

SCHEDULE

Article 5

NEW PARTS 5 TO 13 TO BE INSERTED IN THE SCHEDULE TO THE 2007 ORDER

“PART 5

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactments (including any regulatory functions conferred by subordinate legislation made under those enactments)—

- Offices, Shops and Railway Premises Act 1963**(1)**
- Firearms Act 1968**(2)**
- Medicines Act 1968 (section 109)**(3)**
- Unsolicited Goods and Services Act 1971**(4)**
- Poisons Act 1972 (section 9)**(5)**
- Health and Safety at Work, etc Act 1974**(6)**
- Consumer Credit Act 1974**(7)**
- Firearms Act 1982 **(8)**
- Video Recordings Act 1984**(9)**
- Copyright, Designs and Patents Act 1988 (sections 107A and 198A)**(10)**
- Timeshare Act 1992**(11)**
- Trade Marks Act 1994**(12)**
- Olympic Symbol etc (Protection) Act 1995**(13)**

PART 6

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactments (including any regulatory functions conferred by subordinate legislation made under those enactments) which relate to the protection of consumers—

- Explosives Act 1875**(14)**
- Trade Descriptions Act 1968**(15)**
- Development of Tourism Act 1969**(16)**
- Supply of Goods (Implied Terms) Act 1973**(17)**

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- (1)** 1963 (c.41).
 - (2)** 1968 (c.27).
 - (3)** 1968 (c.67).
 - (4)** 1971 (c.30).
 - (5)** 1972 (c.66).
 - (6)** 1974 (c.37).
 - (7)** 1974 (c.39).
 - (8)** 1982 (c.31).
 - (9)** 1984 (c.39).
 - (10)** 1988 (c.48), sections 107A and 198A were inserted by the section 165(2) of the Criminal Justice and Public Order Act 1994.
 - (11)** 1992 (c.35).
 - (12)** 1994 (c.26).
 - (13)** 1995 (c.32).
 - (14)** 1875 (c.17).
 - (15)** 1968 (c.29).
 - (16)** 1969 (c.51).
 - (17)** 1973 (c.13).

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, *The Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2010* ISBN 978-0-11-150309-6

Fair Trading Act 1973**(18)**
Hallmarking Act 1973**(19)**
Prices Act 1974**(20)**
Energy Act 1976**(21)**
Weights and Measures etc Act 1976**(22)**
Unfair Contract Terms Act 1977**(23)**
Estate Agents Act 1979**(24)**
Sale of Goods Act 1979**(25)**
Public Passenger Vehicles Act 1981**(26)**
Supply of Goods and Services Act 1982**(27)**
Motor Cycle Noise Act 1987**(28)**
Consumer Protection Act 1987**(29)**
Education Reform Act 1988 (section 215)**(30)**
Property Misdescriptions Act 1991**(31)**
Enterprise Act 2002, Part 8**(32)**
Fireworks Act 2003**(33)**
Crystal Glass (Descriptions) Regulations 1973**(34)**
Alcohol Tables Regulations 1979**(35)**
Package Travel, Package Holidays and Package Tours Regulations 1992**(36)**
Medicines (Advertising) Regulations 1994**(37)**
Unfair Terms in Consumer Contracts Regulations 1999**(38)**
Consumer Protection (Distance Selling) Regulations 2000**(39)**
Sale and Supply of Goods to Consumers Regulations 2002**(40)**
Consumer Protection from Unfair Trading Regulations 2008**(41)**

(18) 1973 (c.41).

(19) 1973 (c.43).

(20) 1974 (c.24).

(21) 1976 (c.76).

(22) 1976 (c.77).

(23) 1977 (c.50).

(24) 1979 (c.38).

(25) 1979 (c.54).

(26) 1981 (c.14).

(27) 1982 (c.29).

(28) 1987 (c.34).

(29) 1987 (c.43): Part 4 which relates to enforcement of Parts 2 and 3 was amended by [S.I. 2008/1277](#).

(30) 1988 (c.40).

(31) 1991 (c.29).

(32) 2002 (c.40).

(33) 2003 (c.22).

(34) [S.I. 1973/1952](#).

(35) [S.I. 1979/132](#).

(36) [S.I. 1992/3288](#): Schedule 3 sets out enforcement provisions; paragraph 2 of Schedule 3 was revoked by article 3 of [S.I. 2003/1376](#), and paragraph 7 of the Schedule 3 was revoked by article 7 of, and Schedule 5 to, [S.I. 2003/1400](#).

(37) [S.I. 1994/1932](#), amended [S.I. 1994/3144](#), [1999/267](#), [2002/236](#), [2003/2321](#), [2004/1480](#), [2005/2787](#), [2006/2407](#).

(38) [S.I. 1999/2083](#), amended by the Enterprise Act 2002 (c.40).

(39) [S.I. 2000/2334](#).

(40) [S.I. 2002/3045](#), amended by [S.I. 2008/1277](#).

(41) [S.I. 2008/1277](#).

