



# Regulatory Enforcement and Sanctions Act 2008

## 2008 CHAPTER 13

### <sup>F1</sup>[PART 2

#### CO-ORDINATION OF REGULATORY ENFORCEMENT

##### *Introductory*

### [22 Scope of Part 2

[ This Part applies in relation to a person if the Secretary of State is satisfied that the <sup>F1</sup>(A1) person is within subsection (1) or (1A).]

- (1) [<sup>F2</sup>A person is within this subsection if—
- (a) the person] carries on an activity in the area of two or more local authorities, and
  - (b) each of those authorities has the same relevant function in relation to that activity.

[ A person (P) is within this subsection if each of the conditions in subsection (1B) is <sup>F3</sup>(1A) met.

- (1B) The conditions are—
- (a) that P carries on an activity in relation to which a local authority exercises a relevant function;
  - (b) that the effect of arrangements made by P with any organisation or other person is that P's approach to compliance, in respect of the relevant function, is one that is shared with another person (Q) who carries on the activity;
  - (c) that—
    - (i) at least one of P and Q carries on the activity in the area of two or more local authorities, or

**Changes to legislation:** Regulatory Enforcement and Sanctions Act 2008, Section 22 is up to date with all changes known to be in force on or before 05 June 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](#)

(ii) Q carries on the activity in the area of a local authority in which P does not carry on the activity.]

[<sup>F4</sup>(2) In this Part, references to “the regulated person” are to a person to whom this Part applies.]

[ The Secretary of State may from time to time publish guidance about matters likely <sup>F4</sup>(3) to be taken into account for the purposes of subsection (1B)(b).]

[ The guidance may be published in such manner as the Secretary of State considers <sup>F4</sup>(4) appropriate.]]

#### Textual Amendments

- F1** S. 22(A1) inserted (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), ss. 67\(2\), 103\(3\); S.I. 2013/2227, art. 2\(d\)](#)
- F2** Words in s. 22(1) substituted (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), ss. 67\(3\), 103\(3\); S.I. 2013/2227, art. 2\(d\)](#)
- F3** S. 22(1A)(1B) inserted (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), ss. 67\(4\), 103\(3\); S.I. 2013/2227, art. 2\(d\)](#)
- F4** S. 22(2)-(4) substituted for s. 22(2) (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\), ss. 67\(5\), 103\(3\); S.I. 2013/2227, art. 2\(d\)](#)

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**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\(3\)](#)