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DRAFT STATUTORY INSTRUMENTS

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**2018 No.**

**The Electronic Commerce Directive  
(Miscellaneous Provisions) Regulations 2018**

**Review**

- 11.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of the regulatory provision in these Regulations, and
  - (b) publish a report setting out the conclusions of the review.
- (2) The first report must be published before the end of the period of five years beginning with the date on which these Regulations come into force.
- (3) Subsequent reports must be published at intervals not exceeding five years.
- (4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015<sup>(1)</sup> requires that a review carried out under this regulation must, so far as is reasonable, have regard to how Articles 3, 12, 13 and 14 of the Directive are implemented in other member States.
- (5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
  - (b) assess the extent to which those objectives are achieved;
  - (c) assess whether those objective remain appropriate; and
  - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (6) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

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<sup>(1)</sup> 2015 c. 26. Section 30(3) was amended by section 19 of the Enterprise Act 2016 (c. 12).