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**Changes to legislation:** There are currently no known outstanding effects for the Enterprise Act 2016, Cross Heading: Acting as Commissioner during vacancy etc. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

#### THE SMALL BUSINESS COMMISSIONER

##### *Acting as Commissioner during vacancy etc*

- 8 (1) The nominated person is to act as Commissioner—
- (a) during any vacancy in the office of Commissioner, or
  - (b) if the Commissioner is disqualified.
- (2) “The nominated person” means—
- (a) if there is only one Deputy Commissioner who is not disqualified, that Deputy Commissioner,
  - (b) if there is more than one Deputy Commissioner who is not disqualified, such of them as the Secretary of State appoints to act as Commissioner, or
  - (c) if neither paragraph (a) nor (b) applies, a member of the Commissioner's staff appointed under paragraph 11, or seconded under paragraph 12, who is appointed by the Secretary of State to act as Commissioner.
- (3) For the purposes of this paragraph a person is “disqualified” if the person is absent, subject to suspension or unable to act (whether as a result of arrangements under paragraph 9 or otherwise).

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#### Commencement Information

**I1** [Sch. 1](#) in force at Royal Assent for specified purposes, see [s. 44\(1\)\(a\)](#)

**I2** [Sch. 1 para. 8](#) in force at 6.4.2017 in so far as not already in force by [S.I. 2017/473](#), [reg. 2](#)

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Acting as Commissioner during vacancy etc.