
DRAFT STATUTORY INSTRUMENTS

2016 No. XXXX

REGULATORY REFORM

The Economic Growth (Regulatory Functions) Order 2016

Made - - - - - xxx
Coming into force - - - - - xxx

The Secretary of State makes the following Order in exercise of the powers conferred by section 109(1) of the Deregulation Act 2015(a).

In accordance with section 109(2) of that Act, the Secretary of State has consulted the persons whose functions are specified in this Order and such other persons as the Secretary of State considered appropriate.

In accordance with section 109(5) of that Act, a draft of this instrument was laid before Parliament and approved by resolution of each House of Parliament.

Citation and commencement

1. This Order may be cited as the Economic Growth (Regulatory Functions) Order 2015 and comes into force on [].

Regulatory functions

2.—(1) A regulatory function specified in the Schedule to this Order is a function to which section 108 of the Deregulation Act 2015 applies.

(2) Paragraph 1 does not apply to any regulatory function exercisable by Order in Council, order, rules, regulations, scheme, warrant, byelaw or other subordinate instrument under an Act.

(3) Paragraph 1 does not apply to any regulatory function—

- (a) so far as exercisable in Scotland, if or the extent that the functions relates to matters which are not reserved matters;
- (b) so far as exercisable in Northern Ireland, if or the extent that the function relates to matters which are transferred matters; or

- (c) so far as exercisable in Wales, if or to the extent that the function relates to matters which are devolved Welsh matters.

[xxxx 2016]

[xxxx]
Minister of State for Business and Enterprise
Department for Business, Innovation and Skills

DRAFT

SCHEDULE

Article 2(1)

PART 1

All the regulatory functions exercisable by the—

Architects Registration Board(**a**)

British Hallmarking Council(**b**)

Charity Commission for England and Wales(**c**)

Civil Aviation Authority(**d**) other than any regulatory function under—

Part 1 of the Transport Act 2000(**e**)

Part 1 of the Civil Aviation Act 2012(**f**)

The Airports (Ground Handling) Regulations 1997(**g**)

The Civil Aviation (Allocation of Scarce Capacity) Regulations 2007(**h**)

Coal Authority(**i**)

Commissioners of Irish Lights

Comptroller-General of Patents, Designs and Trade Marks(**j**)

Director of Fair Access to Higher Education(**k**)

Environment Agency(**l**)

Farriers Registration Council(**m**)

Financial Reporting Council Limited

Food Standards Agency(**n**)

Forestry Commissioners(**o**)

Gambling Commission(**p**) other than any regulatory function exercised under—

the National Lottery etc. Act 1993(**q**)

Part 3 of the Horserace Betting and Olympic Lottery Act 2004(**r**)

Gangmasters Licensing Authority(**s**)

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- (a) See section 1 Architects Act 1997 c.22.
 - (b) See section 13 Hallmarking Act 1973 c.43.
 - (c) See section 13 Charities Act 2011 c.25.
 - (d) See section 2 Civil Aviation Act 1982 c.16.
 - (e) 2000 c.38.
 - (f) 2012 c.19.
 - (g) S.I. 1997/2389.
 - (h) S.I. 2007/3556
 - (i) See section 1 Coal Industry Act 1994 c.21.
 - (j) See section 62 Patents and Designs Act 1907 c.29
 - (k) See section 31 Higher Education Act 2004 c.8.
 - (l) See section 1 Environment Act 1995 c.15.
 - (m) See section 2 Farriers (Registration) Act 1975 c.35.
 - (n) See section 1 Food Standards Act 1999 c.28.
 - (o) See section 1 Forestry Act 1967 c.10.
 - (p) See section 20 Gambling Act 2005 c.19.
 - (q) 1993 c.39.
 - (r) 2004 c.25.
 - (s) See section 1 Gangmasters (Licensing) Act 2004 c.11.

