

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

Section 1

LBRO: SUPPLEMENTARY

Status

F11

Textual Amendments

- F1** Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Membership

F12

Textual Amendments

- F1** Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

F13

Textual Amendments

- F1** Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

F14

Textual Amendments

- F1** Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

F15

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F1 Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Tenure

F16

Textual Amendments

F1 Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Employees

F17

Textual Amendments

F1 Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Committees

F18

Textual Amendments

F1 Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Proceedings

F19

Textual Amendments

F1 Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

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Delegation

^{F1}10

Textual Amendments

- F1** Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Funding

11 ^{F1}(1)

^{F1}(2)

(3) The Welsh Ministers may make grants to [^{F2}the Secretary of State in respect of the Secretary of State’s functions under Parts 1 and 2] of such amounts as they think fit.

(4) A grant under sub-paragraph (3) may be subject to such conditions as the Welsh Ministers think fit.

Textual Amendments

- F1** Sch. 1 paras. 1-10, 11(1)(2) repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)
- F2** Words in Sch. 1 para. 11(3) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 15** (with Sch. 2)

Annual report

^{F3}12

Textual Amendments

- F3** Sch. 1 paras. 12-15 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Accounts

^{F3}13

Textual Amendments

- F3** Sch. 1 paras. 12-15 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

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Financial year

F³14

Textual Amendments

F3 Sch. 1 paras. 12-15 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Instruments and authentication

F³15

Textual Amendments

F3 Sch. 1 paras. 12-15 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Records

16 In the Public Records Act 1958 (c. 51), in Schedule 1 (definition of public records), in Part 2 of the Table at the end of paragraph 3, at the appropriate place insert— “
Local Better Regulation Office. ”

Parliamentary disqualification

F⁴17

Textual Amendments

F4 Sch. 1 paras. 17-20 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Investigation

F⁴18

Textual Amendments

F4 Sch. 1 paras. 17-20 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Freedom of information

F⁴19

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Textual Amendments

- F4** Sch. 1 paras. 17-20 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

Transitional provisions

F4²⁰

Textual Amendments

- F4** Sch. 1 paras. 17-20 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(aa)** (with Sch. 2)

F5 SCHEDULE 2

Section 2

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Textual Amendments

- F5** Sch. 2 repealed (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 1(bb)** (with Sch. 2)

SCHEDULE 3

Section 4(2)

ENACTMENTS SPECIFIED FOR THE PURPOSES OF PART 1

- Accommodation Agencies Act 1953 (c. 23), section 1
- Administration of Justice Act 1970 (c. 31), section 40
- F6**
...
- Agriculture Act 1967 (c. 22)
- Agriculture Act 1970 (c. 40)
- Agriculture and Horticulture Act 1964 (c. 28), Part 3
- Agriculture (Miscellaneous Provisions) Act 1954 (c. 39), section 9
- Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)
- Animal Boarding Establishments Act 1963 (c. 43)
- Animal Health Act 1981 (c. 22)
- Animal Health and Welfare Act 1984 (c. 40)
- Animal Welfare Act 2006 (c. 45)
- Anti-social Behaviour Act 2003 (c. 38)
- Business Names Act 1985 (c. 7)
- Cancer Act 1939 (c. 13), section 4
- Caravan Sites and Control of Development Act 1960 (c. 2)
- Celluloid and Cinematograph Film Act 1922 (c. 35)

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F10

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Charities Act 2006 (c. 50), section 50

[^{F11}Charities Act 2011, sections 294 to 297][^{F12}Children and Families Act 2014 (c.6), section 92]

Children and Young Persons Act 1933 (c. 12), Part 1

Children and Young Persons Act 1963 (c. 37), Part 2

Children and Young Persons (Protection from Tobacco) Act 1991 (c. 23)

Christmas Day (Trading) Act 2004 (c. 26)

Cinemas Act 1985 (c. 13)

Clean Air Act 1993 (c. 11)

Clean Neighbourhoods and Environment Act 2005 (c. 16), Parts 2, 6 and 7

Companies Act 1985 (c. 6), Chapter 1 of Part 11 and section 693

Consumer Credit Act 1974 (c. 39)

Consumer Protection Act 1987 (c. 43)

[^{F13}Consumer Rights Act 2015, Parts 1 and 2 and Chapter 5 of Part 3]

Control of Pollution Act 1974 (c. 40)

Control of Pollution (Amendment) Act 1989 (c. 14)

Copyright, Designs and Patents Act 1988 (c. 48), sections 107A and 198A

Countryside Act 1968 (c. 41)

Courts and Legal Services Act 1990 (c. 41), Parts 4 and 6

[^{F14}Criminal Justice Act 1988, sections 141(1) and 141A]

Criminal Justice and Police Act 2001 (c. 16), Part 1

Criminal Justice and Public Order Act 1994 (c. 33), Parts 5, 7 and 12

Crossbows Act 1987 (c. 32)

Dangerous Dogs Act 1991 (c. 65)

Dangerous Wild Animals Act 1976 (c. 38)

Defective Premises Act 1972 (c. 35)

Development of Tourism Act 1969 (c. 51)

F15

...

Dogs Act 1906 (c. 32)

Education Reform Act 1988 (c. 40), section 215

Employment Agencies Act 1973 (c. 35)

Energy Act 1976 (c. 76)

Enterprise Act 2002 (c. 40), Part 8

Environment Act 1995 (c. 25)

Environment and Safety Information Act 1988 (c. 30)

Environmental Protection Act 1990 (c. 43)

Estate Agents Act 1979 (c. 38)

Explosives Act 1875 (c. 17)

Explosives Act 1923 (c. 17)

Explosives (Age of Purchase &c.) Act 1976 (c. 26)

Factories Act 1961 (c. 34)

Fair Trading Act 1973 (c. 41)

F16

...

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Farriers (Registration) Act 1975 (c. 35)
Fire and Rescue Services Act 2004 (c. 21)
Fire Safety and Safety of Places of Sport Act 1987 (c. 27)
Firearms Act 1968 (c. 27)
Firearms Act 1982 (c. 31)
Fireworks Act 2003 (c. 22)
Food Act 1984 (c. 30)
Food and Environment Protection Act 1985 (c. 48), Parts 1 and 2
Food Safety Act 1990 (c. 16), Parts 2 and 3
Food Standards Act 1999 (c. 28)
Forgery and Counterfeiting Act 1981 (c. 45)
Fraud Act 2006 (c. 35)
Gambling Act 2005 (c. 19)
Game Act 1831 (c. 32)
Ground Game Act 1880 (c. 47)
Guard Dogs Act 1975 (c. 50)
Hallmarking Act 1973 (c. 43)
Health Act 2006 (c. 28), Part 1
Health and Safety at Work etc. Act 1974 (c. 37)
Highways Act 1980 (c. 66)
House to House Collections Act 1939 (c. 44)
Housing Act 1985 (c. 68), Parts 8, 9 and 10
Housing Act 1996 (c. 52), Part 8
Housing Act 2004 (c. 34), [^{F17}Parts 1 to 4]
Hypnotism Act 1952 (c. 46)
^{F18}
...
Knives Act 1997 (c. 21)
Legal Services Act 2007 (c. 29), section 198
Licensing Act 2003 (c. 17)
Litter Act 1983 (c. 35)
Local Government Act 1972 (c. 70), Parts 9 and 11
Local Government Act 1985 (c. 51), Part 2
Local Government Act 1988 (c. 9), Part 4
Local Government Act 2000 (c. 22), Part 1
Local Government (Miscellaneous Provisions) Act 1976 (c. 57)
Local Government (Miscellaneous Provisions) Act 1982 (c. 30)
London Government Act 1963 (c. 33)
London Local Authorities Act 1990 (c. vii)
London Local Authorities Act 1991 (c. xiii)
London Local Authorities Act 1994 (c. xii)
London Local Authorities Act 1995 (c. x)
London Local Authorities Act 1996 (c. ix)
London Local Authorities Act 2000 (c. vii)
London Local Authorities Act 2004 (c. i)
London Local Authorities Act 2007 (c. ii)

