STATUTORY INSTRUMENTS

2008 No. 792

DISCLOSURE OF INFORMATION

STATISTICS BOARD

The Statistics and Registration Service Act 2007 (Delegation of Functions) (Economic Statistics) Order 2008

Made - - - - 21st March 2008

The Chancellor of the Exchequer, in exercise of the powers conferred by section 24(1) and (4) of the Statistics and Registration Service Act 2007(**a**), makes the following Order:

1.—(1) This Order may be cited as the Statistics and Registration Service Act 2007 (Delegation of Functions) (Economic Statistics) Order 2008.

(2) This Order shall come into force on 1st April 2008.

2. In this Order "the Act" means the Statistics of Trade Act 1947(**b**).

3. The Chancellor of the Exchequer's functions under the Act—

(a) exercisable by him concurrently with the Board of Trade and the Secretary of State; and

(b) exercisable by him concurrently with the Secretary of State as a competent authority;

are delegated to the Statistics Board.

4. The functions referred to in article 3 are those conferred under sections—

(a) 1(1) (power of competent authorities to obtain information);

(b) 2(1) and 2(4) (census of production, distribution and services);

(c) 3(1) and 3(2) (returns for the purposes of census);

(d) 6(1) (duty to notify undertakings to Board of Trade or other competent authority);

(e) 7 (report to Parliament);

(f) 8(1) and 8(2) (advisory committees); and

(g) 17(2) (interpretation),

of the Act.

5. Article 3 does not apply to any power to make an order under the Act.

(**a**) 2007 c. 18; section 65(1) provides that any power to make an Order under Part 1 of the Act is exercisable in the case of an order made by a Minister of the Crown by statutory instrument; section 67 defines Minister of the Crown as having the same meaning as in the Ministers of the Crown Act 1975 (c. 26).

(**b**) 1947 c. 39. The functions of the Board of Trade were transferred to the Secretary of State for Trade and Industry, so as to be exercisable concurrently with the Board of Trade by SI 1970/1537, 1974/692 and 1984/1137; the functions were further transferred to the Chancellor of the Exchequer, so as to be exercisable concurrently with the Board of Trade and Secretary of State, and the definition of a "competent authority" was amended to include the Chancellor of the Exchequer, by S.I. 1989/992.

6. The Chancellor of the Exchequer's function of disclosing information obtained under the Act in reliance upon—

(a) section 9(1) of the Act (disclosure of information);

(b) section 9A(**a**) of the Act (exceptions from section 9); and

(c) section 4 of the Employment and Training Act 1973(**b**) (obtaining and disclosure of information),

shall be exercisable by the Statistics Board.

7.—(1) The Statistics Board may disclose individual estimates, returns and information relating to an individual undertaking obtained under the Act to an approved researcher.

(2) For the purposes of paragraph (1) "approved researcher" has the meaning given by section 39(4) of the Statistics and Registration Service Act 2007.

Alistair Darling
21st March 2008 Chancellor of the Exchequer

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 1st April 2008, delegates certain functions of the Chancellor of the Exchequer relating to the production of statistics under the Statistics of Trade Act 1947 ("the 1947 Act") to the Statistics Board. These functions were previously delegated to the Director of the Office of National Statistics. The Office of National Statistics will cease to function and will be replaced by the Statistics Board when the Statistics and Registration Service Act 2007 (c. 18) comes fully into force.

Article 7 of the Order permits the Board to disclose personal information obtained under the Statistics of Trade Act 1947 to an approved researcher. An approved researcher is any individual to whom the board has granted access, for the purposes of statistical research, to personal information held by it.

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

(**a**) section 9A was inserted by the Environment Act 1995 (c. 25), section 120 and Schedule 22, paragraph 2.

(**b**) 1973 c. 50; section 4 was amended by the Welsh Development Agency Act 1975 (c.70), section 24, the Development of Rural Wales Act 1976 (c.75), section 17(2), the Employment and Training Act 1981 (c. 57) sections 9 and 11(2) and Schedule 2, paragraph 10, the Industrial Training Act 1982 (c. 10), section 20 and Schedule 3, paragraph 3, the Employment Act 1988 (c. 19) section 28, the Employment Act 1989 (c. 38) section 29, Schedule 6 paragraph 9 and Schedule 7 part 1, the Planning and Consequential Provisions Act 1990 (c.11) section 4 and Schedule 2, paragraph 30, the Trade Union Reform and Employment Rights Act 1993 (c. 19) section 51 and Schedule 10, the Planning (Consequential Provisions (Scotland) Act 1997 (c. 11) section 4 and Schedule 2, paragraph 20 and the Government of Wales Act 1998 (c. 38), section 152 and Schedule 18, part 4; relevant amending instruments are S.I 1995/2986 and 2005/3226.

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