Groceries Code Adjudicator(**a**)

Guardians of the Standard of Wrought Plate in Birmingham (the Birmingham Assay Office)(**b**)

Guardians of the Standard of Wrought Plate within the town of Sheffield (the Sheffield Assay Office)(**c**)

Health and Safety Executive(**d**)

Her Majesty's Revenue and Customs(**e**)

Higher Education Funding Council for England(**f**)

Historic Buildings and Monuments Commission for England(**g**)

Homes and Communities Agency(**h**)

Human Fertilisation and Embryology Authority(**i**)

Human Tissue Authority(**j**)

Incorporation of Goldsmiths of the City of Edinburgh (the Edinburgh Assay Office)(**k**)

Information Commissioner(**l**) other than any regulatory function under the Freedom of Information Act 2000(**m**)

Land Registry(**n**)

Marine Management Organisation(**o**)

Natural England(**p**)

Northern Lighthouse Board

Office for Nuclear Regulation(**q**)

Office of Qualifications and Examinations Regulation(**r**) other than any regulatory function which concerns a fee capping condition under sections 132 to 136 of the Apprenticeships, Skills, Children and Learning Act 2009(**s**)

Office of Rail and Road(**t**) under or by virtue of —
the Railways Act 1993(**u**),
the Railways Act 2005(**v**); or
the Health and Safety at Work etc Act 1974(**a**),

(a) See section 1 Groceries Code Adjudicator Act 2013 c.19.

(b) See section 22 Hallmarking Act 1973 c.43.

(c) 1973 c.43.

(d) See section 10 Health and Safety at Work etc. Act 1974 c.37.

(e) Section 4 of the Commissioners for Revenue and Customs Act 2005 c.11

(f) See section 62 Further and Higher Education Act 1992 c.13.

(g) See section 32 National Heritage Act 1983 c.47.

(h) See section 1 Housing and Regeneration Act 2008 c.17.

(i) See section 5 Human Fertilisation and Embryology Act 1990 c.37.

(j) See section 13 Human Tissue Act 2004 c.30.

(k) See section 22 Hallmarking Act 1973 c.43.

(l) See section 18 Freedom of Information Act 2000 c.36.

(m) 2000 c.36.

(n) See section 99 Land Registration Act 2002 c.9

(o) See section 1 of the Marine and Coastal Access Act 2009 c. 23.

(p) See section 1 Natural Environment and Rural Communities Act 2006 c.16.

(q) See section 77 Energy Act 2013 c.32.

(r) See section 127 Apprenticeships, Skills, Children and Learning Act 2009 c.22.

(s) 2009 c.22.

(t) See section 15 Railways and Transport Safety Act 2003 c.20.

(u) 1993 c.43.

(v) 2005 c.14.

so far as they are being exercised for railway safety purposes (within the meaning of Schedule 3 to the Railways Act 2005) or for purposes connected with those purposes

Oil and Gas Authority**(b)**

Registrar of companies for England and Wales**(c)**

Registrar of companies for Scotland**(d)**

Regulator of Community Interest Companies**(e)**

Security Industry Authority**(f)**

Sports Grounds Safety Authority**(g)**

Traffic Commissioners**(h)**

Trinity House

Wardens and Commonalty of the Mystery of Goldsmiths of the City of London (the London Assay Office)**(i)**

PART 2

All the regulatory functions exercisable by —

a person appointed by the Secretary of State under section 86(1) or (1A) of the Water Industry Act 1991**(j)**

a body designated by the Secretary of State for the purposes of section 1252 of the Companies Act 2006**(k)**

a person authorised by the Secretary of State under section 457 of the Companies Act 2006 for the purposes of section 456 of that Act.

PART 3

All the regulatory functions exercisable by the following bodies so far as relating to the regulation of private sector bodies or third sector bodies except where the private sector or third sector bodies are acting on behalf of a public authority—

Care Quality Commission**(l)**

Office for Standards in Education, Children's Services and Skills**(m)**

(a) 1974 c.37.