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London Olympic Games and Paralympic Games Act 2006 (c. 12)
 Malicious Communications Act 1988 (c. 27)
 Medicines Act 1968 (c. 67)
 Mines and Quarries Act 1954 (c. 70)
 Mines and Quarries (Tips) Act 1969 (c. 10)
 [F19 Mobile Homes (Wales) Act 2013]
 Mock Auctions Act 1961 (c. 47)
 Motor Cycle Noise Act 1987 (c. 34)
 National Lottery etc. Act 1993 (c. 39), sections 12 and 13
 Noise Act 1996 (c. 37)
 Noise and Statutory Nuisance Act 1993 (c. 40)
 [F14 Offensive Weapons Act 2019, sections 1, 3, 4, 38, 39 and 42]
 Offices, Shops and Railway Premises Act 1963 (c. 41)
 Offshore Safety Act 1992 (c. 15)
 Olympic Symbol etc. (Protection) Act 1995 (c. 32)
 [F20 Online Safety Act 2023, sections 179 and 181]
 Opticians Act 1989 (c. 44)
 Osteopaths Act 1993 (c. 21)
 Pedlars Act 1871 (c. 96)
 Performing Animals (Regulation) Act 1925 (c. 38)
 Pests Act 1954 (c. 68)
 Pet Animals Act 1951 (c. 35)
 F21
 ...
 F21
 ...
 Plant Health Act 1967 (c. 8)
 Poisons Act 1972 (c. 66)
 Police, Factories, &c. (Miscellaneous Provisions) Act 1916 (c. 31)
 Pollution Prevention and Control Act 1999 (c. 24)
 Prevention of Damage by Pests Act 1949 (c. 55)
 Prices Act 1974 (c. 24)
 Private Hire Vehicles (London) Act 1998 (c. 34)
 Private Security Industry Act 2001 (c. 12)
 F22
 ...
 Protection Against Cruel Tethering Act 1988 (c. 31)
 Protection from Harassment Act 1997 (c. 40)
 Protection of Animals Act 1911 (c. 27)
 [F23 Psychoactive Substances Act 2016]
 Public Health Act 1936 (c. 49)
 Public Health Act 1961 (c. 64)
 [F24 Public Health (Control of Disease) Act 1984 (c. 22), Part 2A as it applies in England]
 Public Passenger Vehicles Act 1981 (c. 14)
 Refuse Disposal (Amenity) Act 1978 (c. 3)
 Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541)
 [F14 Restriction of Offensive Weapons Act 1959, section 1(1)]

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Riding Establishments Act 1964 (c. 70)
Riding Establishments Act 1970 (c. 32)
Road Traffic Act 1988 (c. 52), sections 15A, 17, 18, 41, 71, 81, 82 and 196
Road Traffic (Consequential Provisions) Act 1988 (c. 54)
Road Traffic (Foreign Vehicles) Act 1972 (c. 27)
Safety of Sports Grounds Act 1975 (c. 52)
Sale of Goods Act 1979 (c. 54)
Scotch Whisky Act 1988 (c. 22)
[^{F25}Scrap Metal Dealers Act 2013]
^{F26} ...
Serious Organised Crime and Police Act 2005 (c. 15), Part 4
[^{F27}Single Use Carrier Bags Charges (England) Order 2015 (S.I. 2015/776)]
[^{F28}Single Use Carrier Bags Charge (Wales) Regulations 2010 (S.I. 2010/2880)]
Slaughter of Poultry Act 1967 (c. 24)
Slaughterhouses Act 1974 (c. 3)
[^{F28}Sunbeds (Regulation) Act 2010 (c. 20)]
Sunday Trading Act 1994 (c. 20)
Supply of Goods and Services Act 1982 (c. 29)
Supply of Goods (Implied Terms) Act 1973 (c. 13)
Theatres Act 1968 (c. 54)
Theft Act 1968 (c. 60)
Theft Act 1978 (c. 31)
^{F29} ...
Tobacco Advertising and Promotion Act 2002 (c. 36)
Town Police Clauses Act 1847 (c. 89)
Trade Descriptions Act 1968 (c. 29)
Trade Marks Act 1994 (c. 26), section 93
Trading Representations (Disabled Persons) Act 1958 (c. 49)
Traffic Management Act 2004 (c. 18)
Transport Act 1981 (c. 56)
Unfair Contract Terms Act 1977 (c. 50)
Unsolicited Goods and Services Act 1971 (c. 30)
Vehicles (Crime) Act 2001 (c. 3)
Veterinary Surgeons Act 1966 (c. 36)
Video Recordings Act 1984 (c. 39)
Violent Crime Reduction Act 2006 (c. 38)
Water Industry Act 1991 (c. 56), sections 77 to 85
Water Resources Act 1991 (c. 57)
Weeds Act 1959 (c. 54)
Weights and Measures &c. Act 1976 (c. 77)
Weights and Measures Act 1985 (c. 72)
Welfare of Animals at Slaughter Act 1991 (c. 30)
Wildlife and Countryside Act 1981 (c. 69)
Zoo Licensing Act 1981 (c. 37)

