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STATUTORY INSTRUMENTS

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**2016 No. 532 (C. 32)**

**AUDITORS  
COMPANIES  
ENTERPRISE, ENGLAND AND WALES**

The Small Business, Enterprise and Employment Act 2015  
(Commencement No. 5 and Saving Provision) Regulations 2016

Made - - - - 25th April 2016

The Secretary of State in exercise of the powers conferred by sections 160(1), 161(1), 161(2) and 164(1) of the Small Business, Enterprise and Employment Act 2015<sup>(1)</sup> makes the following Regulations.

**Citation and interpretation**

1.—(1) These Regulations may be cited as the Small Business, Enterprise and Employment Act 2015 (Commencement No. 5 and Saving Provision) Regulations 2016.

(2) In these Regulations, “the Act” means the Small Business, Enterprise and Employment Act 2015.

**Provisions coming into force on 2nd May 2016**

2. The following provisions of the Act come into force on 2nd May 2016—
- (a) section 41 (the Adjudicator) and Part 1 (the Pubs Code Adjudicator) and Part 3 (amendments of legislation) of Schedule 1;
  - (b) section 63 (levy funding);
  - (c) section 64 (loans by Secretary of State); and
  - (d) section 65 (review of Adjudicator and guidance from Secretary of State).

**Provisions coming into force on the later of 26th May 2016 or the day after the day on which the Pubs Code etc. Regulations 2016 are made**

3. The provisions in Part 4 of, and Schedule 1 to, the Act come into force, to the extent that they are not yet in force, on the later of—

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(1) 2015 c.26.

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- (a) 26th May 2016; or
- (b) the day after the day on which the Pubs Code etc. Regulations 2016<sup>(2)</sup> are made.

**Provision coming into force on 1st June 2016**

4.—(1) Section 38 of the Act (exemption from liability for bodies concerned with accounting standards etc) comes into force on 1st June 2016, to the extent that it is not yet in force.

(2) The repeal of section 18 of the Companies (Audit, Investigations and Community Enterprise) Act 2004 (exemption from liability)<sup>(3)</sup>, resulting from paragraph (1), does not affect any exemption from liability arising under that section in respect of acts or omissions occurring before 1st June 2016.

25th April 2016

*Neville-Rolfe*  
Parliamentary Under Secretary of State for  
Business, Innovation and Skills  
Department for Business, Innovation and Skills

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<sup>(2)</sup> Draft regulations laid before Parliament on 14th April 2016.  
<sup>(3)</sup> 2004 c. 27.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring into force specified provisions of the Small Business, Enterprise and Employment Act 2015 (c.26) (“the Act”). These are the fifth commencement regulations made under the Act. Certain provisions came into force on the passing of the Act.

Regulation 2 brings into force on 2nd May 2016 provisions that establish the Pubs Code Adjudicator and concern the funding of that office.

Regulation 3 brings into force all provisions in Part 4 the Act (The Pubs Code Adjudicator and the Pubs Code) that have not yet been commenced on 26th May 2016 or on the same day as the Pubs Code etc. Regulations 2016 (laid in draft on 14th April 2016) come into force, whichever is the later.

Regulation 4 brings into force on 1st June 2016 section 38 of the Act, which repeals section 18 of the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27) (“the CAICE Act”), and inserts new section 18A into that Act. The effect is to change the basis on which exemption from liability in damages for acts and omissions of bodies concerned with accounting standards etc. arises. Paragraph (2) contains a saving in relation to exemption from liability which has arisen under section 18 of the CAICE Act in relation to acts and omissions occurring before the repeal of that section on 1st June 2016.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

*(This note is not part of the Regulations)*

The following provisions of the Act are brought into force by commencement regulations made before the date of these Regulations:

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 17	1st October 2016	2016/321
Section 18	26th May 2015	2015/1329
Section 19(1), (3) and (4)	26th May 2015	2015/1329
Section 19(2)	1st October 2016	2016/321
Section 20	1st October 2015	2015/1689
Sections 28 to 32	1st July 2015	2015/1329
Section 33(4), (6) and (7)	26th May 2015	2015/1329
Section 34	26th May 2015	2015/1329
Sections 35 and 36 (in relation to England)	1st October 2015	2015/1689
Section 38 (partially)	1st January 2016	2015/2029
Section 45 (partially)	6th April 2016	2016/321
Section 47 (partially)	6th April 2016	2016/321

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 51 (partially)	6th April 2016	2016/321
Section 58 (partially)	6th April 2016	2016/321
Section 76	1st January 2016	2015/1329
Section 77 and Schedule 2 (partially)	15th June 2015	2015/1329
Section 77 and Schedule 2 (partially)	1st January 2016	2015/1329
Section 81 and Schedule 3 (partially)	26th May 2015	2015/1329
Part 1 of Schedule 3 (partially)	30th June 2016	2015/2029
Part 2 of Schedule 3 (partially)	30th June 2016	2015/2029
Section 82	6th April 2016	2015/2029
Section 92 (partially)	1st May 2016	2016/321
Section 92 (partially)	30th June 2016	2016/321
Section 93 (partially)	1st January 2016	2015/2029
Section 93 (partially)	30th June 2016	2016/321
Section 94 and Schedule 5	30th June 2016	2016/321
Section 96 (partially)	26th May 2015	2015/1329
Section 96 (partially)	10th October 2015	2015/1689
Section 96 (partially)	30th June 2016	2016/321
Sections 97 and 98 and Schedule 6	30th June 2016	2016/321
Sections 100 and 101	10th October 2015	2015/1689
Section 102	6th April 2016	2016/321
Section 103	10th October 2015	2015/1689
Sections 104 to 106 (partially)	26th May 2015	2015/1329
Sections 104 to 106 (partially)	1st October 2015	2015/1689
Section 107 (partially)	26th May 2015	2015/1329
Section 107 (partially)	6th April 2016	2016/321
Sections 108 to 111 and Schedule 7 (partially)	26th May 2015	2015/1329
Section 108 to 111 and Schedule 7 (partially)	1st October 2015	2015/1689
Section 112 and Schedule 8 (partially)	1st October 2015	2015/1689
Section 112 and Schedule 8 (partially)	6th April 2016	2016/321
Sections 113 to 119	1st October 2015	2015/1689
Sections 122 to 126 and Schedule 9 (partially)	26th May 2015	2015/1329

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 137 to 146 and Schedule 11	Immediately after the coming into force of section 17 of the Deregulation Act 2015 (c.20)	2015/1689
Section 148	1st January 2016	2015/2029
Section 149	26th May 2015	2015/1329
Section 150	6th April 2016	2016/321
Section 152	26th May 2015	2015/1329
Section 153	26th May 2015	2015/1329
Section 154 to 157	1st January 2016	2015/2029
Section 158	26th May 2015	2015/1329