



Enterprise Act 2016

2016 CHAPTER 12

PART 1

THE SMALL BUSINESS COMMISSIONER

Complaints scheme

5 Enquiry into, consideration and determination of complaints

- (1) This section applies where a complaint is to be determined under the SBC complaints scheme.
- (2) The Commissioner may ask the complainant or the respondent to provide the Commissioner voluntarily with any information or documents relevant to the complaint.
- (3) The Commissioner must give the respondent, and may give the complainant, an opportunity to make representations to the Commissioner.
- (4) In enquiring into, considering and determining a complaint, the Commissioner must act impartially as between the complainant and the respondent.
- (5) A complaint is to be determined under the SBC complaints scheme by reference to what is, in the Commissioner's opinion, fair and reasonable in all the circumstances of the case.
- (6) The determination may contain one or more recommendations as to the steps that ought to be taken by the complainant or the respondent to remedy, resolve or mitigate any issue which is the subject of the complaint or to prevent a similar issue from arising in future.
- (7) Where a complaint has been determined, the Commissioner must prepare a written statement of the determination.
- (8) The statement must give the Commissioner's reasons for the determination (including any recommendations).

Changes to legislation: There are currently no known outstanding effects
for the Enterprise Act 2016, Section 5. (See end of Document for details)

- (9) If the determination does not contain any recommendations, the statement must contain the Commissioner's reasons for this.
- (10) The Commissioner must give a copy of the statement to the complainant and the respondent.
- (11) A determination made under the SBC complaints scheme is not legally binding.

Commencement Information

- I1** [S. 5](#) in force at Royal Assent for specified purposes, see [s. 44\(1\)](#)
- I2** [S. 5](#) in force at 1.10.2017 in so far as not already in force by [S.I. 2017/473](#), [reg. 3\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise Act 2016, Section 5.