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Textual Amendments

- F6** Words in Sch. 3 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), **Sch. 23 para. 34(7)**
- F7** Words in Sch. 3 omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 15(2)(a)** (with reg. 27)
- F8** Words in Sch. 3 omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 15(2)(b)** (with reg. 27)
- F9** Words in Sch. 3 omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 15(2)(c)** (with reg. 27)
- F10** Words in Sch. 3 omitted (14.3.2012) by virtue of [Charities Act 2011 \(c. 25\)](#), s. 355, Sch. 7 para. 130, **Sch. 10** (with s. 20(2), Sch. 8)
- F11** Words in Sch. 3 inserted (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 7 para. 130** (with s. 20(2), Sch. 8)
- F12** Words in Sch. 3 inserted (E.W.) (1.10.2015) by [The Nicotine Inhaling Products \(Age of Sale and Proxy Purchasing\) Regulations 2015 \(S.I. 2015/895\)](#), regs. 1(3), **6**
- F13** Words in Sch. 3 substituted (1.10.2015) by [The Consumer Rights Act 2015 \(Consequential Amendments\) Order 2015 \(S.I. 2015/1726\)](#), art. 1, **Sch. para. 5**
- F14** Words in Sch. 3 inserted (6.4.2022) by [Offensive Weapons Act 2019 \(c. 17\)](#), ss. 65, 70(1); S.I. 2022/418, reg. 2(c)
- F15** Words in Sch. 3 repealed by [Equality Act 2010 \(c. 15\)](#), Sch. 26 Pt. 1 para. 99, Sch. 27 Pt. 1 (as amended (1.10.2010) by [S.I. 2010/2279](#), art. 1(2), Sch. 1 para. 6, **Sch. 2** (see S.I. 2010/2317, art. 2))
- F16** Words in Sch. 3 omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(r), **Sch. 23 para. 25(3)**
- F17** Words in Sch. 3 substituted (1.10.2013) by [The Regulatory Enforcement and Sanctions Act 2008 \(Amendment of Schedule 3\) Order 2013 \(S.I. 2013/2215\)](#), arts. 1, **2(3)**
- F18** Words in Sch. 3 omitted (26.5.2016) by virtue of [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), **Sch. 5 para. 1(2)**; S.I. 2016/553, reg. 2
- F19** Words in Sch. 3 inserted (E.W.) (5.11.2013) by [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), **Sch. 4 para. 10** (with [Sch. 5 para. 7](#)) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of S.I. 2014/11, art. 3(2))
- F20** Words in Sch. 3 inserted (31.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), s. 240(1), **Sch. 14 para. 4**; S.I. 2024/31, reg. 2
- F21** Words in Sch. 3 repealed (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), reg. 1(2), **Sch. 4 Pt. 1** (with reg. 3(1))
- F22** Words in Sch. 3 omitted (1.10.2013) by virtue of [The Property Misdescriptions Act 1991 \(Repeal\) Order 2013 \(S.I. 2013/1575\)](#), art. 1, **Sch. para. 13**
- F23** Words in Sch. 3 inserted (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), **Sch. 5 para. 9**; S.I. 2016/553, reg. 2
- F24** Words in Sch. 3 inserted (E.) (30.12.2021) by [The Regulatory Enforcement and Sanctions Act 2008 \(Amendment to Schedule 3\) \(England\) Order 2021 \(S.I. 2021/1426\)](#), arts. 1(d), **2**
- F25** Words in Sch. 3 substituted (E.W.) (1.10.2013) by [Scrap Metal Dealers Act 2013 \(c. 10\)](#), ss. 19(2), 23(2); S.I. 2013/1966, art. 3(r) (with art. 5)
- F26** Words in Sch. 3 repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F27** Words in Sch. 3 inserted (5.10.2015) by [The Single Use Carrier Bags Charges \(England\) Order 2015 \(S.I. 2015/776\)](#), arts. 1(c)(ii)(d), **17** (as amended (21.5.2021) by [The Single Use Carrier Bags Charges \(England\) \(Amendment\) Order 2021 \(S.I. 2021/598\)](#), arts. 1(2), **3**)

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- F28** Words in Sch. 3 inserted (1.10.2013) by The Regulatory Enforcement and Sanctions Act 2008 (Amendment of Schedule 3) Order 2013 (S.I. 2013/2215), arts. 1, **2(2)**
- F29** Words in Sch. 3 repealed (23.2.2011) by The Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 (S.I. 2010/2960), reg. 1(2), Sch. 6 para. 4(2), **8 Pt. 1** (with reg. 37, Sch. 7)

Textual Amendments

- F6** Words in Sch. 3 omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(3)(r), **Sch. 23 para. 34(7)**
- F7** Words in Sch. 3 omitted (E.W.) (1.10.2018) by virtue of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (S.I. 2018/486), reg. 1(1)(b), **Sch. 9 para. 15(2)(a)** (with reg. 27)
- F8** Words in Sch. 3 omitted (E.W.) (1.10.2018) by virtue of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (S.I. 2018/486), reg. 1(1)(b), **Sch. 9 para. 15(2)(b)** (with reg. 27)
- F9** Words in Sch. 3 omitted (E.W.) (1.10.2018) by virtue of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (S.I. 2018/486), reg. 1(1)(b), **Sch. 9 para. 15(2)(c)** (with reg. 27)
- F10** Words in Sch. 3 omitted (14.3.2012) by virtue of Charities Act 2011 (c. 25), s. 355, Sch. 7 para. 130, **Sch. 10** (with s. 20(2), Sch. 8)
- F11** Words in Sch. 3 inserted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 130** (with s. 20(2), Sch. 8)
- F12** Words in Sch. 3 inserted (E.W.) (1.10.2015) by The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 (S.I. 2015/895), regs. 1(3), **6**
- F13** Words in Sch. 3 substituted (1.10.2015) by The Consumer Rights Act 2015 (Consequential Amendments) Order 2015 (S.I. 2015/1726), art. 1, **Sch. para. 5**
- F14** Words in Sch. 3 inserted (6.4.2022) by Offensive Weapons Act 2019 (c. 17), **ss. 65**, 70(1); S.I. 2022/418, reg. 2(c)
- F15** Words in Sch. 3 repealed by Equality Act 2010 (c. 15), Sch. 26 Pt. 1 para. 99, Sch. 27 Pt. 1 (as amended (1.10.2010) by S.I. 2010/2279, art. 1(2), Sch. 1 para. 6, **Sch. 2** (see S.I. 2010/2317, art. 2))
- F16** Words in Sch. 3 omitted (26.5.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(3)(r), **Sch. 23 para. 25(3)**
- F17** Words in Sch. 3 substituted (1.10.2013) by The Regulatory Enforcement and Sanctions Act 2008 (Amendment of Schedule 3) Order 2013 (S.I. 2013/2215), arts. 1, **2(3)**
- F18** Words in Sch. 3 omitted (26.5.2016) by virtue of Psychoactive Substances Act 2016 (c. 2), s. 63(2), **Sch. 5 para. 1(2)**; S.I. 2016/553, reg. 2
- F19** Words in Sch. 3 inserted (E.W.) (5.11.2013) by Mobile Homes (Wales) Act 2013 (anaw 6), s. 64(1), **Sch. 4 para. 10** (with Sch. 5 para. 7) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of S.I. 2014/11, art. 3(2))
- F20** Words in Sch. 3 inserted (31.1.2024) by Online Safety Act 2023 (c. 50), s. 240(1), **Sch. 14 para. 4**; S.I. 2024/31, reg. 2
- F21** Words in Sch. 3 repealed (1.10.2014) by The Petroleum (Consolidation) Regulations 2014 (S.I. 2014/1637), reg. 1(2), **Sch. 4 Pt. 1** (with reg. 3(1))
- F22** Words in Sch. 3 omitted (1.10.2013) by virtue of The Property Misdescriptions Act 1991 (Repeal) Order 2013 (S.I. 2013/1575), art. 1, **Sch. para. 13**
- F23** Words in Sch. 3 inserted (26.5.2016) by Psychoactive Substances Act 2016 (c. 2), s. 63(2), **Sch. 5 para. 9**; S.I. 2016/553, reg. 2
- F24** Words in Sch. 3 inserted (E.) (30.12.2021) by The Regulatory Enforcement and Sanctions Act 2008 (Amendment to Schedule 3) (England) Order 2021 (S.I. 2021/1426), arts. 1(d), **2**
- F25** Words in Sch. 3 substituted (E.W.) (1.10.2013) by Scrap Metal Dealers Act 2013 (c. 10), **ss. 19(2)**, 23(2); S.I. 2013/1966, art. 3(r) (with art. 5)

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- F26** Words in Sch. 3 repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F27** Words in Sch. 3 inserted (5.10.2015) by [The Single Use Carrier Bags Charges \(England\) Order 2015 \(S.I. 2015/776\)](#), arts. 1(c)(ii)(d), **17** (as amended (21.5.2021) by [The Single Use Carrier Bags Charges \(England\) \(Amendment\) Order 2021 \(S.I. 2021/598\)](#), arts. 1(2), **3**)
- F28** Words in Sch. 3 inserted (1.10.2013) by [The Regulatory Enforcement and Sanctions Act 2008 \(Amendment of Schedule 3\) Order 2013 \(S.I. 2013/2215\)](#), arts. 1, **2(2)**
- F29** Words in Sch. 3 repealed (23.2.2011) by [The Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 \(S.I. 2010/2960\)](#), reg. 1(2), Sch. 6 para. 4(2), **8 Pt. 1** (with reg. 37, Sch. 7)

