



# Legislative and Regulatory Reform Act 2006

## 2006 CHAPTER 51

### PART 4

#### SUPPLEMENTARY AND GENERAL

##### *Supplementary*

### **30 Repeals and savings**

- (1) The enactments mentioned in the Schedule to this Act are repealed to the extent specified in the second column of that Schedule.
- (2) The repeals in the Schedule do not affect the application of the 2001 Act in relation to the making of an order under section 1 of that Act giving effect (with or without variations) to proposals in a document laid before Parliament under section 6(1) of that Act before the day on which this Act comes into force.
- (3) The repeals in the Schedule do not affect the continuation in force of any order under section 1 of the 2001 Act which—
  - (a) was made before the day on which this Act comes into force; or
  - (b) is made on or after that day by virtue of subsection (2).
- (4) The repeals in the Schedule do not affect—
  - (a) any power to make an order under section 1 of the 2001 Act pursuant to section 4(4) of that Act (a “subordinate provisions order”) in relation to the subordinate provisions of any order under section 1 of that Act continuing in force by virtue of subsection (3); or
  - (b) the operation of sections 1 to 4 of that Act in relation to the making by virtue of paragraph (a) of any subordinate provisions order.
- (5) The repeals in the Schedule do not affect the continuation in force of any order under section 1 of the Deregulation and Contracting Out Act 1994 (c. 40) which, immediately

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before the coming into force of this Act, continues in force by virtue of section 12(4) of the 2001 Act.

(6) In this section “the 2001 Act” means the Regulatory Reform Act 2001 (c. 6).

### 31 Consequential amendments

(1) In section 6 of the Deregulation and Contracting Out Act 1994 (model provisions with respect to appeals), in subsection (7), for the definition of “enforcement action” substitute—

““enforcement action” means—

- (a) in relation to any restriction, requirement or condition, any action taken with a view to or in connection with imposing any sanction (whether criminal or otherwise) for failure to observe or comply with it; and
- (b) in relation to a restriction, requirement or condition relating to the grant or renewal of licences, includes any refusal to grant, renew or vary a licence, the imposition of any condition on the grant or renewal of a licence and any variation or revocation of a licence;”.

(2) In section 100 of the Local Government Act 2003 (c. 26) (exercise of powers by reference to authorities' performance categories), in subsection (2)(d), for “section 1 of the Regulatory Reform Act 2001 (c. 6)” substitute “section 1 or 2 of the Legislative and Regulatory Reform Act 2006”.

(3) In Article 17 of the Deregulation and Contracting Out (Northern Ireland) Order 1996 (S.I. 1996/1632 (N.I. 11)), in paragraph (1), for “section 1 of the Regulatory Reform Act 2001” substitute “section 1 or 2 of the Legislative and Regulatory Reform Act 2006”.

### *General*

### 32 General interpretation

(1) In this Act—

“the Assembly” means the National Assembly for Wales;

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (c. 26).

(2) In this Act “regulatory function” means—

- (a) a function under any enactment of imposing requirements, restrictions or conditions, or setting standards or giving guidance, in relation to any activity; or
- (b) a function which relates to the securing of compliance with, or the enforcement of, requirements, restrictions, conditions, standards or guidance which under or by virtue of any enactment relate to any activity.

(3) In subsection (2)(a) and (b) the references to a function—

- (a) include a function exercisable by or on behalf of the Crown;
- (b) do not include—

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(i) any function exercisable by any body of, or any person holding office in, the Church of England; or

(ii) any function of conducting criminal or civil proceedings.

(4) In subsection (2)(a) and (b) the references to an activity include—

(a) providing goods and services; and

(b) employing or offering employment to any person.

### **33 Commencement**

This Act comes into force at the end of the period of two months beginning with the day on which it is passed.

### **34 Extent**

(1) An order under Part 1 which amends or repeals any enactment extending outside England and Wales, Scotland and Northern Ireland may have the same extent as that enactment.

(2) In section 31—

(a) subsections (1) and (2) extend to England and Wales only;

(b) subsection (3) extends to Northern Ireland only.

(3) The repeals in the Schedule have the same extent as the enactments to which they relate.

### **35 Short title**

This Act may be cited as the Legislative and Regulatory Reform Act 2006.