(b) [Inclusion of the OGA and content of this footnote dependant on the Energy Bill 2015 becoming law]

(c) See section 1060 Companies Act 2006 c.46.

(d) See section 1060 Companies Act 2006 c.46.

(e) See section 27 Companies (Audit, Investigations and Community Enterprise) Act 2004 c.27.

(f) See section 1 Private Security Industry Act 2001 c.12.

(g) See section 1 Sports Grounds Safety Authority Act 2011 c.6.

(h) See section 4 Public Passenger Vehicles Act 1081 c.14.

(i) See section 22 Hallmarking Act 1973 c.43.

(j) 1991 c.56

(k) 2006 c.46.

(l) See section 1 Health and Social Care Act 2008 c.14.

(m) See section 112 Education and Inspections Act 2006 c.40.

In this part—

“local authority” means—

- (a) a county or district council in England;
- (b) a London borough council;
- (c) the Common Council of the City of London;
- (d) the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple;
- (e) the Council of the Isles of Scilly;
- (f) a port health authority in England;
- (g) an authority established under section 10 of the Local Government Act 1985 (waste disposal authorities for Greater London and metropolitan counties);
- (h) a county or county borough council in Wales;
- (i) a fire and rescue authority in Wales;
- (j) a port health authority in Wales;
- (k) a council constituted under section 2 of the Local Government etc (Scotland) Act 1994; and
- (l) a district council constituted under section 1 of the Local Government Act (Northern Ireland) 1972;

“private sector bodies” means bodies or persons other than the following bodies or persons—

- (a) any Minister of the Crown, Government department or other emanation of the Crown;
- (b) any local authority;
- (c) the Greater London Authority;
- (d) any body corporate whose members are appointed by a Minister of the Crown, a Government department, a local authority, the Greater London Authority, or by a body corporate whose members are so appointed;
- (e) a company—
 - (i) a majority of whose issued shares are held by or on behalf of any of the bodies or persons falling within paragraphs (a) to (d) above;
 - (ii) in which the majority of the voting rights are held by or on behalf of any of those bodies or persons;
 - (iii) a majority of whose board of directors can be appointed or removed by any of those bodies or persons; or
 - (iv) in which the majority of the voting rights are controlled by any of those bodies or persons, pursuant to an agreement with other persons; and
- (f) a subsidiary of a company falling within paragraph (e) above;

“public authority” has the same meaning as in the Freedom of Information Act 2000 (see section 3 of that Act); and

“third sector bodies” means any organisations that exist wholly or mainly to provide benefits for society and the environment.

PART 4

All the regulatory functions exercisable under or by virtue of the following enactments (including any regulatory function conferred by subordinate legislation made under these enactments) or pursuant to the following EU instruments, so far as is exercisable by a Minister of the Crown —

Agriculture

Sections 98 to 101 and 106 of the Agriculture Act 1947(**a**)

Agriculture and Horticulture Act 1964(**b**)

Beef and Pig Carcase Classification (England) Regulations 2010(**c**)

Beef and Veal Labelling Regulations 2010(**d**)

Cattle Identification Regulations 2007(**e**)

Conservation of Habitats and Species Regulations 2010(**f**)

Dairy Produce Quotas (General Provisions) Regulations 2002(**g**)

Dairy Produce Quotas Regulations 2005(**h**)

Environmental Permitting (England & Wales) Regulations 2010 (**i**)

Official Feed and Food Controls (England) Regulations 2009(**j**)

Public Health Act 1936(**k**)

Pests Act 1954(**l**)

Regulation (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs(**m**)

Weeds Act 1959(**n**)

Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community(**o**)

Animal health and welfare

Animals and Animal Products (Examination for Residues and Maximum Residue Limits) (England and Scotland) Regulations 2015(**p**)

Animal Health Act 1981(**q**)

Animal Health and Welfare Act 1984 (**r**)