[^{F30}SCHEDULE 4

Section 28(7)

ENFORCEMENT ACTION: REFERENCES TO [^{F31}THE SECRETARY OF STATE]

Textual Amendments

- F30** [Sch. 4A](#) substituted for Sch. 4 (4.5.2016 for specified purposes) by [Enterprise Act 2016 \(c. 12\)](#), s. 44(1)(c), **Sch. 3**
- F31** Words in Sch. 4 heading substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), art. 4(2), **Sch. 1 para. 16(q)** (with Sch. 2)

Reference by enforcing authority

- 1 (1) If the primary authority directs the enforcing authority as specified in section 28(2), the enforcing authority may with the consent of [^{F32}the Secretary of State] refer the proposed enforcement action to [^{F32}the Secretary of State] .
- (2) On a reference under this paragraph—
- (a) if [^{F33}the Secretary of State] is satisfied as to the matters in sub-paragraph (3), [^{F33}the Secretary of State] must confirm the direction;
 - (b) in any other case, [^{F34}the Secretary of State] must revoke the direction (and section 28(4)(b) shall accordingly cease to apply in relation to the direction).
- (3) The matters referred to in sub-paragraph (2) are that—
- (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically),
 - (b) the advice or guidance was correct, and
 - (c) the advice or guidance was properly given by the primary authority.
- (4) Where under sub-paragraph (2) [^{F35}the Secretary of State] confirms a direction of the primary authority, [^{F35}the Secretary of State] may direct the enforcing authority to take some other enforcement action (and section 28(1) to (4) does not apply in relation to that action).
- (5) The enforcing authority must comply with any direction under sub-paragraph (4).

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F32** Words in Sch. 4 para. 1(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(a)** (with Sch. 2)
- F33** Words in Sch. 4 para. 1(2)(a) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(b)(i)** (with Sch. 2)
- F34** Words in Sch. 4 para. 1(2)(b) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(b)(ii)** (with Sch. 2)
- F35** Words in Sch. 4 para. 1(4) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(c)** (with Sch. 2)

Reference by regulated person

- 2 (1) If the primary authority does not direct the enforcing authority as specified in section 28(2), the regulated person may with the consent of [^{F36}the Secretary of State] refer the action to [^{F36}the Secretary of State] .
- (2) On a reference under this paragraph—
- (a) if [^{F37}the Secretary of State] is satisfied as to the matters in sub-paragraph (3), [^{F37}the Secretary of State] must direct the enforcing authority not to take the proposed enforcement action;
- (b) in any other case, [^{F38}the Secretary of State] must consent to the action.
- (3) The matters referred to in sub-paragraph (2) are that—
- (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically),
- (b) the advice or guidance was correct, and
- (c) the advice or guidance was properly given by the primary authority.
- (4) The enforcing authority may not take the proposed enforcement action if it is directed as specified in sub-paragraph (2)(a).
- (5) Where [^{F39}the Secretary of State] gives a direction under sub-paragraph (2)(a), [^{F39}the Secretary of State] may direct the enforcing authority to take some other enforcement action (and section 28(1) to (4) does not apply in relation to that action).
- (6) The enforcing authority must comply with any direction under sub-paragraph (5).
- (7) [^{F40}The Secretary of State] may require a regulated person who makes a reference under this paragraph to pay such reasonable costs incurred by [^{F41}the Secretary of State] as a result of the reference as [^{F41}the Secretary of State] may specify.

Textual Amendments

- F36** Words in Sch. 4 para. 2(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(d)** (with Sch. 2)

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- F37** Words in Sch. 4 para. 2(2)(a) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(e)(i)** (with Sch. 2)
- F38** Words in Sch. 4 para. 2(2)(b) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(e)(ii)** (with Sch. 2)
- F39** Words in Sch. 4 para. 2(5) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(f)** (with Sch. 2)
- F40** Words in Sch. 4 para. 2(7) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(g)(i)** (with Sch. 2)
- F41** Words in Sch. 4 para. 2(7) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(g)(ii)** (with Sch. 2)

Reference by primary authority

- 3 (1) The primary authority may with the consent of [^{F42}the Secretary of State], instead of making a determination under section 28(2) in relation to a proposed enforcement action, refer the action to [^{F42}the Secretary of State].
- (2) On a reference under this paragraph—
- (a) if [^{F43}the Secretary of State] is satisfied as to the matters in sub-paragraph (3), [^{F43}the Secretary of State] must direct the enforcing authority not to take the proposed enforcement action;
- (b) in any other case, [^{F44}the Secretary of State] must consent to the action.
- (3) The matters referred to in sub-paragraph (2) are that—
- (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically),
- (b) the advice or guidance was correct, and
- (c) the advice or guidance was properly given by the primary authority.
- (4) The enforcing authority may not take the proposed enforcement action if it is directed as specified in sub-paragraph (2)(a).
- (5) Where [^{F45}the Secretary of State] gives a direction under sub-paragraph (2)(a), [^{F45}the Secretary of State] may direct the enforcing authority to take some other enforcement action (and section 28(1) to (4) does not apply in relation to that action).
- (6) The enforcing authority must comply with any direction under sub-paragraph (5).

Textual Amendments

- F42** Words in Sch. 4 para. 3(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(h)** (with Sch. 2)
- F43** Words in Sch. 4 para. 3(2)(a) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(i)(i)** (with Sch. 2)

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- F44** Words in Sch. 4 para. 3(2)(b) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(i)(ii)** (with Sch. 2)
- F45** Words in Sch. 4 para. 3(5) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(j)** (with Sch. 2)

Effect of reference

- 4 The enforcing authority may not take the proposed enforcement action—
- in any period during which the regulated person may make a reference under paragraph 2;
 - at any time after the making of a reference under this Schedule and before its determination.

Consultation

- 5 (1) Before making a determination for the purposes of this Schedule [^{F46}the Secretary of State] —
- must consult any relevant regulator, where appropriate, and
 - may consult such other persons as [^{F47}Secretary of State] thinks fit.
- (2) In sub-paragraph (1)(a) “relevant regulator” means a person (other than a local authority) with regulatory functions which relate to the matter to which the determination relates.

Textual Amendments

- F46** Words in Sch. 4 para. 5(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(k)(i)** (with Sch. 2)
- F47** Words in Sch. 4 para. 5(1)(b) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(k)(ii)** (with Sch. 2)

Procedure: general

- 6 (1) [^{F48}The Secretary of State] must determine any reference under this Schedule within the period of 28 days beginning with the day on which the reference is made.
- (2) The Secretary of State may by order make further provision as to the procedure to be followed, for the purposes of this Schedule, by the primary authority, the enforcing authority, the regulated person and [^{F49}the Secretary of State] .

Textual Amendments

- F48** Words in Sch. 4 para. 6(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(l)** (with Sch. 2)
- F49** Words in Sch. 4 para. 6(2) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), **Sch. 1 para. 16(m)** (with Sch. 2)

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Commencement Information

- II** Sch. 4 para. 6 wholly in force at 6.4.2009; Sch. 4 para. 6(2) in force at 1.10.2008 by [S.I. 2008/2371](#), [art. 2\(b\)](#); Sch. 4 para. 6(1) in force for all remaining purposes at 6.4.2009 by [S.I. 2009/550](#), [art. 2](#)

Guidance and directions

- 7 (1) [^{F50}The Secretary of State] may give guidance or directions to any one or more local authorities about any enforcement action referred to [^{F51}the Secretary of State] .
- (2) A local authority must have regard to any guidance, and comply with any direction, given to it under sub-paragraph (1).
- (3) [^{F52}The Secretary of State] must publish any guidance or directions given under this paragraph in such manner as [^{F53}the Secretary of State] considers appropriate.

