



Enterprise and Regulatory Reform Act 2013

2013 CHAPTER 24

PART 6

MISCELLANEOUS AND GENERAL

General

99 Consequential amendments, repeals and revocations

- (1) The Secretary of State may by order made by statutory instrument make such provision as the Secretary of State considers 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 any enactment passed or made in the same Session as this Act).
- (3) An order under subsection (1) which makes provision for the transfer of a function from the Competition Commission or the Office of Fair Trading to the Competition and Markets Authority in consequence of Part 3 of this Act may make such modifications to the function as the Secretary of State considers appropriate in consequence of the transfer.
- (4) The modifications mentioned in subsection (3) may, in particular, alter the circumstances in which, or the conditions under which, the function is exercisable.
- (5) A statutory instrument containing (whether alone or with other provision) an order under this section which amends, repeals or revokes any provision of primary legislation is not to be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

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- (6) A statutory instrument containing an order under this section which does not amend, repeal or revoke any provision of primary legislation is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section—
- “enactment” includes an Act of the Scottish Parliament, a Measure or Act of the National Assembly for Wales and Northern Ireland 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.

100 Transitional, transitory or saving provision

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

101 Financial provision

There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred under or by virtue of this Act by the Secretary of State or the Competition and Markets Authority, and
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

102 Extent

- (1) Part 1 extends to England and Wales, Scotland and Northern Ireland.
- (2) Part 2 extends only to England and Wales and Scotland, except that the following provisions of that Part extend also to Northern Ireland—
 - (a) section 23(3);
 - (b) paragraph 11 of Schedule 1;
 - (c) paragraphs 36 to 39 of Schedule 2.
- (3) Part 3 extends to England and Wales, Scotland and Northern Ireland, except as follows—
 - (a) paragraphs 15 to 44, 69 to 84 and 101 to 107 of Schedule 6 extend only to England and Wales and Scotland;
 - (b) paragraphs 52 to 68, 96, 108 to 123 and 127 to 139 of that Schedule extend only to England and Wales;
 - (c) paragraphs 9 to 14, 45 to 51, 171 to 180 and 192 to 209 of that Schedule extend only to Scotland;
 - (d) paragraphs 149 to 170 and 181 to 191 of that Schedule extend only to Northern Ireland.
- (4) Part 4 extends to England and Wales, Scotland and Northern Ireland, except as follows—

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- (a) paragraphs 1 to 7 and 11 to 14 of Schedule 14 and paragraphs 2, 3, 7, 13 and 41 of Schedule 15, extend only to England and Wales and Scotland;
 - (b) paragraphs 8 to 10 and 20 to 22 of Schedule 14, and paragraphs 4 to 6 and 47 to 49 of Schedule 15, extend only to England and Wales;
 - (c) paragraphs 23 to 29 of Schedule 14, and paragraphs 53 to 55 of Schedule 15, extend only to Northern Ireland.
- (5) Part 5 extends as follows—
- (a) sections 59, 62, 67, 68 and 70 and Part 1 of Schedule 21 extend to England and Wales, Scotland and Northern Ireland,
 - (b) section 69 extends only to England and Wales and Scotland except that it also extends to Northern Ireland so far as Parts 1 and 4 of the Health and Safety at Work etc. Act 1974 extend there,
 - (c) sections 64, 65 and 66 and paragraphs 1, 56 to 58, 60 and 66 of Schedule 19 (and section 71(3) so far as it relates to those paragraphs) extend only to England and Wales and Scotland,
 - (d) sections 60, 61, 63, 71(1) and (2) and 72(1) to (3), Schedules 16, 17 and 18, paragraphs 2 to 55, 59, 61 to 65 of Schedule 19 (and section 71(3) so far as it relates to those paragraphs) and Parts 2 and 3 of Schedule 21 extend only to England and Wales, and
 - (e) an amendment, repeal or revocation made by Schedule 20 has the same extent as the provision amended, repealed or revoked, subject to subsection (6).
- (6) The repeals of the following provisions in Schedule 20 extend to England and Wales only—
- (a) section 67 of the Agriculture Act 1967,
 - (b) paragraph 32 of Schedule 2 to the Social Security (Consequential Provisions) Act 1975,
 - (c) paragraph 10 of Schedule 4 to the Social Security Pensions Act 1975,
 - (d) paragraph 12 of Schedule 17 to the Employment Protection Act 1975, and
 - (e) paragraph 4 of Schedule 2 to the Social Security (Consequential Provisions) Act 1992.
- (7) If a provision repealed by Part 1 of Schedule 21 extends to the Isle of Man or any of the Channel Islands, Her Majesty may by Order in Council extend the repeal there.
- (8) This Part extends to England and Wales, Scotland and Northern Ireland except that—
- (a) sections 92, 93, 95, 97 and 98 extend only to England and Wales and Scotland;
 - (b) sections 83 to 88, 94 and 96 extend only to England and Wales.

103 Commencement

- (1) The following provisions come into force on the day on which this Act is passed—
- (a) section 10;
 - (b) section 24;
 - (c) section 28;
 - (d) sections 52 and 53;
 - (e) section 59;
 - (f) sections 75 to 78 and Schedule 22;
 - (g) sections 92 to 96;

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- (h) sections 98 to 104;
 - (i) any other provision so far as is necessary for enabling the exercise on or after the day on which this Act is passed of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument.
- (2) The following provisions (so far as not already in force by virtue of subsection (1)(i)) come into force at the end of the period of 2 months beginning with the day on which this Act is passed—
- (a) Part 1;
 - (b) sections 12, 13, 15, 17, 18, 20, 21 and 22;
 - (c) section 62;
 - (d) section 64;
 - (e) section 97;
 - (f) paragraphs 7 and 8 of Schedule 17 (and section 63 so far as it relates to them);
 - (g) Parts 1 and 2 of Schedule 21 (and section 73 so far as it relates to them).
- (3) Except as provided by subsections (1) and (2), the provisions of this Act come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (4) An order under subsection (3) may appoint different days for different purposes.

104 Short title

This Act may be cited as the Enterprise and Regulatory Reform Act 2013.