Draft Order laid before Parliament under section 24(9) of the Legislative and Regulatory Reform Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. XXXX (C.XXX)

REGULATORY REFORM

The Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2014

Made - - - -	*****
Coming into force - -	*6th April 2014*

This Order is made in exercise of the powers conferred by section 24(2) of the Legislative and Regulatory Reform Act 2006(**a**).

In accordance with section 24(6) of that Act, the Secretary of State has consulted the persons whose functions are specified in this Order and such other persons as the Secretary of State considered appropriate.

In accordance with section 24(9) of the Act, a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

Title and commencement

1. This Order may be cited as the Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2014 and shall come into force on 6th April 2014.

Amendment

2.—(1) The Legislative and Regulatory Reform (Regulatory Functions) Order 2007(**b**) is amended as follows.

(2) In Part 1 of the Schedule, insert the following entries at the appropriate place—

"Groceries Code Adjudicator(**c**)",

"Monitor(**d**) other than any regulatory function exercised under or by virtue of Chapter 2, 4 or 6 of Part 3 of the Health and Social Care Act 2012",

"Regulator of Community Interest Companies(**e**)".

(3) In Part 1 of the Schedule, omit the following entries—

(**a**) 2006 c.51.
(**b**) S.I. 2007/3544, as amended by S.I. 2009/2981; there are other amending instruments but none is relevant.
(**c**) See section 1 of the Groceries Code Adjudicator Act 2013 (c.19).
(**d**) See section 61 of the Health and Social Care Act 2012 (c.7).
(**e**) See section 27 of the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27).

"Hearing Aid Council",

"Postgraduate Medical Education and Training Board",

"United Kingdom Sports Council".

(4) In Part 2 of the Schedule, insert at the appropriate place—

"Claims Management Services

Part 2 of the Compensation Act 2006(**a**)".

Name
Minister of State for Business and Energy
Date Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Legislative and Regulatory Reform (Regulatory Functions) Order 2007 ("the 2007 Order") which specifies the regulatory functions to which the duties in sections 21 and 22 of the Legislative and Regulatory Reform Act 2006 (c.51) ("the Act") apply.

Section 21 of the Act imposes a duty on any person exercising a specified regulatory function to have regard to the five principles of good regulation. The principles provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent and should be targeted only at cases in which action is needed.

Section 22 of the Act enables a Minister of the Crown to issue a Code of Practice relating to the exercise of regulatory functions (the "Regulators' Code"). This section imposes a duty on any person exercising a specified regulatory function to have regard to the Regulators' Code when determining general policies or principles by reference to which that person exercises those functions.

Article 2(2) of this Order extends the duties under sections 21 and 22 of the Act to all the regulatory functions exercised by the Groceries Code Adjudicator and the Regulator of Community Interest Companies. It also extends the duties to the regulatory functions exercised by Monitor, other than those regulatory functions which concern competition, pricing, and financial assistance in special administration cases which are exercised under or by virtue of Chapter 2, 4 or 6 of Part 3 of the Health and Social Care Act 2012 (c.7).

Article 2(4) of this Order also extends the duties under sections 21 and 22 of the Act to regulatory functions concerning claims management services which are exercised by a Minister of the Crown under Part 2 of the Compensation Act 2006 (c.29).

Article 2(3) of this Order updates Part 1 of the Schedule to the 2007 Order by removing reference to: the Hearing Aid Council; the Postgraduate Medical Education and Training Board; and the United Kingdom Sports Council.

A copy of the Regulators' Code is available at: http://www.bis.gov.uk/assets/brdo/docs/publications-2013/13-1016-regulators-code.pdf.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

(**a**) 2006 c.29.

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£4.00

UK2014012116 01/2014 19585

http://www.legislation.gov.uk/id/ukdsi/2014/9780111108666

ISBN 978-0-11-110866-6

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