Textual Amendments

- F50** Words in Sch. 4 para. 7(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), [Sch. 1 para. 16\(n\)\(i\)](#) (with Sch. 2)
- F51** Words in Sch. 4 para. 7(1) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), [Sch. 1 para. 16\(n\)\(ii\)](#) (with Sch. 2)
- F52** Words in Sch. 4 para. 7(3) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), [Sch. 1 para. 16\(o\)\(i\)](#) (with Sch. 2)
- F53** Words in Sch. 4 para. 7(3) substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), [Sch. 1 para. 16\(o\)\(ii\)](#) (with Sch. 2)

Information

- 8 For the purposes of this Schedule [^{F54}the Secretary of State] may require the primary authority, the enforcing authority or the regulated person to provide [^{F54}the Secretary of State] with such information as [^{F54}the Secretary of State] may specify, being information which the authority may lawfully provide to [^{F54}the Secretary of State] .]

Textual Amendments

- F54** Words in Sch. 4 para. 8 substituted (2.2.2012) by [The Local Better Regulation Office \(Dissolution and Transfer of Functions, Etc.\) Order 2012 \(S.I. 2012/246\)](#), arts. 1(2), 2, 4(2), [Sch. 1 para. 16\(p\)](#) (with Sch. 2)

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[^{F55}SCHEDULE 4A

Sections 25B and 25C

REFERENCES TO THE SECRETARY OF STATE

Textual Amendments

F55 Sch. 4A substituted (4.5.2016 for specified purposes, 1.10.2017 in so far as not already in force) by Enterprise Act 2016 (c. 12), s. 44(1)(c), Sch. 3; S.I. 2017/473, reg. 3(b)

PART 1

ENFORCEMENT ACTION BY PRIMARY AUTHORITY

- 1 (1) If the primary authority notifies the regulated person, or a member of the regulated group, under section 25B(2)(a) that it proposes to take enforcement action against the regulated person or the member, the regulated person or the member may, with the consent of the Secretary of State, refer the proposed enforcement action to the Secretary of State.
- (2) On a reference under sub-paragraph (1) the Secretary of State must—
 - (a) if satisfied as to the matters in sub-paragraph (3), direct the primary authority not to take the proposed enforcement action;
 - (b) otherwise, consent to the action.
- (3) The matters referred to in sub-paragraph (2) are that—
 - (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically), and
 - (b) the advice or guidance was correct and properly given.
- (4) If the Secretary of State directs the primary authority not to take the proposed enforcement action, the Secretary of State may direct the primary authority to take some other enforcement action (and section 25B does not apply in relation to that other action).

PART 2

ENFORCEMENT ACTION OTHER THAN BY PRIMARY AUTHORITY

Reference by an enforcing authority

- 2 (1) If the primary authority directs an enforcing authority under section 25C(4) not to take the proposed enforcement action, the enforcing authority may, with the consent of the Secretary of State, refer the proposed action to the Secretary of State.
- (2) On a reference under sub-paragraph (1) the Secretary of State must—
 - (a) if satisfied as to the matters in sub-paragraph (3), confirm the direction;
 - (b) otherwise, revoke the direction.
- (3) The matters referred to in sub-paragraph (2) are that—
 - (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically), and

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(b) the advice or guidance was correct and properly given.

(4) If the Secretary of State confirms the direction, the Secretary of State may direct the enforcing authority to take some other enforcement action (and section 25C does not apply in relation to that other action).

Reference by regulated person or member of the regulated group

- 3 (1) If section 25C applies and the primary authority does not direct the enforcing authority (under subsection (4) of that section) not to take the proposed enforcement action, the regulated person or the member of the regulated group may, with the consent of the Secretary of State, refer the action to the Secretary of State.
- (2) On a reference under sub-paragraph (1) the Secretary of State must—
- (a) if satisfied as to the matters in sub-paragraph (3), direct the enforcing authority not to take the proposed enforcement action;
 - (b) otherwise, consent to the action.
- (3) The matters referred to in sub-paragraph (2) are that—
- (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically), and
 - (b) the advice or guidance was correct and properly given.
- (4) If the Secretary of State directs the enforcing authority not to take the proposed enforcement action, the Secretary of State may direct the enforcing authority to take some other enforcement action (and section 25C does not apply in relation to that other action).

Reference by primary authority

- 4 (1) The primary authority may, with the consent of the Secretary of State, instead of making a determination under section 25C(4) as to whether to direct an enforcing authority not to take proposed enforcement action, refer the action to the Secretary of State.
- (2) On a reference under this paragraph the Secretary of State must—
- (a) if satisfied as to the matters in sub-paragraph (3), direct the enforcing authority not to take the proposed enforcement action;
 - (b) otherwise, consent to the action.
- (3) The matters referred to in sub-paragraph (2) are that—
- (a) the proposed enforcement action is inconsistent with advice or guidance previously given by the primary authority (generally or specifically), and
 - (b) the advice or guidance was correct and properly given.
- (4) If the Secretary of State directs the enforcing authority not to take the proposed enforcement action, the Secretary of State may direct the enforcing authority to take some other enforcement action (and section 25C does not apply in relation to that other action).

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PART 3

GENERAL

Timing

- 5
- (1) Any reference under this Schedule must be made as soon as is reasonably practicable, and in any event within the referral period.
 - (2) The “referral period” for the purposes of a reference under paragraph 1(1) is the period which—
 - (a) begins when the regulated person or the member is notified under section 25B(2)(a) of the proposed enforcement action, and
 - (b) ends at the end of the tenth working day after the day on which the period begins, or at such later time as the Secretary of State may direct.
 - (3) The “referral period” for the purposes of a reference under paragraph 2(1) is the period which—
 - (a) begins when the enforcing authority is directed under section 25C(4) not to take the proposed enforcement action, and
 - (b) ends at the end of the tenth working day after the day on which the period begins, or at such later time as the Secretary of State may direct.
 - (4) The “referral period” for the purposes of a reference under paragraph 3(1) is the period which—
 - (a) begins when the regulated person or the member is informed under section 25C(6)(a) that the enforcing authority continues to propose to take the enforcement action, and
 - (b) ends at the end of the tenth working day after the day on which the period begins, or at such later time as the Secretary of State may direct.
 - (5) The “referral period” for the purposes of a reference under paragraph 4(1) is the relevant period under section 25C(9).
 - (6) The Secretary of State must determine a reference under this Schedule within the period of 28 days beginning with the day on which the reference is made.
 - (7) The primary authority (in the case of a reference under paragraph 1(1)) or the enforcing authority (in the case of a reference under paragraph 2(1), 3(1) or 4(1)) may not take the proposed enforcement action at any time after the making of the reference and before its determination.

Consultation

- 6
- (1) Before determining a reference under this Schedule, the Secretary of State—
 - (a) must consult any relevant regulator, where appropriate, and
 - (b) may consult other persons.
 - (2) In sub-paragraph (1)(a), “relevant regulator” means a person who has regulatory functions which relate to the matter to which the determination relates.
 - (3) But a person is not a “relevant regulator” within the meaning of sub-paragraph (1)
 - (a) if—
 - (a) the person is a qualifying regulator, and

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- (b) the partnership function pursuant to which the proposed enforcement action would be taken is a relevant function of the person.

