

2010 No. 1277 (C. 79)

PARLIAMENT

**The Constitutional Reform and Governance Act 2010
(Commencement No. 1) Order 2010**

Made - - - -

15th April 2010

The Secretary of State makes the following Order in exercise of the powers conferred by section 52(2) of the Constitutional Reform and Governance Act 2010^(a):

Citation

1. This Order may be cited as the Constitutional Reform and Governance Act 2010 (Commencement No. 1) Order 2010.

Commencement

2. The following provisions of the 2010 Act come into force on 19th April 2010—
- (a) section 26 (Compliance Officer);
 - (b) section 38 (consequential amendments) in so far as it relates to the provisions in paragraph (d);
 - (c) Schedule 3 (Parliamentary Standards Act 2009: substituted Schedule 2); and
 - (d) in Schedule 5 (Parliamentary standards: consequential amendments)—
 - (i) paragraph 1;
 - (ii) paragraph 2(b);
 - (iii) paragraph 4(1) and (2)(a);
 - (iv) paragraph 5(1) and (3); and
 - (v) paragraph 7(1), and paragraph 7(4)(d) to the extent that it inserts paragraph 18(2)(e) of Schedule 1 to the Parliamentary Standards Act 2009^(b).
3. The following provisions of the 2010 Act come into force on 7th May 2010—
- (a) section 27 (membership of Speaker's Committee);
 - (b) subsections (1) to (3) of section 28 (transparency etc.);
 - (c) section 30 (MPs' allowances scheme);
 - (d) subsection (6) of section 31 (allowances claims);
 - (e) section 32 (MPs' code of conduct relating to financial interests);
 - (f) section 36 (further functions of the IPSA and Commissioner);

(a) 2010 c. 25.

(b) 2009 c. 13.

- (g) section 37 (expiry of provisions of the Parliamentary Standards Act 2009);
- (h) section 38 (consequential amendments) in so far as it relates to the provisions in paragraph (i); and
- (i) in Schedule 5 (Parliamentary standards: consequential amendments)—
 - (i) paragraph 2(a);
 - (ii) paragraph 3;
 - (iii) paragraph 4(2)(b);
 - (iv) paragraph 5(2);
 - (v) paragraph 6; and
 - (vi) paragraph 7(2), (3)(c) and (4)(c).

Signed by authority of the Secretary of State for Justice

Bridget Prentice
Parliamentary Under-Secretary of State
Ministry of Justice

15th April 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Constitutional Reform and Governance Act 2010 which make amendments to the Parliamentary Standards Act 2009 (“the 2009 Act”) about the Independent Parliamentary Standards Authority (“the IPSA”) and its functions. The provisions which replace section 3(3) and (4) of, and Schedule 2 to, the 2009 Act with new provisions, and consequential amendments relating to the Compliance Officer, come into force on 19th April 2010, and the other provisions brought into force by this Order come into force on 7th May 2010.

The commenced provisions—

- (a) replace provisions of the 2009 Act about the Commissioner for Parliamentary Investigations with provisions about the Compliance Officer for the IPSA (sections 26, 36 and 37 and Schedule 3);
- (b) provide for lay membership of the Speaker’s Committee for the IPSA (section 27);
- (c) provide for certain general duties of the IPSA, and for a publication scheme (section 28(1) to (3));
- (d) provide a saving for the disciplinary powers of the House of Commons in relation to allowances (section 30);
- (e) require the IPSA to provide guidance to MPs about the making of claims (section 31(6));
- (f) repeal provisions about an MPs’ code of conduct relating to financial interests (section 32); and
- (g) make consequential amendments (section 38 and Schedule 5, partially).

A regulatory impact assessment has not been prepared for this Order as no impact on the private or voluntary sectors is foreseen.

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