STATUTORY INSTRUMENTS

2007 No. 1557

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Functions and Responsibilities) (England) (Amendment) (No.2) Regulations 2007

Made - - - -	*30th May 2007*
Laid before Parliament	*6th June 2007*
Coming into force - -	*1st July 2007*

The Secretary of State, in exercise of the powers conferred by sections 13 and 105 of the Local Government Act 2000(**a**), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Local Authorities (Functions and Responsibilities) (England) (Amendment) (No.2) Regulations 2007, and shall come into force on 1st July 2007.

(2) These Regulations apply in relation to local authorities in England.

Amendment

2.—(1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000(**b**) are amended as follows.

(2) In regulation 1(3)—

(a) after the definition of "the 1998 Act" omit "and"; and

(b) after the definition of "the 2005 Act" insert—

"; and

"the 2006 Act" means the Health Act 2006(**c**)".

(3) In Schedule 1 (functions not to be the responsibility of an authority's executive), after item 14F, insert the item set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

Phil Woolas
Minister of State
30th May 2007 Department for Communities and Local Government

(**a**) 2000 c.22. For the application of sections 13 and 105 of the Local Government Act 2000 to Wales, *see* section 106 of that Act.
(**b**) S.I. 2000/2853, to which relevant amendments have been made by S.I. 2004/2748, S.I. 2005/929, S.I. 2006/886 and S.I. 2007/1284. There are other amendments not relevant to these Regulations.
(**c**) 2006 c.28.

SCHEDULE

Regulation 2(3)

SCHEDULE 1 AMENDMENTS

"FA. Functions relating to smoke-free premises, etc	
(1)	**(2)**
Function	**Function**
1. Power to enforce offences relating to the display of no-smoking signs.	Section 6(5) of the 2006 Act.
2. Power to enforce offences relating to smoking in smoke-free places.	Section 7(4) of the 2006 Act.
3. Power to enforce offence of failing to prevent smoking in smoke-free places.	Section 8(4) of the 2006 Act.
4. Power to transfer enforcement functions to another enforcement authority.	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368)."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the 2000 Regulations"). They apply in relation to local authorities in England.

Part 2 of the Local Government Act 2000 provides for the discharge of a local authority's functions by an executive of the authority, unless those functions are specified as functions that are not to be the responsibility of the authority's executive.

Schedule 1 to the 2000 Regulations lists functions which are not to be the responsibility of the authority's executive. Regulation 2(3) of these Regulations amends Schedule 1 by inserting a new item concerned with functions relating to smoke-free premises, etc conferred under or by virtue of the Health Act 2006. The effect of the amendment is that the functions in question are not to be the responsibility of the authority's executive. Regulation 2(2) inserts a related definition into regulation 1(3) of the 2000 Regulations.

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

£3.00

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0795 6/2007 170795T 19585