Information

- 7 (1) For the purposes of determining whether to consent to a reference under this Schedule, or of determining such a reference, the Secretary of State may require any of the following to provide the Secretary of State with information—
- (a) the primary authority;
 - (b) in the case of a reference under paragraph 2(1), 3(1) or 4(1), the enforcing authority;
 - (c) the regulated person concerned or the member of the regulated group concerned.
- (2) The information must be information which the authority, person or member may lawfully provide to the Secretary of State.

Secretary of State's costs

- 8 The Secretary of State may require the regulated person or a member of the regulated group to pay reasonable costs incurred by the Secretary of State as a result of—
- (a) a reference by the regulated person or the member under paragraph 1(1) or 3(1), or
 - (b) an application by the regulated person or the member for consent to make such a reference.

Procedure

- 9 The Secretary of State may by regulations make further provision as to the procedure to be followed for the purposes of this Schedule.]

SCHEDULE 5

Section 37(1)

DESIGNATED REGULATORS

British Hallmarking Council
 Charity Commission for England and Wales
 [^{F56}Civil Aviation Authority]
 Coal Authority
 [^{F57}Competition and Markets Authority]
^{F58}
 ...
 Environment Agency
 [^{F59}Financial Conduct Authority]
 Food Standards Agency
^{F60}
 ...
 Forestry Commissioners
 Gambling Commission

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[^{F61}Gangmasters and Labour Abuse Authority]
Health and Safety Executive
Hearing Aid Council
Historic Buildings and Monuments Commission for England (“English Heritage”)
Housing Corporation
Human Fertilisation and Embryology Authority
Human Tissue Authority
Information Commissioner
^{F62} ...
Natural England
[^{F63}Natural Resources Body for Wales]
Office of Communications
^{F64} ...
[^{F65}Office of Rail and Road]
Pensions Regulator
[^{F66}Prudential Regulation Authority]
Security Industry Authority
[^{F67} The Sports Grounds Safety Authority.]
Statistics Board

Textual Amendments

- F56** Words in Sch. 5 inserted (6.4.2013) by Civil Aviation Act 2012 (c. 19), **ss. 103(2)**, 110(1) (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(4)(b)
- F57** Sch. 5 entry substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 181(a)** (with art. 3)
- F58** Words in Sch. 5 omitted (1.4.2013) by virtue of The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 439(2)** (with Sch. 7)
- F59** Words in Sch. 5 substituted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 126(a)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F60** Words in Sch. 5 repealed (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), s. 8(1), Sch. 2 para. 9, **Sch. 3**; S.I. 2011/2597, art. 2
- F61** Words in Sch. 5 substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 27**; S.I. 2016/603, reg. 3(u)
- F62** Sch. 5 entry repealed (1.4.2010 for W., 1.4.2011 for E.) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F63** Words in Sch. 5 inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 439(3)** (with Sch. 7)
- F64** Sch. 5 entry omitted (1.4.2014) by virtue of The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 181(b)** (with art. 3)
- F65** Words in Sch. 5 substituted (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 4(s)(ii)**
- F66** Words in Sch. 5 inserted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 126(b)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F67** Words in Sch. 5 inserted (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), s. 8(1), **Sch. 2 para. 9**; S.I. 2011/2597, art. 2

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F56** Words in Sch. 5 inserted (6.4.2013) by Civil Aviation Act 2012 (c. 19), **ss. 103(2)**, 110(1) (with Sch. 10 paras. 12, 17); S.I. 2013/589, art. 2(4)(b)
- F57** Sch. 5 entry substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 181(a)** (with art. 3)
- F58** Words in Sch. 5 omitted (1.4.2013) by virtue of The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 439(2)** (with Sch. 7)
- F59** Words in Sch. 5 substituted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 126(a)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F60** Words in Sch. 5 repealed (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), s. 8(1), Sch. 2 para. 9, **Sch. 3**; S.I. 2011/2597, art. 2
- F61** Words in Sch. 5 substituted (12.7.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 3 para. 27**; S.I. 2016/603, reg. 3(u)
- F62** Sch. 5 entry repealed (1.4.2010 for W., 1.4.2011 for E.) by Marine and Coastal Access Act 2009 (c. 23), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F63** Words in Sch. 5 inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 439(3)** (with Sch. 7)
- F64** Sch. 5 entry omitted (1.4.2014) by virtue of The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 181(b)** (with art. 3)
- F65** Words in Sch. 5 substituted (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 4(s)(ii)**
- F66** Words in Sch. 5 inserted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), **Sch. 18 para. 126(b)** (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F67** Words in Sch. 5 inserted (1.11.2011) by Sports Grounds Safety Authority Act 2011 (c. 6), s. 8(1), **Sch. 2 para. 9**; S.I. 2011/2597, art. 2

SCHEDULE 6

Section 37(2)

ENACTMENTS SPECIFIED FOR THE PURPOSES OF ORDERS UNDER PART 3

Accommodation Agencies Act 1953 (c. 23), section 1
Administration of Justice Act 1970 (c. 31), section 40
Agriculture Act 1947 (c. 48), section 100
Agriculture Act 1967 (c. 22), section 14(2)
Agriculture Act 1970 (c. 40)
Agriculture and Horticulture Act 1964 (c. 28), sections 14 and 15
Ancient Monuments and Archaeological Areas Act 1979 (c. 46)
Animal Boarding Establishments Act 1963 (c. 43), section 1(8)
Animal Health Act 1981 (c. 22)
Animal Health and Welfare Act 1984 (c. 40), section 10(6)
Animals (Scientific Procedures) Act 1986 (c. 14)
Animal Welfare Act 2006 (c. 45)
Anti-social Behaviour Act 2003 (c. 38), sections 54 and 75
Aviation and Maritime Security Act 1990 (c. 31), sections 15 and 48 and Part 3
Aviation Security Act 1982 (c. 36), Part 2

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Bees Act 1980 (c. 12), section 1(7)
Building Act 1984 (c. 55)
Cancer Act 1939 (c. 13), section 4
Children and Young Persons Act 1933 (c. 12), section 7(1)
Children and Young Persons Act 1963 (c. 37), section 40
Children and Young Persons (Protection from Tobacco) Act 1991 (c. 23)
Christmas Day (Trading) Act 2004 (c. 26), sections 2 and 3
Chronically Sick and Disabled Persons Act 1970 (c. 44), section 21
Clean Air Act 1993 (c. 11)
Clean Neighbourhoods and Environment Act 2005 (c. 16), sections 3 to 7 and Part 7
Coast Protection Act 1949 (c. 74), sections 18(7) and 36
Commons Act 2006 (c. 26), section 34(1)
Conservation of Seals Act 1970 (c. 30)
Consumer Credit Act 1974 (c. 39)
Consumer Protection Act 1987 (c. 43), section 12
Control of Pollution Act 1974 (c. 40), Part 3
Control of Pollution (Amendment) Act 1989 (c. 14), sections 1, 5 and 7
Criminal Justice and Public Order Act 1994 (c. 33), sections 77(3), 78(4), 166 and 167
Dangerous Dogs Act 1989 (c. 30)
Dangerous Dogs Act 1991 (c. 65)
Dangerous Vessels Act 1985 (c. 22), section 5
Dangerous Wild Animals Act 1976 (c. 38)
Deer Act 1991 (c. 54)
Destructive Imported Animals Act 1932 (c. 12), section 6
F70
...
Diseases of Fish Act 1937 (c. 33)
Diseases of Fish Act 1983 (c. 30)
Education Reform Act 1988 (c. 40), section 214
Employment Agencies Act 1973 (c. 35), sections 5(2), 6(2), and 10(2)
Energy Act 1976 (c. 76), section 18
Enterprise Act 2002 (c. 40), section 227E
Environment Act 1995 (c. 25), section 110
Environmental Protection Act 1990 (c. 43), Parts 2, 2A and 3, and sections 118 and 150(5)
Estate Agents Act 1979 (c. 38)
Explosives Act 1875 (c. 17), sections 30 to 32, [F7143], 73 and 80
Fair Trading Act 1973 (c. 41), sections 23, 30 and 120
Farriers (Registration) Act 1975 (c. 35)
Fire Safety and Safety of Places of Sport Act 1987 (c. 27)
Fireworks Act 2003 (c. 22), section 11
Fisheries Act 1981 (c. 29)
Fishery Limits Act 1976 (c. 86)
Food and Environment Protection Act 1985 (c. 48), Parts 1, 2 and 3
Food Safety Act 1990 (c. 16), Parts 2 and 3
Food Standards Act 1999 (c. 28)
Gambling Act 2005 (c. 19)