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- (a) 1947 c.48
 - (b) 1964 c.28
 - (c) S.I. 2010/1090
 - (d) S.I. 2010/983
 - (e) S.I. 2007/529
 - (f) S.I. 2010/490
 - (g) S.I. 2002/458
 - (h) S.I. 2005/465
 - (i) S.I. 2010/675
 - (j) S.I. 2009/3255
 - (k) 1936 c.49
 - (l) 1954 c.68
 - (m) OJ L 343, 14/12/2012 p.1
 - (n) 1959 c.54
 - (o) OJ L 58, 28/02/2006 p.42
 - (p) S.I. 2015/787
 - (q) 1981 c.22
 - (r) 1984 c.40

Animal Welfare Act 2006**(a)**
Avian Influenza (Preventive Measures) Regulations 2006**(b)**
Bees Act 1980**(c)**
Bluetongue Regulations 2008**(d)**
Conservation of Seals Act 1970**(e)**
Destructive Imported Animals Act 1932**(f)**
Eggs and Chicks Regulations (England) 2009**(g)**
Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006**(h)**
Non-Commercial Movement of Pet Animals Order 2011**(i)**
Official Controls (Animals, Feed, and Food) (England) Regulations 2006**(j)**
Protection of Badgers Act 1992**(k)**
Registration of Establishments (Laying Hens) (England) Regulations 2003**(l)**
Sea Fisheries Act 1968**(m)**
Trade in Animal and Related Products Regulations 2011**(n)**
Transmissible Spongiform Encephalopathies (England) Regulations 2010**(o)**
Veterinary Medicines Regulations 2013**(p)**
Veterinary Surgeons Act 1966**(q)**
Wildlife and Countryside Act 1981**(r)**
Zoo Licensing Act 1981**(s)**
Commission Regulation (EC) No 1950/2006 (establishing, in accordance with Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products, a list of substances essential for the treatment of equidae)**(t)**
Commission Regulation EC 589/2008 of 23 June 2008 laying down detailed rules for implementing council regulation 1234/2007 as regards marketing standards for eggs**(u)**

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- (a)** 2006 c.45
 - (b)** S.I. 2006/2701
 - (c)** 1980 c.12
 - (d)** S.I. 2008/962
 - (e)** 1970 c.30
 - (f)** 1932 c.12
 - (g)** S.I. 2009/2163
 - (h)** S.I. 2006/183
 - (i)** S.I. 2011/2883
 - (j)** S.I. 2006/3472
 - (k)** 1992 c.51
 - (l)** S.I. 2003/3100
 - (m)** 1968 c.77
 - (n)** S.I. 2011/1197
 - (o)** S.I. 2010/801
 - (p)** S.I. 2013/2033
 - (q)** 1966 c.36
 - (r)** 1981 c.69
 - (s)** 1981 c.37
 - (t)** OJ L 367, 22/12/2006 p. 33
 - (u)** OJ L 163, 24/06/2008 p. 6

Commission Regulation EC No. 617/2008 of 27 June 2008 laying down detailed rules for implementing Regulation (EC) No 1234/2007 as regards marketing standards of eggs for hatching and farmyard poultry chicks(**a**)

Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/452/EEC(**b**)

Common Regulation (EC) No. 726/2004 of the European Parliament and of the Council laying down Community procedures for the authorisation of supervision of medicinal products for human veterinary use and establishing a European Medicines Agency(**c**)

Common Regulation (EC) No. 882/2004 of the European parliament and Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules(**d**)

Common Regulation (EC) No. 1234/2008 of 24 November 2008 concerning the examination of variations to the terms of marketing authorisations for medicinal products for human use and veterinary medicinal products(**e**)

Regulation (EC) No 1831/2003 of the European parliament and the council of additives for use in animal nutrition(**f**)

Claims Management Services

Part 2 of the Compensation Act 2006(**g**)

Companies and other businesses

Parts 5, 41 and 42 of the Companies Act 2006(**h**)

Employment

Employment Agencies Act 1973(**i**)