PART 7

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactments (including any regulatory functions conferred by subordinate legislation made under those enactments) which relate to the granting of licences or permits under those enactments—

- Cinemas Act 1985 (sections 1 to 3 and 5 to 16)(**42**)
- Road Traffic Act 1988 (the whole Act except sections 39, 40 and 157 to 159)(**43**)
- Gambling Act 2005(**44**)

PART 8

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactments (including any regulatory functions conferred by subordinate legislation made under the Weights and Measures Act 1985) which relate to product safety, compliance with standards, product labelling or weights and measures—

- Weights and Measures Act 1985(**45**)
- Calibration of Tanks and Vessels (EEC Requirements) Regulations 1975(**46**)
- Measuring Container Bottles (EEC Requirements) Regulations 1977(**47**)
- Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977(**48**)
- Aerosol Dispensers (EEC Requirements) Regulations 1977(**49**)
- Taximeters (EEC Requirements) Regulations 1979(**50**)
- Measuring Instruments (EEC Requirements) Regulations 1988(**51**)
- Measuring Instruments (EEC Requirements) (Gas Volume Meters) Regulations 1988(**52**)
- Simple Pressure Vessels (Safety) Regulations 1991(**53**)
- Supply of Machinery (Safety) Regulations 1992(**54**)
- Electrical Equipment (Safety) Regulations 1994(**55**)
- Units of Measurement Regulations 1995(**56**)
- Footwear (Indication of Composition) Labelling Regulations 1995 (**57**)
- Gas Appliances (Safety) Regulations 1995(**58**)
- Toys (Safety) Regulations 1995(**59**)

(42) 1985 (c.13): whole Act ceased to have effect in respect of England and Wales by the Licensing Act 2003, Schedule 6 paragraph 95.

(43) 1988 (c.52).

(44) 2005 (c.19).

(45) 1985 (c.72), section 85 which relates to enforcement, amended by S.I. 2006/659.

(46) S.I. 1975/2125.

(47) S.I. 1977/932

(48) S.I. 1977/1753.

(49) S.I. 1977/1140.

(50) S.I. 1979/1379.

(51) S.I. 1988/186.

(52) S.I. 1988/296.

(53) S.I. 1991/2749, amended by S.I. 2003/1400.

(54) S.I. 1992/3073, amended by S.I. 1994/2063, 2005/831.

(55) S.I. 1994/3260.

(56) S.I. 1995/1804.

(57) S.I. 1995/2489.

(58) S.I. 1995/1629.

(59) S.I. 1995/204, amended by S.I. 2004/1769, 2005/1082.

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- Energy Information (Washing Machines) Regulations 1996**(60)**
- Energy Information (Tumble Driers) Regulations 1996**(61)**
- Energy Information (Combined Washer-driers) Regulations 1997**(62)**
- Energy Information (Lamps) Regulations 1999**(63)**
- Energy Information (Dishwashers) Regulations 1999**(64)**
- Pressure Equipment Regulations 1999**(65)**
- Non-automatic Weighing Instruments Regulations 2000**(66)**
- Medical Devices Regulations 2002**(67)**
- Personal Protective Equipment Regulations 2002**(68)**
- Chemicals (Hazard Information and Packaging for Supply) Regulations 2002**(69)**
- Energy Information (Household Electric Ovens) Regulations 2003**(70)**
- Controls on Certain Azo Dyes and “Blue Colourant” Regulations 2003**(71)**
- Energy Information (Household Refrigerators and Freezers) Regulations 2004**(72)**
- Biofuel (Labelling) Regulations 2004**(73)**
- Recreational Craft Regulations 2004**(74)**
- Medicines (Traditional Herbal Medicinal Products for human use) Regulations 2005**(75)**
- Energy Information (Household Air Conditioners) (No. 2) Regulations 2005**(76)**
- General Product Safety Regulations 2005**(77)**
- Weights and Measures (Packaged Goods) Regulations 2006**(78)**
- Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006**(79)**
- Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006**(80)**
- Measuring Instruments (Automatic Catchweighers) Regulations 2006**(81)**
- Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006**(82)**
- Measuring Instruments (Beltweighers) Regulations 2006**(83)**