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Game Act 1831 (c. 32), sections 3, 3A, and 24
 Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)
 Ground Game Act 1880 (c. 47), section 6
 Hallmarking Act 1973 (c. 43), sections 1, 3, 5 to 7 and 11
 Hares Preservation Act 1892 (c. 8), section 2
 Health and Safety at Work etc. Act 1974 (c. 37), section 33
 Highways Act 1980 (c. 66), Part 9
 Horticultural Produce Act 1986 (c. 20)
 Import of Live Fish (England and Wales) Act 1980 (c. 27), section 3
 International Carriage of Perishable Foodstuffs Act 1976 (c. 58), sections 6 to 11
 F72
 ...
 Knives Act 1997 (c. 21)
 Licensing Act 2003 (c. 17)
 Local Government (Miscellaneous Provisions) Act 1976 (c. 57), Part 2
 Local Government (Miscellaneous Provisions) Act 1982 (c. 30), Part 8 and Schedules 3 and 4
 London Local Authorities Act 1995 (c. x), sections 24 and 25
 London Local Authorities Act 2004 (c. i), sections 22, 26 and 29
 Medicines Act 1968 (c. 67)
 Merchant Shipping Act 1995 (c. 21), Parts 1 to 5 and 9 to 12
 Mines and Quarries (Tips) Act 1969 (c. 10), Part 2
 Motor Cycle Noise Act 1987 (c. 34)
 New Roads and Street Works Act 1991 (c. 22), section 51
 Noise Act 1996 (c. 37)
 Olympic Symbol etc. (Protection) Act 1995 (c. 32), section 8
 Pedlars Act 1871 (c. 96), sections 4, 12 and 14
 Pests Act 1954 (c. 68), sections 8, 9 and 12
 Pet Animals Act 1951 (c. 35)
 F73
 ...
 Pilotage Act 1987 (c. 21)
 Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)
 Plant Varieties Act 1997 (c. 66), sections 19, 31 and 32
 Plant Varieties and Seeds Act 1964 (c. 14), sections 16 and 25
 Poisons Act 1972 (c. 66)
 Prevention of Damage by Pests Act 1949 (c. 55), sections 3(4), 17 and 22(4)
 Prices Act 1974 (c. 24)
 F74
 ...
 Protection from Eviction Act 1977 (c. 43), section 1
 Protection of Badgers Act 1992 (c. 51), sections 1 to 5 and 10
 Protection of Wrecks Act 1973 (c. 33)
 Public Health Act 1936 (c. 49), Part 2 and sections 269, 288 and 290
 Public Health (Control of Disease) Act 1984 (c. 22), sections 15 to 55
 Public Passenger Vehicles Act 1981 (c. 14), Part 2 and section 67
 F75
 ...
 Railways Act 1993 (c. 43), sections 119, 120 and 121

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Railways and Transport Safety Act 2003 (c. 20), sections 78 to 80
Refuse Disposal (Amenity) Act 1978 (c. 3), sections 2(1) and 2B(2)
Rent Act 1977 (c. 42), sections 77 and 81
Road Traffic Act 1988 (c. 52)
Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), sections 9 and 11
Road Traffic (Foreign Vehicles) Act 1972 (c. 27), section 3
Road Traffic (New Drivers) Act 1995 (c. 13), section 3
Road Traffic Offenders Act 1988 (c. 53), sections 25, 62, 67, 90D and 91
Road Traffic Regulation Act 1984 (c. 27), sections 5, 16, 47, 115 and 117
Safety of Sports Grounds Act 1975 (c. 52), section 12(1) and (6)
Salmon Act 1986 (c. 62), section 32(1)
Salmon and Freshwater Fisheries Act 1975 (c. 51)
Scrap Metal Dealers Act 1964 (c. 69), sections 1 and 5
Sea Fish (Conservation) Act 1967 (c. 84)
Sea Fisheries Act 1968 (c. 77)
F76
...
Sea Fisheries (Shellfish) Act 1967 (c. 83)
Solicitors Act 1974 (c. 47), section 20
Sunday Trading Act 1994 (c. 20)
F77
...
Trade Descriptions Act 1968 (c. 29)
Transport Act 1968 (c. 73), Part 6
Transport Act 1985 (c. 67), sections 23, 30 and 101
Transport Act 2000 (c. 38), section 148 and Part 3
Unsolicited Goods and Services Act 1971 (c. 30), sections 2 and 3
Vehicles (Crime) Act 2001 (c. 3)
Vehicle Excise and Registration Act 1994 (c. 22), section 28A, Part 3 and section 59
Veterinary Surgeons Act 1966 (c. 36)
Video Recordings Act 1984 (c. 39), sections 9 to 14
Video Recordings Act 1993 (c. 24)
Water Industry Act 1991 (c. 56), sections 70(1), 86, 109, 111 and 118
Water Resources Act 1991 (c. 57)
Weeds Act 1959 (c. 54), section 2
Weights and Measures Act 1985 (c. 72), Parts 2 to 7
Wildlife and Countryside Act 1981 (c. 69), Parts 1 and 2
Zoo Licensing Act 1981 (c. 37), section 19

Textual Amendments

- F68** Words in [Sch. 6](#) omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) (S.I. 2018/486), [reg. 1\(1\)\(b\)](#), [Sch. 9 para. 15\(3\)\(a\)](#) (with [reg. 27](#))
- F69** Words in [Sch. 6](#) omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#) (S.I. 2018/486), [reg. 1\(1\)\(b\)](#), [Sch. 9 para. 15\(3\)\(b\)](#) (with [reg. 27](#))

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F70** Words in Sch. 6 repealed by 2010 c. 15 Sch. 27 Pt. 1 (as substituted) (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)
- F71** Word in Sch. 6 repealed (E.W.S) (1.10.2014) by [The Acetylene Safety \(England and Wales and Scotland\) Regulations 2014 \(S.I. 2014/1639\)](#), reg. 1(1), **Sch. 3 Pt. 1**
- F72** Words in Sch. 6 omitted (26.5.2016) by virtue of [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), **Sch. 5 para. 1(2)**; S.I. 2016/553, reg. 2
- F73** Words in Sch. 6 repealed (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), reg. 1(2), **Sch. 4 Pt. 1** (with reg. 3(1))
- F74** Words in Sch. 6 omitted (1.10.2013) by virtue of [The Property Misdescriptions Act 1991 \(Repeal\) Order 2013 \(S.I. 2013/1575\)](#), art. 1, **Sch. para. 14**
- F75** Words in Sch. 6 repealed (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 94**; S.I. 2014/251, art. 4
- F76** Sch. 6 entry repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F77** Words in Sch. 6 repealed (23.2.2011) by [The Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 \(S.I. 2010/2960\)](#), reg. 1(2), Sch. 6 para. 4(3), **8 Pt. 1** (with reg. 37, Sch. 7)

