



# Regulatory Enforcement and Sanctions Act 2008

## 2008 CHAPTER 13

### PART 2

#### CO-ORDINATION OF REGULATORY ENFORCEMENT

##### *Primary authorities*

#### **25 Primary authorities**

- (1) For the purposes of this Part LBRO may nominate a local authority to be the “primary authority” for the exercise of the relevant function in relation to the regulated person.
- (2) Sections 27 to 32 apply in any case where a primary authority is nominated under this section in relation to the regulated person.

#### **26 Nomination of primary authorities**

- (1) LBRO may only nominate a local authority under section 25(1) in relation to the regulated person if—
  - (a) the authority and the regulated person have agreed in writing to the nomination, or
  - (b) the regulated person has requested LBRO to make a nomination under section 25(1) for the exercise of the relevant function in relation to the regulated person,and LBRO considers the authority suitable for nomination.
- (2) LBRO may in particular consider as suitable for nomination under subsection (1)—
  - (a) the local authority in whose area the regulated person principally carries out the activity in relation to which the relevant function is exercised;
  - (b) the local authority in whose area the regulated person administers the carrying out of that activity.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Before nominating a local authority under section 25(1) in the case referred to in subsection (1)(b) LBRO must consult—
  - (a) that authority, and
  - (b) the regulated person.
- (4) LBRO must have particular regard to any representations made by a local authority pursuant to subsection (3) as to the resources available to it.
- (5) LBRO may at any time revoke a nomination under section 25(1) if—
  - (a) it considers that the authority is no longer suitable for nomination, or
  - (b) it considers it appropriate to do so for any other reason,and subsections (2) to (4) apply in relation to a revocation of a nomination as in relation to a nomination.
- (6) LBRO must maintain, or cause to be maintained, a register of nominations under section 25(1).