



Small Business, Enterprise and Employment Act 2015

2015 CHAPTER 26

PART 2

REGULATORY REFORM

Secondary legislation: duty to review

29 Section 28(1)(b): interpretation

- (1) This section applies for the purposes of section 28(1)(b).
- (2) “Qualifying activity” means any activity carried on—
 - (a) by a business for the purposes of the business, or
 - (b) by a voluntary or community body for the purposes of the body.
- (3) For the purposes of subsection (2) the references to a business or a voluntary or community body do not include a business or a voluntary or community body which—
 - (a) is controlled by a public authority, or
 - (b) is acting on behalf of a public authority in carrying out the activity.
- (4) The Secretary of State must publish a statement as to how it is to be determined whether a business or a voluntary or community body is controlled by a public authority.
- (5) “Voluntary or community body” ^[F1] means any of the following—
 - (a) a trade union (within the meaning of section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992 or Article 3 of the Industrial Relations (Northern Ireland) Order 1992 (S.I. 1992/807 (N.I. 5)));
 - (b) an unincorporated body which does not distribute any surplus it makes to its members;
 - (c) a charity;

Changes to legislation: There are currently no known outstanding effects for the Small Business, Enterprise and Employment Act 2015, Section 29. (See end of Document for details)

- (d) a company limited by guarantee which does not distribute any surplus it makes to its members;
- (e) a registered society within the meaning given by section 1 of the Co-operative and Community Benefit Societies Act 2014;
- (f) a registered society within the meaning given by section 1A of the [Co-operative and Community Benefit Societies Act \(Northern Ireland\) 1969 \(c. 24 \(N.I.\)\)](#) or a credit union within the meaning of the Credit Unions (Northern Ireland) Order 1985 ([S.I. 1985/1205 \(N.I. 12\)](#));
- (g) a community interest company;
- (h) a charitable incorporated organisation within the meaning of Part 11 of the Charities Act 2011 or of the [Charities Act \(Northern Ireland\) 2008 \(c. 12 \(N.I.\)\)](#);
- (i) a Scottish charitable incorporated organisation within the meaning of Chapter 7 of Part 1 of the [Charities and Trustee Investment \(Scotland\) Act 2005 \(asp 10\)](#).]

Textual Amendments

- F1** Words in [s. 29\(5\)](#) substituted (29.8.2023) by [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\)](#), [ss. 18\(3\)](#), [22\(2\)](#)

Commencement Information

- I1** [S. 29](#) in force at 1.7.2015 by [S.I. 2015/1329](#), [reg. 5](#)

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