National Minimum Wage Act 1998(**j**)

Fish and fisheries

Aquatic Animal Health (England and Wales) Regulations 2009(**k**)

Fisheries Act 1981(**l**)

Fisheries Limits Act 1976(**m**)

Import of Live Fish (England and Wales) Act 1980(**n**)

Offshore Marine Conservation (Natural Habitats &c.) Regulations 2007(**a**)

(a) OJ L 168, 28/06/2008 p. 5

(b) OJ L 5, 09/01/2004 p. 8

(c) OJ L 136, 30/04/2004 p. 1

(d) OJ L 191, 28/5/2004, p1

(e) OJ L 334, 12/12/2008 p. 7

(f) OJ L 268, 18/10/2003 p. 29

(g) 2006 c.29

(h) 2006 c.46

(i) 1973 c.35

(j) 1988 c.39

(k) S.I. 2009/463

(l) 1981 c.29

(m) 1976 c.86

(n) 1980 c.27

Registration of Fish Buyers and Sellers and Designation of Fish Auction Sites 2005**(b)**

Sea Fisheries Act 1968**(c)**

Sea Fisheries (Shellfish) Act 1967**(d)**

Food standards and safety

Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013**(e)**

Detergents Regulations 2010**(f)**

Food and Environment Protection Act 1985**(g)**

Pesticides (Maximum Residue Levels) (England and Wales) Regulations 2008**(h)**

Plant Protection Products Regulations 2011**(i)**

Plant Protection Products (Sustainable Use) Regulations 2012/1657**(j)**

Horticulture

Horticultural Produce Act 1986**(k)**

Marketing of Fresh Horticultural Produce Regulations 2009**(l)**

Organic Products Regulations 2009**(m)**

Insolvency

Part 13 of the Insolvency Act 1986**(n)**

Marine transport

Aviation and Maritime Security Act 1990**(o)**

Dangerous Vessels Act 1985**(p)**

Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984**(q)**

Fishing Vessels (EC Directive of Harmonised Safety Regime) Regulations 1999**(r)**

Fishing Vessels (Safety of 15-24 Metre Vessels) Regulations 2002**(s)**

Fishing Vessels (Working Time: Seafishermen) Regulations 2004**(a)**

(a) S.I. 2007/1842

(b) S.I. 2005/1605

(c) 1968 c.77

(d) 1967 c.83

(e) S.I. 2013/1506

(f) S.I. 2010/740

(g) 1985 c.48

(h) S.I. 2008/2570

(i) S.I. 2011/2131

(j) S.I. 2012/1657

(k) 1986 c.20

(l) S.I. 2009/1361

(m) S.I. 2009/842

(n) 1986 c.45

(o) 1990 c.31

(p) 1985 c.22

(q) S.I. 1984/1115

(r) S.I. 1999/2998

(s) S.I. 2002/2201

Merchant Shipping Act 1995**(b)**

Merchant Shipping and Fishing Vessels (Control of Noise at Work) Regulations 2007**(c)**

Merchant Shipping and Fishing Vessels (Control of Vibration at Work) Regulations 2007**(d)**

Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997**(e)**

Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Carcinogens and Mutagens) Regulations 2007**(f)**

Merchant Shipping and Fishing Vessels (Lifting Operations and Lifting Equipment) Regulations 2006**(g)**

Merchant Shipping and Fishing Vessels (Medical Stores) Regulations 1995**(h)**

Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003**(i)**

Merchant Shipping (Hours of Work) Regulations 2002**(j)**

Merchant Shipping (Marine Equipment) Regulations 1999**(k)**

Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995**(l)**

Merchant Shipping (Minimum Standards of Safety Communications) Regulations 1997**(m)**

Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997**(n)**

Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001**(o)**

Merchant Shipping (High-Speed Craft) Regulations 2004**(p)**

Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) Regulations 2004**(q)**

Merchant Shipping (Working Time: Inland Waterways) Regulations 2003**(r)**

Protection of Wrecks Act 1973**(s)**

Railways and Transport Safety Act 2003**(t)**

Medicines

Blood Safety and Quality Regulations 2005**(u)**

Good Laboratory Practice Regulations 1999**(a)**

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- (a)** S.I. 2004/1713
 - (b)** 1995 c.21
 - (c)** S.I. 2007/3075
 - (d)** S.I. 2007/3077
 - (e)** S.I. 1997/2962
 - (f)** S.I. 2007/3100
 - (g)** S.I. 2006/2184
 - (h)** S.I. 1995/1802
 - (i)** S.I. 2003/1809
 - (j)** S.I. 2002/2125
 - (k)** S.I. 1999/1957
 - (l)** S.I. 1995/2498
 - (m)** S.I. 1997/529
 - (n)** S.I. 1997/2367
 - (o)** S.I. 2001/3209
 - (p)** S.I. 2004/302
 - (q)** S.I. 2004/2110
 - (r)** S.I. 2003/3049
 - (s)** 1973 c.33
 - (t)** 2003 c.20
 - (u)** S.I. 2005/50

Human Medicines Regulations 2012**(b)**

Medicines Act 1968**(c)**

Medical Devices Regulations 2002**(d)**

Medicines for Human Use (Clinical Trials) Regulations 2004**(e)**

Unlicensed Medicinal Products for Human use (Transmissible Spongiform Encephalopathies) (Safety) Regulations 2003**(f)**

Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency**(g)**

Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 **(h)**

Outer Space

Outer Space Act 1986**(i)**

Plant health

Marketing of Vegetable Plant Material Regulations 1995 **(j)**

Marketing of Ornamental Plant Propagating Material Regulations 1999 **(k)**

Plant Varieties and Seeds Act 1964 **(l)**

Plant Health Act 1967 **(m)**

Plant Varieties Act 1997 **(n)**

Potatoes Originating in Egypt (England) Regulations 2004 **(o)**

Seeds Marketing Regulations 2011**(p)**

Marketing of Fruit and Plant Material Regulations 2010 **(q)**

Protection of animals used for experimental purposes

Animals (Scientific Procedures) Act 1986 **(r)**

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- (a) S.I. 1999/3106
 - (b) S.I. 2012/1916
 - (c) 1968 c.67
 - (d) S.I. 2002/618
 - (e) S.I. 2004/1031
 - (f) S.I. 2003/1680
 - (g) OJ L 136, 30/4/2004 p. 1–33
 - (h) OJ L 378, 27/12/2006 p.1
 - (i) 1986 c.38
 - (j) S.I. 1995/2652
 - (k) S.I. 1999/1801
 - (l) 1964 c.14
 - (m) 1967 c.8
 - (n) 1997 c.66
 - (o) S.I. 2004/1165
 - (p) S.I. 2011/463
 - (q) S.I. 2010/2079
 - (r) 1986 c.14

Road transport

Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009(a)

Driving Licences (Community Driving Licence) Regulations 1982(b)

End of Life Vehicles Regulations 2003(c)

Sections 174 to 181 of the Equality Act 2010(d)

Goods Vehicles (Licensing of Operators) Act 1995(e)

International Carriage of Perishable Foodstuffs Act 1976(f)

Motor Cycles etc (EC Type Approval) Regulations 1999(g)

Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013(h)

Motor Vehicles (International Circulation) Order 1975(i)

Passenger and Goods Vehicles (Recording Equipment) Regulations 1979(j)

Public Passenger Vehicles Act 1981(k)

Road Safety Act 2006(l)

Road Traffic Act 1988(m)

Road Traffic (Driver Licensing and Information Systems) Act 1989(n)

Road Traffic (Foreign Vehicles) Act 1972(o)

Road Traffic Offenders Act 1988(p)

Road Traffic Regulation Act 1984(q)

Road Transport (Working Time) Regulations 2005(r)

