



Small Business, Enterprise and Employment Act 2015

2015 CHAPTER 26

PART 4

THE PUBS CODE ADJUDICATOR AND THE PUBS CODE

Supervision of Adjudicator

65 Review of Adjudicator and guidance from Secretary of State

- (1) The Secretary of State must review the Adjudicator's performance for each review period.
- (2) The first review period is the period beginning on the day on which section 41 comes into force and ending 2 years after the following 31 March.
- (3) Subsequent review periods are each successive period of 3 years after the first review period.
- (4) A review must, in particular, assess how effective the Adjudicator has been in enforcing the Pubs Code.
- (5) A review may consider whether it would be desirable to amend or replace any regulations for the time being in force under section 51(2) or (7) or 58(6).
- (6) As soon as practicable after a review period, the Secretary of State must—
 - (a) publish a report of the findings of the review for that period, and
 - (b) lay a copy of the report before Parliament.
- (7) As a result of the findings of a review, the Secretary of State may give guidance to the Adjudicator about any matter relating to the Adjudicator's functions.
- (8) The Adjudicator must take account of the guidance in carrying out functions.

66 Abolition of Adjudicator

- (1) The Secretary of State may by regulations abolish the Adjudicator—
 - (a) if, as a result of the findings of a review, the Secretary of State is satisfied that the Adjudicator has not been sufficiently effective in securing compliance with the Pubs Code to justify the continued existence of an Adjudicator,
 - (b) if, as a result of the findings of a review, the Secretary of State is satisfied that it is no longer necessary for there to be an Adjudicator to secure compliance with the Pubs Code, or
 - (c) if the Pubs Code is revoked and not replaced.
- (2) The regulations may include provision transferring the Adjudicator's property, rights and liabilities.
- (3) For the purpose of giving effect to the abolition of the Adjudicator, the regulations may amend or repeal this Part or any other enactment, including an enactment comprised in subordinate legislation within the meaning of the Interpretation Act 1978.

67 Information to Secretary of State

The Secretary of State may require the Adjudicator to provide information to assist the Secretary of State in carrying out functions under this Part.