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- (60)** S.I. 1996/600, amended by S.I. 1997/803, 2001/3142, 2008/1277.
 - (61)** S.I. 1996/601, amended by S.I. 2001/3142, 2003/1398, 2008/1277.
 - (62)** S.I. 1997/1624, amended by S.I. 2001/3142, 2003/1398, 2008/1277.
 - (63)** S.I. 1999/1517, amended by S.I. 2003/1398, 2008/1277.
 - (64)** S.I. 1999/1679, amended by S.I. 2001/3142, 2003/1398, 2008/1277.
 - (65)** S.I. 1999/2001, amended by S.I. 2002/1267, 2008/1597.
 - (66)** S.I. 2000/3236, amended by S.I. 2008/738.
 - (67)** S.I. 2002/618; relevant amending instruments are S.I. 2003/1697, 2005/2759, 2005/2909, 2007/400, 2008/2936.
 - (68)** S.I. 2002/1144, amended by S.I. 2004/693.
 - (69)** S.I. 2002/1689, amended by S.I. 2004/568, 2005/1732, 2005/2092, 2008/2337, 2008/2852; there are other amending instruments but none is relevant.
 - (70)** S.I. 2003/751, amended by S.I. 2008/1277.
 - (71)** S.I. 2003/3310, amended by S.I. 2004/2913.
 - (72)** S.I. 2004/1468, amended by SI 2008/1277.
 - (73)** S.I. 2004/3349, amended by S.I. 2005/3355.
 - (74)** S.I. 2004/1464, to which there are amendments which are not relevant to this Order.
 - (75)** S.I. 2005/395, to which there are amendments which are not relevant to this Order.
 - (76)** S.I.2005/1726.
 - (77)** S.I 2005/1803, to which there are amendments which are not relevant to this Order.
 - (78)** S.I. 2006/ 659.
 - (79)** S.I. 2006/1255.
 - (80)** S.I. 2006/1256, amended by S.I. 2006/2625.
 - (81)** S.I. 2006/1257, amended by S.I. 2006/2625.
 - (82)** S.I. 2006/1258.
 - (83)** S.I. 2006/1259.

Measuring Instruments (Capacity Serving Measures) Regulations 2006**(84)**
Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006**(85)**
Measuring Instruments (Material Measures of Length) Regulations 2006**(86)**
Measuring Instruments (Cold-water Meters) Regulations 2006**(87)**
Measuring Instruments (Liquid Fuel Delivered from Road Tankers) Regulations 2006**(88)**
Electromagnetic Compatibility Regulations 2006**(89)**
Textile Products (Determination of Composition) Regulations 2008**(90)**
Cosmetic Products (Safety) Regulations 2008**(91)**

PART 9

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactment (including any regulatory functions conferred by subordinate legislation made under that enactment) which relate to the regulation of business associations—

Parts 5, 11 and 41 of the Companies Act 2006**(92)**

PART 10

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactment (including any regulatory functions conferred by subordinate legislation made under that enactment) which relate to price indications—

Energy Act 1976**(93)**

PART 11

All the regulatory functions so far as exercisable by a local authority in Scotland under or by virtue of the following enactment (including any regulatory functions conferred by subordinate legislation made under that enactment) other than those regulatory functions which relate to the encouragement of equal opportunities and the observance of requirements under the following enactment—

Disability Discrimination Act 1995**(94)**

PART 12

All the regulatory functions exercisable by a local authority in Northern Ireland under or by virtue of the following enactment (including any regulatory functions conferred by subordinate legislation made under that enactment) which relate to the safety of consumers—

(84) S.I. 2006/1264.

(85) S.I. 2006/1266.

(86) S.I. 2006/ 1267.

(87) S.I. 2006/1268, amended by S.I. 2006/2625.

(88) S.I. 2006/1269.

(89) S.I. 2006/3418.

(90) S.I. 2008/15.

(91) S.I. 2008/1284, amended by S.I. 2008/2173, 2008/2566.

(92) 2006 (c.46).

(93) 1976 (c.76).

(94) 1995 (c.50).

Consumer Protection Act 1987**(95)** (Parts II and III)

PART 13

All the regulatory functions so far as exercisable by a local authority in Northern Ireland under or by virtue of the following subordinate legislation which relates to technical standards derived from European Community law—

- Construction Products Regulations 1991**(96)**
- Simple Pressure Vessels (Safety) Regulations 1991**(97)**
- Supply of Machinery (Safety) Regulations 1992**(98)**
- Electrical Equipment (Safety) Regulations 1994**(99)**
- Toys (Safety) Regulations 1995**(100)**
- Gas Appliances (Safety) Regulations 1995**(101)**
- Pressure Equipment Regulations 1999**(102)**
- Medical Devices Regulations 2002**(103)**
- Personal Protective Equipment Regulations 2002**(104)**
- Recreational Craft Regulations 2004**(105)**
- Medicines (Traditional Herbal Medicinal Products for Human Use) Regulations 2005**(106)**
- General Product Safety Regulations 2005**(107)**
- Cosmetic Products (Safety) Regulations 2008**(108)**.”

(95) 1987 (c.43).

(96) S.I. 1991/1630, amended by S.I. 1994/3051.

(97) S.I. 1991/2749, amended by S.I. 1994/3098, 2003/1400.

(98) S.I. 1992/3073, amended by S.I. 1994/2063, 2005/831.

(99) S.I. 1994/3260.

(100) S.I. 1995/204, amended by S.I. 2004/1769, 2005/1082.

(101) S.I. 1995/1629.

(102) S.I. 1999/2001, amended by S.I. 2002/1267, 2008/1597.

(103) S.I. 2002/618, relevant amending instruments are S.I. 2003/1697, 2005/2759, 2005/2909, 2007/400, 2008/2936.

(104) S.I. 2002/1144, amended by S.I. 2004/693.

(105) S.I. 2004/1464, to which there are amendments which are not relevant to this Order.

(106) S.I. 2005/2750, to which there are amendments which are not relevant to this Order.

(107) S.I. 2005/1803, to which there are amendments which are not relevant to this Order.

(108) S.I. 2008/1284.