



# Legislative and Regulatory Reform Act 2006

## 2006 CHAPTER 51

### PART 1

#### ORDER-MAKING POWERS

##### *Procedure*

#### **14 Draft order and explanatory document laid before Parliament**

- (1) If, after the conclusion of the consultation required by section 13, the Minister considers it appropriate to proceed with the making of an order under this Part, he must lay before Parliament—
  - (a) a draft of the order, together with
  - (b) an explanatory document.
- (2) The explanatory document must—
  - (a) explain under which power or powers in this Part the provision contained in the order is made;
  - (b) introduce and give reasons for the provision;
  - (c) explain why the Minister considers that—
    - (i) the conditions in section 3(2) are satisfied (where relevant); or
    - (ii) the condition in section 3(4) is satisfied;
  - (d) in the case of an order under section 1, include, so far as appropriate, an assessment of the extent to which the provision made by the order would remove or reduce any burden or burdens (within the meaning of subsection (2) of that section);
  - (e) identify and give reasons for—
    - (i) any functions of legislating conferred by the order; and
    - (ii) the procedural requirements attaching to the exercise of those functions; and

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**Changes to legislation:** *Legislative and Regulatory Reform Act 2006, Section 14 is up to date with all changes known to be in force on or before 21 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (f) give details of—
  - (i) any consultation undertaken under section 13;
  - (ii) any representations received as a result of the consultation;
  - (iii) the changes (if any) made as a result of those representations.
- (3) Where a person making representations in response to consultation under section 13 has requested the Minister not to disclose them, the Minister must not disclose them under subsection (2)(f)(ii) if or to the extent that to do so would (disregarding any connection with proceedings in Parliament) constitute a breach of confidence actionable by any person.
- (4) If information in representations made by a person in response to consultation under section 13 relates to another person, the Minister need not disclose the information under subsection (2)(f)(ii) if or to the extent that—
  - (a) it appears to the Minister that the disclosure of that information could adversely affect the interests of that other person; and
  - (b) the Minister has been unable to obtain the consent of that other person to the disclosure.
- (5) Subsections (3) and (4) do not affect any disclosure that is requested by, and made to, a committee of either House of Parliament charged with reporting on the draft order.
- (6) In subsection (2)(e) “function of legislating” has the same meaning as in section 4.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 23A inserted by [2016 c. 12 s. 15](#)