



Digital Economy Act 2017

2017 CHAPTER 30

PART 6

MISCELLANEOUS

Charges payable to the Information Commissioner

110 Supplementary provision relating to section 108

- (1) Regulations under section 108(1) or (5) are to be made by statutory instrument.
- (2) A statutory instrument containing regulations under section 108(1) or (5) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (3) Subsection (2) does not apply to a statutory instrument containing regulations which—
 - (a) only make provision increasing a charge for which provision is made by previous regulations under section 108(1), and
 - (b) do so to take account of an increase in the retail prices index since the previous regulations were made.
- (4) Such a statutory instrument is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) In subsection (3) “the retail prices index” means—
 - (a) the general index of retail prices (for all items) published by the Statistics Board, or
 - (b) where that index is not published for a month, any substituted index or figures published by the Board.
- (6) Regulations under section 108(1) or (5)—
 - (a) may make different provision for different purposes;
 - (b) may make transitional, transitory or saving provision;
 - (c) may make incidental, supplemental or consequential provision.

Status: This is the original version (as it was originally enacted).

- (7) Regulations under section 108(1) or (5) may bind the Crown.
- (8) But regulations under section 108(1) or (5) may not apply to—
- (a) Her Majesty in Her private capacity,
 - (b) Her Majesty in right of the Duchy of Lancaster, or
 - (c) the Duke of Cornwall.
- (9) For the purposes of section 108 each government department is to be treated as a person separate from any other government department.
- (10) In subsection (9) “government department” includes—
- (a) any part of the Scottish Administration;
 - (b) a Northern Ireland department;
 - (c) the Welsh Government;
 - (d) any body or authority exercising statutory functions on behalf of the Crown.