



Digital Economy Act 2017

2017 CHAPTER 30

PART 5

DIGITAL GOVERNMENT

CHAPTER 4

FRAUD AGAINST THE PUBLIC SECTOR

61 Duty to review operation of Chapter

- (1) As soon as is reasonably practicable after the end of three years beginning with the day on which this Chapter comes into force, the relevant Minister must review its operation for the purposes of deciding whether it should be amended or repealed.
- (2) Before carrying out the review the relevant Minister must publish the criteria by reference to which that determination will be made.
- (3) In carrying out the review the relevant Minister must consult—
 - (a) the Information Commissioner,
 - (b) the Scottish Ministers,
 - (c) the Welsh Ministers,
 - (d) the Department of Finance in Northern Ireland, and
 - (e) such other persons as the relevant Minister thinks appropriate.
- (4) Once the review is completed the relevant Minister must—
 - (a) publish a report on its outcome, and
 - (b) lay, or arrange for the laying of, a copy of the report before—
 - (i) Parliament,
 - (ii) the Scottish Parliament,
 - (iii) the National Assembly for Wales, and
 - (iv) the Northern Ireland Assembly.

Status: This is the original version (as it was originally enacted).

- (5) If as a result of the review the relevant Minister decides that this Chapter should be amended or repealed, the relevant Minister may by regulations amend or repeal it (as the case may be).
- (6) The power in subsection (5) to amend this Chapter—
- (a) may be exercised for the purposes only of improving the effectiveness of the operation of the power in section 56(1), and
 - (b) may not be used to remove any of the safeguards relating to the use or disclosure of information in section 57, 58 or 59.
- (7) The relevant Minister may only make regulations under subsection (5) with the consent of the Scottish Ministers if the regulations—
- (a) repeal this Chapter,
 - (b) amend or remove the power of the Scottish Ministers to make regulations under section 56(6),
 - (c) affect the disclosure of information under section 56 by a Scottish body to another such body,
 - (d) affect the use by a Scottish body of information disclosed under that section by such a body, or
 - (e) affect the further disclosure to a Scottish body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Scottish body.
- (8) The relevant Minister may only make regulations under subsection (5) with the consent of the Welsh Ministers if the regulations—
- (a) repeal this Chapter,
 - (b) amend or remove the power of the Welsh Ministers to make regulations under section 56(6),
 - (c) affect the disclosure of information under section 56 by a Welsh body to another such body,
 - (d) affect the use by a Welsh body of information disclosed under that section by such a body, or
 - (e) affect the further disclosure to a Welsh body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Welsh body.
- (9) The relevant Minister may only make regulations under subsection (5) with the consent of the Department of Finance in Northern Ireland if the regulations—
- (a) repeal this Chapter,
 - (b) amend or remove the power of the Department to make regulations under section 56(6),
 - (c) affect the disclosure of information under section 56 by a Northern Ireland body to another such body,
 - (d) affect the use by a Northern Ireland body of information disclosed under that section by such a body, or
 - (e) affect the further disclosure to a Northern Ireland body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Northern Ireland body.

Status: This is the original version (as it was originally enacted).

- (10) The relevant Minister may only make regulations under subsection (5) with the consent of the Treasury in a case where the regulations could affect the disclosure of information by the Revenue and Customs.
- (11) Anything required to be published by this section is to be published in such manner as the relevant Minister thinks fit.