



# Enterprise Act 2016

## 2016 CHAPTER 12

### PART 10

#### GENERAL PROVISIONS

#### **42 Consequential amendments, repeals and revocations**

- (1) The Secretary of State or the Treasury may by regulations make such provision as appears to the Secretary of State or the Treasury to be appropriate in consequence of this Act.
- (2) The power conferred by subsection (1) includes power—
  - (a) to make transitional, transitory or saving provision;
  - (b) to amend, repeal, revoke or otherwise modify any provision made by or under an enactment (including an enactment passed or made in the same Session as this Act).
- (3) Regulations under this section are to be made by statutory instrument.
- (4) An instrument containing regulations under this section which amend, repeal or revoke any provision of primary legislation may not be made unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House of Parliament.
- (5) Subject to that, an instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section—
  - “enactment” includes any provision of primary legislation;
  - “primary legislation” means—
    - (a) an Act of Parliament,
    - (b) an Act of the Scottish Parliament,
    - (c) a Measure or Act of the National Assembly for Wales, and
    - (d) Northern Ireland legislation.

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*Status: Point in time view as at 05/05/2016.*

*Changes to legislation: There are currently no known outstanding effects for the Enterprise Act 2016, PART 10. (See end of Document for details)*

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### **43 Transitional, transitory or saving provision**

The Secretary of State or the Treasury may by regulations made by statutory instrument make such transitional, transitory or saving provision as the Secretary of State or the Treasury considers appropriate in connection with the coming into force of any provision of this Act.

### **44 Commencement**

- (1) The following provisions of this Act come into force on the day on which this Act is passed—
  - (a) any power to make regulations under Part 1 (Small Business Commissioner);
  - (b) section 14 (extension of business impact target to provisions made by regulators) for the purpose of enabling the exercise of the power to make regulations under subsection (9) of section 22 of the Small Business, Enterprise and Employment Act 2015 (as inserted by section 14);
  - (c) section 20 and Schedule 3 (extension of primary authority scheme) for the purpose of enabling the exercise of any power to make regulations under any provision of the Regulatory Enforcement and Sanctions Act 2008 inserted by that section or Schedule;
  - (d) section 33 and Schedule 5 (Sunday working) for the purpose of enabling the exercise of any power to make regulations under any provision of the Employment Rights Act 1996 inserted by that Schedule;
  - (e) section 38 (UK Green Investment Bank: transitional provision);
  - (f) paragraph 2 of Schedule 2 (things to be included in Secretary of State's report in respect of the business impact target), and section 14 (which introduces Schedule 2) so far as relating to that paragraph;
  - (g) this Part.
- (2) The following provisions of this Act come into force at the end of the period of 2 months beginning with the day on which this Act is passed—
  - (a) section 14 (extension of business impact target to provisions made by regulators) (so far as not already in force under subsection (1));
  - (b) section 18 (application of regulators' principles and code: removal of restrictions);
  - (c) section 24 (public sector apprenticeship targets);
  - (d) section 31 (disclosure of HMRC information in connection with non-domestic rating);
  - (e) section 32 (alteration of non-domestic rating lists);
  - (f) sections 34 and 35 (industrial development);
  - (g) Schedule 2 (business impact target: consequential and related amendments) (so far as not already in force under subsection (1)).
- (3) Sections 28 to 30 (late payment of insurance claims) come into force at the end of the period of one year beginning with the day on which this Act is passed (and section 23(2) of the Insurance Act 2015 (which provides for the coming into force of provisions of that Act) does not apply to the provisions inserted into that Act by those sections).
- (4) The following provisions of this Act come into force on such day as the Treasury may by regulations appoint—

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- (a) section 36 (UK Government Investments Limited);
  - (b) section 41 and Schedule 6 (restriction on public sector exit payments).
- (5) Subject to subsections (1) to (4), the provisions of this Act come into force on such day as the Secretary of State may by regulations appoint.
- (6) Regulations under this section are to be made by statutory instrument.
- (7) Regulations under this section may appoint different days—
- (a) for different purposes;
  - (b) for different areas.

#### **45 Extent**

- (1) The following provisions of this Act extend to England and Wales, Scotland and Northern Ireland—
- (a) Part 1 (Small Business Commissioner) (except paragraphs 1, 15 and 18 to 21 of Schedule 1);
  - (b) subsections (5) to (9) of section 14 (application of changes relating to the business impact target in relation to the relevant period in which they come into force);
  - (c) section 26 (apprenticeships: information sharing);
  - (d) sections 28 and 29 (late payment of insurance claims);
  - (e) section 35 (grants etc towards electronic communications services and networks), except subsection (2);
  - (f) section 36 (UK Government Investments Limited);
  - (g) section 38 (UK Green Investment Bank: transitional provision);
  - (h) paragraphs 4 and 5(2) and (3) of Schedule 6 (public sector exit payments: amendments of public sector schemes);
  - (i) this Part.
- (2) Paragraphs 1 and 15 of Schedule 1 (establishment of Small Business Commissioner as corporation sole and provisions about the application of the seal etc) extend to England and Wales and Northern Ireland.
- (3) Section 23 (the Institute for Apprenticeships: transitional provision) extends to England and Wales.
- (4) Subject to subsection (1), any amendment, repeal or revocation made by this Act has the same extent as the enactment amended, repealed or revoked.

#### **46 Short title**

This Act may be cited as the Enterprise Act 2016.

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**Changes to legislation:**

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