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DRAFT STATUTORY INSTRUMENTS

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**2009 No.**

**The Legislative and Regulatory Reform  
(Regulatory Functions) (Amendment) Order 2009**

**Amendment of the 2007 Order**

3. In article 1(2), omit “and” at the end of paragraph (h) and at the end insert—

- “(h) a county or county borough council in Wales;
  - (i) a fire and rescue authority in Wales (not being a county or county borough council); and
  - (j) a port health authority in Wales (not being a county or county borough council);
- “local authority in Scotland” means a council constituted under section 2 of the Local Government etc (Scotland) Act 1994(1);
- “local authority in Northern Ireland” means a district council constituted under section 1 of the Local Government Act (Northern Ireland) 1972(2);
- “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;
  - (f) a subsidiary of a company falling within paragraph (e) above;
- “third sector bodies” means any organisations that exist wholly or mainly to provide benefits for society or the environment.”

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(1) 1994 (c.39).

(2) 1972 (c.9).

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2009 No. 2981

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