



Enterprise Act 2016

2016 CHAPTER 12

PART 3

REGULATORY ENFORCEMENT AND SANCTIONS ACT 2008

21 Devolved Welsh matters

- (1) The Regulatory Enforcement and Sanctions Act 2008 is amended as follows.
- (2) In each of the following provisions, for “Welsh ministerial” substitute “devolved Welsh”—
 - (a) in section 4 (meaning of “relevant function”), subsections (6) and (8)(b);
 - (b) in section 6 (guidance to local authorities), subsections (1) and (1A);
 - (c) in section 10 (advice to Welsh Ministers), subsection (1)(a);
 - (d) in section 12 (relationship between Secretary of State and other regulators), subsection (3);
 - (e) in section 16 (guidance or directions by Welsh Ministers), subsection (1);
 - (f) in section 36 (power to make orders providing for civil sanctions), subsection (2);
 - (g) in section 59 (consultation and consent for civil sanctions orders: Wales), subsection (2);
 - (h) in section 73 (functions to which duty not to impose or maintain unnecessary regulatory burdens applies), subsections (3)(c), (4)(c) and (5).
- (3) In section 73 (functions to which section 72 applies), in subsections (3)(c) and (4)(c), for “in Wales” substitute “in relation to Wales”.
- (4) In section 74 (general interpretation)—
 - (a) omit the definition of “Welsh ministerial matter”;
 - (b) before the definition of “Minister of the Crown” insert—

““devolved Welsh matter” means —

Status: This is the original version (as it was originally enacted).

- (a) a matter within the legislative competence of the National Assembly for Wales (see section 108 of the Government of Wales Act 2006), or
 - (b) a matter in relation to Wales in respect of which functions are exercisable by the Welsh Ministers,
- and in this definition “Wales” has the same meaning as in the Government of Wales Act 2006;”.