Road Transport (International Passenger Services) Regulations 1984(s)

Road Vehicles (Approval) Regulations 2009(t)

Transport Act 1968 part VI (u)

Transport Act 1982(v)

(a) S.I. 2009/1348

(b) S.I. 1982/1555

(c) S.I. 2003/2635

(d) 2010 c.15

(e) 1995 c.23

(f) 1976 c.58

(g) S.I. 1999/2920

(h) S.I. 2012/1753

(i) S.I. 1975/1208

(j) S.I. 1979/1746

(k) 1981 c.14

(l) 2006 c.49

(m) 1988 c.52

(n) 1989 c.22

(o) 1972 c.27

(p) 1988 c.53

(q) 1984 c.27

(r) S.I. 2005/639

(s) S.I. 1984/748

(t) S.I. 2009/717

(u) 1968 c.73

(v) 1982 c.49

Transport Act 1985**(a)**

Transport Act 2000**(b)**

Vehicle Drivers (Certificates of Professional Competence) Regulations 2007**(c)**

Vehicles (Crime) Act 2001**(d)**

Vehicles Excise and Registration Act 1994**(e)**

Water

Drinking Water (Undertakings) (England and Wales) Regulations 2000**(f)**

Water Industry Act 1991**(g)**

Water Act 2003**(h)**

Water Resources Act 1991**(i)**

Water Supply (Water Quality) Regulations 2010**(j)**

Weights and measures

Weights and Measures Act 1985**(k)**

Measuring Instruments (Cold-water Meters) Regulations 2006**(l)**

Wildlife

Birds (Registration Charges) Act 1997**(m)**

Control of Trade in Endangered Species (Enforcement) Regulations 1997**(n)**

Endangered Species (Import and Export) Act 1976**(o)**

Commission Regulation (EC) No 865/2006 of 4 May 2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein**(p)**

Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein**(q)**

Miscellaneous

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- (a)** 1985 c.67
 - (b)** 2000 c.38
 - (c)** S.I. 2007/605
 - (d)** 2001 c.3
 - (e)** 1994 c.22
 - (f)** S.I. 2000/1297
 - (g)** 1991 c.56
 - (h)** 2003 c.37
 - (i)** 1991 c.57
 - (j)** S.I. 2010/994
 - (k)** 1985 c.72
 - (l)** S.I. 2006/1268
 - (m)** 1997 c.55
 - (n)** S.I. 1997/1372
 - (o)** 1976 c.72
 - (p)** OJ L 166, 19.6.2006, p. 1
 - (q)** (OJ L 61, 3.3.1997, p. 1

EXPLANATORY NOTE

(This note is not part of the Order)

Section 108 of the Deregulation Act 2015 (the “Act”) imposes a duty on any person exercising a regulatory function to have regard to the desirability of promoting economic growth. In performing that duty, the person must, in particular, consider the importance for the promotion of economic growth of exercising the regulatory function in a way which ensures that regulatory action is taken only when it is needed, and any action taken is proportionate.

Section 109 of the Act provides that by order, a Minister of the Crown may specify the regulatory functions to which the duty in section 108 applies. The term “regulatory function” is defined in section 111 of the Act.

This Order specifies the regulatory functions to which the duties in Section 108 and 110(3) apply. Part 1 of the Schedule specifies the regulatory functions exercisable by specified named regulators. Part 2 of the Schedule specifies the regulatory functions exercisable by regulators who are not named but are included by virtue of legislation under which they exercise regulatory functions. Part 3 of the Schedule specifies the regulatory functions exercisable by named regulators where they regulate private sector and third sector bodies, except where such bodies are acting on behalf of a public authority. Part 4 specifies the regulatory functions exercisable by a Minister of the Crown.

Section 110(1) of the Act enables a Minister of the Crown to issue guidance as to the performance of the duty under Section 108 and provides in section 110(3) that any person who has a duty under section 108 must have regard to the guidance.

BIS/16/94c