh Ministers, that the regulations may not be made unless a draft of the instrument containing them has been laid before, and approved by resolution of, Senedd Cymru;
  - (c) in the case of regulations made by a Northern Ireland department, that the regulations may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (5) In this Act “the negative procedure” means—

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**Changes to legislation:** There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 129. (See end of Document for details)

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- (a) in the case of regulations made by the Treasury or the Lord Chancellor, that the instrument containing them is subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) in the case of regulations made by the Welsh Ministers, that the instrument containing them is subject to annulment in pursuance of a resolution of Senedd Cymru;
  - (c) in the case of regulations made by a Northern Ireland department, that the regulations are subject to negative resolution (within the meaning of section 41(6) of the [Interpretation Act \(Northern Ireland\) 1954](#) (c. 33 (N.I.)).
- (6) Any provision that may be made by regulations under this Act subject to the negative procedure may be made by regulations subject to the affirmative procedure.
- (7) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (4)(c) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.
- (8) The preceding subsections do not apply in relation to—
- (a) scheme regulations for a Chapter 1 scheme (within the meaning of Chapter 1 of Part 1),
  - (b) scheme regulations for a judicial scheme (within the meaning of Chapter 2 of Part 1),
  - (c) scheme regulations for a local government scheme (within the meaning of Chapter 3 of Part 1), or
  - (d) regulations under section 131.
- (9) Directions given under this Act by the Treasury or the Department of Finance in Northern Ireland may be varied or revoked.

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#### **Commencement Information**

**II** S. 129 in force at Royal Assent, see [s. 131\(5\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 129.