

Draft Statutory Instrument

Draft Regulations laid before Parliament under section 43(3) and (4)(n) of the Local Audit and Accountability Act 2014 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2021 No.

DISCLOSURE OF INFORMATION, ENGLAND AND WALES

The Local Audit and Accountability Act 2014 (Data Matching) (Amendment) Regulations 2021

Made - - - - - *2021*

Coming into force - - - *in accordance with regulation 1*

The Minister for the Cabinet Office, in exercise of the powers conferred by paragraph 8(1)(a) of Schedule 9 to the Local Audit and Accountability Act 2014⁽¹⁾, makes the following Regulations.

In accordance with paragraph 8(3) of Schedule 9 to that Act, the Minister for the Cabinet Office has consulted the persons within paragraph 2(2) of that Schedule, and such representatives of those persons and such other bodies or persons as the Minister thinks appropriate.

A draft of these Regulations has been laid before Parliament in accordance with section 43(3) and (4)(n) of that Act and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Local Audit and Accountability Act 2014 (Data Matching) (Amendment) Regulations 2021 and come into force on XXX.

Amendment of the Local Audit and Accountability Act 2014

2. — Schedule 9 to the Local Audit and Accountability Act 2014 is amended as follows.

(1) In paragraph 1 (power to conduct data matching exercises), for sub-paragraph 4 substitute—

(4) The power in sub-paragraph (1) is exercisable for one or more of the following purposes—

- (a) assisting in the prevention and detection of fraud;
- (b) assisting in the prevention and detection of crime (other than fraud);
- (c) assisting in the apprehension and prosecution of offenders;
- (d) assisting in the prevention and detection of errors and inaccuracies;

¹(1) 2014 c. 2. See paragraph 1(2) of Schedule 9 for the definition of “relevant minister”.

(e) assisting in the recovery of debt owing to public bodies..

Signed by the Minister for the Cabinet Office

Name

Minister for the Cabinet Office

Date Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 9 to the Local Audit and Accountability Act 2014.

Regulation 2(2) amends paragraph 1(4) of Schedule 9. The existing provision enables the power in paragraph 1(1) of Schedule 9 to be exercised for the purpose of assisting in the prevention and detection of fraud. The effect of the amendment is to add four purposes to the purposes for which the Secretary of State or the Minister for the Cabinet Office can conduct data matching exercises under paragraph 1(1) of Schedule 9. The four added purposes are: to assist in the prevention and detection of crime (other than fraud), to assist in the apprehension and prosecution of offenders, to assist in the prevention and detection of errors and inaccuracies, and to assist in the recovery of debt owed to public bodies.

[NB this may change depending on impact assessment] An impact assessment has been prepared and is annexed to the Explanatory Memorandum which is available alongside these Regulations on legislation.gov.uk or from [address].