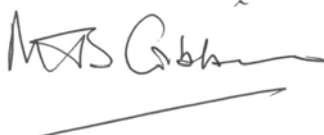
 <b>Regulatory Policy Committee</b>	<b>Regulatory Triage Confirmation</b>	
<b>Title of regulatory proposal</b>	Reform to the process by which the SoS and official receiver request information on directors' behaviour	
<b>Lead Department/Agency</b>	The Department for Business, Innovation and Skills (The Insolvency Service)	
<b>Expected date of implementation</b>	SNR 7	
<b>Origin</b>	Domestic	
<b>Date submitted to RPC</b>	15/4/2013	
<b>Confirmation date and reference</b>	29/4/2013	RPC13-FT-BIS-1766
<b>Departmental Triage Assessment</b>	Deregulation	
<b>Departmental rationale for Triage rating</b>		
<p>The Regulatory Triage Assessment (RTA) says:</p> <p>Current legislation specifies that an insolvency practitioner (IP) – office-holder on a case - is required to:</p> <ul style="list-style-type: none"><li>• provide to the Secretary of State and official receiver, information on a person's conduct as a director of a company; and</li><li>• produce, or allow the inspection of, relevant books, papers and records, where that information is reasonably required for determining whether to seek to disqualify a person from acting as a company director.</li></ul> <p>Currently, the office-holder either considers an information request from the Secretary of State or official receiver and then seeks that information from the appropriate person so that he can pass this onto the official receiver, or provides a written authority to the official receiver to enable him seek information directly from a third party.</p> <p>The proposal would streamline the process and avoid delays in obtaining information deemed relevant by enabling the Secretary of State or official receiver to obtain information directly from third parties (including officers of the company, such as a director or company secretary) rather than through an IP.</p> <p>The proposal would benefit:</p> <ul style="list-style-type: none"><li>• IPs by not needing to consider requests for information from third parties or issue letters of authority;</li><li>• fair trading businesses as a result of more disqualification cases;</li><li>• company directors by reducing legal costs defending proceedings (not awarded as an adverse cost against the Insolvency Service);</li><li>• government from reduced investigation and legal costs.</li></ul>		

<b>RPC confirmation</b>	<b>APPROVED</b>
Based on the evidence presented to us, this appears to be a deregulatory measure.	<input checked="" type="checkbox"/>
Based on the evidence presented to us, this appears to be a low cost regulatory measure.	<input type="checkbox"/>
Based on the evidence presented to us, this does not appear to be a deregulatory/low cost regulatory measure.	<input type="checkbox"/>
Based on the information provided it is not possible to confirm the RTA.	<input type="checkbox"/>
<b>RPC comments</b>  None	
<b>'One-in, Two-out' (OITO) Assessment</b>	<b>In scope</b>
The RTA says that this is a deregulatory proposal that is in scope of OITO and has a net beneficial impact on business (an OUT). Based on the evidence presented this is consistent with the Better Regulation Framework Manual (paragraph 2.9.11) and provides a reasonable assessment of the likely direction of the impacts. Evidence supporting an estimated EANCB figure will have to be strengthened to enable it to be validated at final stage.	
<b>Signed</b>  	<b>Michael Gibbons, Chairman</b>