



Enterprise and Regulatory Reform Act 2013

2013 CHAPTER 24

PART 5

REDUCTION OF LEGISLATIVE BURDENS

Sunset and review

59 Sunset and review provisions

- (1) The Interpretation Act 1978 is amended as follows.
- (2) After section 14 (implied power to amend) insert—

“14A Power to include sunset and review provisions in subordinate legislation

- (1) This section applies where an Act confers a power or a duty on a person to make subordinate legislation except to the extent that—
 - (a) the power or duty is exercisable by the Scottish Ministers, or
 - (b) the power or duty is exercisable by any other person within devolved competence (within the meaning of the Scotland Act 1998).
- (2) The subordinate legislation may include—
 - (a) provision requiring the person to review the effectiveness of the legislation within a specified period or at the end of a specified period;
 - (b) provision for the legislation to cease to have effect at the end of a specified day or a specified period;
 - (c) if the power or duty is being exercised to amend other subordinate legislation, provision of the kind mentioned in paragraph (a) or (b) in relation to that other legislation.

Status: This is the original version (as it was originally enacted).

- (3) The provision that may be made by virtue of subsection (2)(a) includes provision requiring the person to consider whether the objectives which it was the purpose of the legislation to achieve remain appropriate and, if so, whether they could be achieved in another way.
 - (4) Subordinate legislation including provision of a kind mentioned in subsection (2) may make such provision generally or only in relation to specified provisions of the legislation or specified cases or circumstances.
 - (5) Subordinate legislation including provision of a kind mentioned in subsection (2) may make transitional, consequential, incidental or supplementary provision or savings in connection with such provision.
 - (6) In this section, “specified” means specified in the subordinate legislation.”
- (3) In paragraph 1 of Schedule 2, after the entry for section 11 insert—
“Section 14A”.