

LORDS AMENDMENTS TO THE
ENTERPRISE AND REGULATORY REFORM BILL

[The page and line references are to HL Bill 45, the bill as first printed for the Lords.]

Clause 1

- 1** Page 1, line 10, leave out “subsection (1)” and insert “this Part”

Clause 2

- 2** Page 1, line 13, leave out “two” and insert “three”

- 3** Page 2, line 6, at end insert—

“(2A) The second condition is that the Secretary of State is satisfied that the Bank’s objects in its articles of association are such that, acting consistently with them, its activities in making, facilitating or encouraging investments in each relevant period would (taken as a whole) be such as the Bank considers likely to contribute to a reduction of global greenhouse gas emissions.

(2B) In subsection (2A), “relevant period” means each financial year of the Bank taken together with all of its preceding financial years.”

- 4** Page 2, line 7, leave out “second” and insert “third”

Clause 3

- 5** Page 2, line 30, leave out “condition in subsection (3) is met” and insert “following two conditions are met”

- 6** Page 2, line 31, after first “The” insert “first”

- 7** Page 2, line 36, at end insert—

“() The second condition is that the Secretary of State is satisfied that, if the alteration were made, the Bank’s objects in its articles of association would remain such that, acting consistently with them, its activities in making, facilitating or encouraging investments in each relevant period (within the meaning given by section 2(4)) would (taken as a whole) be such as the

Bank considers likely to contribute to a reduction of global greenhouse gas emissions.”

Clause 5

8 Page 3, line 27, at end insert—

- “() Where an order has been made under section 2, each report prepared by the directors of the Bank for a financial year under section 415 of the Companies Act 2006 must include—
- (a) an explanation of the steps that the Bank took in that year to ensure that its activities in making, facilitating or encouraging investments in that year and in any previous financial years would (taken as a whole) be likely to contribute to a reduction of global greenhouse gas emissions, and
 - (b) a statement of the directors’ views on the likely effect of those activities in those years on global greenhouse gas emissions.”

After Clause 9

9 Insert the following new Clause—

“ACAS: prohibition on disclosure of information

In Part 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 (ACAS etc), after section 251A insert—

“251B Prohibition on disclosure of information

- (1) Information held by ACAS shall not be disclosed if the information—
 - (a) relates to a worker, an employer of a worker or a trade union (a “relevant person”), and
 - (b) is held by ACAS in connection with the provision of a service by ACAS or its officers.

This is subject to subsection (2).

- (2) Subsection (1) does not prohibit the disclosure of information if—
 - (a) the disclosure is made for the purpose of enabling or assisting ACAS to carry out any of its functions under this Act,
 - (b) the disclosure is made for the purpose of enabling or assisting an officer of ACAS to carry out the functions of a conciliation officer under any enactment,
 - (c) the disclosure is made for the purpose of enabling or assisting—
 - (i) a person appointed by ACAS under section 210(2), or
 - (ii) an arbitrator or arbiter appointed by ACAS under any enactment,
 to carry out functions specified in the appointment,
 - (d) the disclosure is made for the purposes of a criminal investigation or criminal proceedings (whether or not within the United Kingdom),
 - (e) the disclosure is made in order to comply with a court order,

- (f) the disclosure is made in a manner that ensures that no relevant person to whom the information relates can be identified, or
 - (g) the disclosure is made with the consent of each relevant person to whom the information relates.
- (3) Subsection (2) does not authorise the making of a disclosure which contravenes the Data Protection Act 1998.
- (4) A person who discloses information in contravention of this section commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) Proceedings in England and Wales for an offence under this section may be instituted only with the consent of the Director of Public Prosecutions.
- (6) For the purposes of this section information held by –
- (a) a person appointed by ACAS under section 210(2) in connection with functions specified in the appointment, or
 - (b) an arbitrator or arbiter appointed by ACAS under any enactment in connection with functions specified in the appointment,
- is information that is held by ACAS in connection with the provision of a service by ACAS.””

Clause 11

- 10 Page 7, leave out lines 33 to 36
- 11 Page 7, line 40, leave out “a specified number of appointed members” and insert “either two or four appointed members”
- 12 Page 8, leave out lines 1 to 3 and insert –
- “(7) In proceedings heard by a judge and two or four appointed members, there shall be an equal number of –
 - (a) employer-representative members, and
 - (b) worker-representative members.”

Before Clause 12

- 13 Insert the following new Clause –

“Dismissal for political opinions: no qualifying period of employment

In section 108 of the Employment Rights Act 1996 (qualifying period of employment), after subsection (3) insert –

- “(4) Subsection (1) does not apply if the reason (or, if more than one, the principal reason) for the dismissal is, or relates to, the employee’s political opinions or affiliation.””

Clause 14

- 14 Page 10, line 14, at end insert –
- “() The tribunal shall have regard to an employer’s ability to pay –

- (a) in deciding whether to order the employer to pay a penalty under this section;
- (b) (subject to subsections (2) to (4A)) in deciding the amount of a penalty.”

15 Page 10, leave out lines 18 to 32 and insert –

“This subsection does not apply where subsection (3) or (4A) applies.