Textual Amendments

- F68** Words in Sch. 6 omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 15(3)(a)** (with reg. 27)
- F69** Words in Sch. 6 omitted (E.W.) (1.10.2018) by virtue of [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018 \(S.I. 2018/486\)](#), reg. 1(1)(b), **Sch. 9 para. 15(3)(b)** (with reg. 27)
- F70** Words in Sch. 6 repealed by 2010 c. 15 Sch. 27 Pt. 1 (as substituted) (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)
- F71** Word in Sch. 6 repealed (E.W.S) (1.10.2014) by [The Acetylene Safety \(England and Wales and Scotland\) Regulations 2014 \(S.I. 2014/1639\)](#), reg. 1(1), **Sch. 3 Pt. 1**
- F72** Words in Sch. 6 omitted (26.5.2016) by virtue of [Psychoactive Substances Act 2016 \(c. 2\)](#), s. 63(2), **Sch. 5 para. 1(2)**; S.I. 2016/553, reg. 2
- F73** Words in Sch. 6 repealed (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), reg. 1(2), **Sch. 4 Pt. 1** (with reg. 3(1))
- F74** Words in Sch. 6 omitted (1.10.2013) by virtue of [The Property Misdescriptions Act 1991 \(Repeal\) Order 2013 \(S.I. 2013/1575\)](#), art. 1, **Sch. para. 14**
- F75** Words in Sch. 6 repealed (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 94**; S.I. 2014/251, art. 4
- F76** Sch. 6 entry repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; S.I. 2010/630, art. 3(b) (with arts. 812); S.I. 2011/556, art. 2(2)(o) (with art. 2(3))
- F77** Words in Sch. 6 repealed (23.2.2011) by [The Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 \(S.I. 2010/2960\)](#), reg. 1(2), Sch. 6 para. 4(3), **8 Pt. 1** (with reg. 37, Sch. 7)

ENACTMENTS SPECIFIED FOR THE PURPOSES OF SECTION 62

Activity Centres (Young Persons' Safety) Act 1995 (c. 15), section 2
Animal Health Act 1981 (c. 22)

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Animal Welfare Act 2006 (c. 45), section 12
Aviation and Maritime Security Act 1990 (c. 31), sections 36A, 41 and 42
Aviation Security Act 1982 (c. 36), sections 20A, 21F and 21G
Channel Tunnel Act 1987 (c. 53), section 11
Charities Act 1992 (c. 41), sections 64 and 64A
Charities Act 2006 (c. 50), section 63
[^{F78}Civil Aviation Act 1982, sections 7, 61, 71, 71A, 86]
Consumers, Estate Agents and Redress Act 2007 (c. 17), section 59
Control of Pollution Act 1974 (c. 40), section 17
Control of Pollution (Amendment) Act 1989 (c. 14), section 2
Electricity Act 1989 (c. 29), section 29
Environment Act 1995 (c. 25), sections 87, 95 and 97
Environmental Protection Act 1990 (c. 43), sections 140 and 156
Financial Services and Markets Act 2000 (c. 8), section 168(4)(b)
Fisheries Act 1981 (c. 29), section 30
Food Safety Act 1990 (c. 16), Part 2
Food Standards Act 1999 (c. 28), section 27
Gambling Act 2005 (c. 19), sections 59(1) and 146
Gas Act 1986 (c. 44), sections 18 and 47
Goods Vehicles (Licensing of Operators) Act 1995 (c. 23), Schedule 1A
Hovercraft Act 1968 (c. 59), section 1
Medicines Act 1968 (c. 67), sections 91 and 95
Merchant Shipping Act 1995 (c. 21)
Merchant Shipping (Oil Pollution, Preparedness, Response and Co-operation) Order 1997 (SI 1997/2567), article 2
Motor Vehicles (International Circulation) Act 1952 (c. 39), section 1
Pensions Act 1995 (c. 26), section 116
Pensions Act 2004 (c. 35), section 314
Petroleum Act 1998 (c. 17), section 25
Plant Health Act 1967 (c. 8), section 3
Pollution Prevention and Control Act 1999 (c. 24), sections 2 and 3
Public Health (Control of Disease) Act 1984 (c. 22), section 13
Public Passenger Vehicles Act 1981 (c. 14), section 60
Railways Act 1993 (c. 43), section 121A
Railways and Transport Safety Act 2003 (c. 20), sections 9 and 11
Regulatory Reform Act 2001 (c. 6), section 1
Road Traffic Act 1988 (c. 52), sections 49, 61, 105 and 120 and Schedule 2A
Safety of Sports Grounds Act 1975 (c. 52), section 6(2)
Salmon Act 1986 (c. 62), section 31
^{F79} ...
Vehicle Excise and Registration Act 1994 (c. 22), sections 24 and 28 and Schedule 2A
[^{F80}Water Act 2014 (c. 21), section 61]
Water Industry Act 1991 (c. 56), section 69
Water Resources Act 1991 (c. 57), section 92
Weights and Measures &c. Act 1976 (c. 77), section 12

Changes to legislation: Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Weights and Measures Act 1985 (c. 72), section 22

Textual Amendments

- F78** Words in Sch. 7 inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 103(3)**, 110(1) (with Sch. 10 paras. 12, 17); [S.I. 2013/589](#), art. 2(4)(b)
- F79** Sch. 7 entry repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; [S.I. 2010/630](#), art. 3(b) (with arts. 812); [S.I. 2011/556](#), art. 2(2)(o) (with art. 2(3))
- F80** Words in Sch. 7 inserted (31.3.2017) by [The Water Act 2014 \(Consequential Amendments etc.\) Order 2017 \(S.I. 2017/506\)](#), arts. 1(1), **15**

Textual Amendments

- F78** Words in Sch. 7 inserted (6.4.2013) by [Civil Aviation Act 2012 \(c. 19\)](#), **ss. 103(3)**, 110(1) (with Sch. 10 paras. 12, 17); [S.I. 2013/589](#), art. 2(4)(b)
- F79** Sch. 7 entry repealed (1.4.2010 for W., 1.4.2011 for E.) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(3), **Sch. 22 Pt. 4**; [S.I. 2010/630](#), art. 3(b) (with arts. 812); [S.I. 2011/556](#), art. 2(2)(o) (with art. 2(3))
- F80** Words in Sch. 7 inserted (31.3.2017) by [The Water Act 2014 \(Consequential Amendments etc.\) Order 2017 \(S.I. 2017/506\)](#), arts. 1(1), **15**

Changes to legislation:

Regulatory Enforcement and Sanctions Act 2008 is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 59(3) applied by [2023 asc 3 s. 201\(2\)\(5\)](#)
- s. 60(1)(2) applied by [2023 asc 3 s. 201\(2\)\(5\)](#)
- s. 63-70 applied by [2023 asc 3 s. 201\(3\)\(5\)](#)
- s. 70(4)(a) words substituted by [2018 c. 12 Sch. 19 para. 152\(2\)](#)
- Sch. 7 words inserted by [2016 anaw 4 s. 31\(4\)](#)
- Sch. 7 words inserted by [2023 asc 3 Sch. 13 para. 186](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 70(6) inserted by [2018 c. 12 Sch. 19 para. 152\(3\)](#)