- (2A) Subsection (3) applies where an employment tribunal –
 - (a) makes a financial award against an employer on a claim, and
 - (b) also orders the employer to pay a penalty under this section in respect of the claim.
- (3) In such a case, the amount of the penalty under this section shall be 50% of the amount of the award, except that –
 - (a) if the amount of the financial award is less than £200, the amount of the penalty shall be £100;
 - (b) if the amount of the financial award is more than £10,000, the amount of the penalty shall be £5,000.
- (4) Subsection (4A) applies, instead of subsection (3), where an employment tribunal –
 - (a) considers together two or more claims involving different workers but the same employer, and
 - (b) orders the employer to pay a penalty under this section in respect of any of those claims.
- (4A) In such a case –
 - (a) the amount of the penalties in total shall be at least £100;
 - (b) the amount of a penalty in respect of a particular claim shall be –
 - (i) no more than £5,000, and
 - (ii) where the tribunal makes a financial award against the employer on the claim, no more than 50% of the amount of the award.

But where the tribunal makes a financial award on any of the claims and the amount awarded is less than £200 in total, the amount of the penalties in total shall be £100 (and paragraphs (a) and (b) shall not apply).”

16 Page 10, line 35, leave out “(4)” and insert “(4A)”

17 Page 11, line 41, leave out from “(2)” to end of line 42 and insert “, (3) or (4A) by substituting a different amount”

18 Page 11, line 43, leave out “(4)” and insert “(4A)”

After Clause 15

19 Insert the following new Clause –

“Power to reduce compensation where disclosure not made in good faith

- (1) Omit the words “in good faith” in the following provisions of Part 4A of the Employment Rights Act 1996 (protected disclosures) –
 - (a) subsection (1) of section 43C (disclosure to employer or other responsible person);
 - (b) paragraph (b) of section 43E (disclosure to Minister of the Crown);
 - (c) subsection (1)(a) of section 43F (disclosure to prescribed person).
- (2) In section 43G of that Act (disclosure in other cases), in subsection (1) –
 - (a) omit paragraph (a);
 - (b) in paragraph (b), for “he” substitute “the worker”.
- (3) In section 43H of that Act (disclosure of exceptionally serious failure), in subsection (1) –
 - (a) omit paragraph (a);
 - (b) in paragraph (b), for “he” substitute “the worker”.
- (4) In section 49 of that Act (remedies for detriment suffered in employment), after subsection (6) insert –

“(6A) Where –

 - (a) the complaint is made under section 48(1A), and
 - (b) it appears to the tribunal that the protected disclosure was not made in good faith,

the tribunal may, if it considers it just and equitable in all the circumstances to do so, reduce any award it makes to the worker by no more than 25%.”
- (5) In section 123 of that Act (compensatory award for unfair dismissal), after subsection (6) insert –

“(6A) Where –

 - (a) the reason (or principal reason) for the dismissal is that the complainant made a protected disclosure, and
 - (b) it appears to the tribunal that the disclosure was not made in good faith,

the tribunal may, if it considers it just and equitable in all the circumstances to do so, reduce any award it makes to the complainant by no more than 25%.””

20 Insert the following new Clause –

“Worker subjected to detriment by co-worker or agent of employer

- (1) In section 47B of the Employment Rights Act 1996 (protected disclosures), after subsection (1) insert –

“(1A) A worker (“W”) has the right not to be subjected to any detriment by any act, or any deliberate failure to act, done –

 - (a) by another worker of W’s employer in the course of that other worker’s employment, or
 - (b) by an agent of W’s employer with the employer’s authority, on the ground that W has made a protected disclosure.

- (1B) Where a worker is subjected to detriment by anything done as mentioned in subsection (1A), that thing is treated as also done by the worker's employer.
- (1C) For the purposes of subsection (1B), it is immaterial whether the thing is done with the knowledge or approval of the worker's employer.
- (1D) In proceedings against W's employer in respect of anything alleged to have been done as mentioned in subsection (1A)(a), it is a defence for the employer to show that the employer took all reasonable steps to prevent the other worker –
- (a) from doing that thing, or
 - (b) from doing anything of that description.
- (1E) A worker or agent of W's employer is not liable by reason of subsection (1A) for doing something that subjects W to detriment if –
- (a) the worker or agent does that thing in reliance on a statement by the employer that doing it does not contravene this Act, and
 - (b) it is reasonable for the worker or agent to rely on the statement.
- But this does not prevent the employer from being liable by reason of subsection (1B)."
- (2) In section 48 of that Act (complaints to employment tribunals), in subsection (5) –
- (a) for "includes, where" substitute "includes –
 - (a) where";
 - (b) at the end insert –
 - "(b) in the case of proceedings against a worker or agent under section 47B(1A), the worker or agent."

21 Insert the following new Clause –

"Extension of meaning of "worker"

- (1) Section 43K of that Act (extension of meaning of "worker") is amended as set out in subsections (2) to (7).
- (2) In subsection (1)(ba) –
 - (a) for "section 84 or 100 of" substitute "section 83(2), 84, 92, 100, 107, 115(4), 117 or 134 of, or Schedule 12 to,";
 - (b) for "section 42 or 57 of" substitute "section 41(2)(b), 42, 50, 57, 64 or 92 of, or Schedule 7 to,";
 - (c) omit the words after "the National Health Service (Wales) Act 2006".
- (3) In subsection (1)(bb), after "section 17J" insert "or 17Q".
- (4) In subsection (1)(c) –
 - (a) for the words before "in accordance with arrangements" substitute "works or worked as a person providing services";
 - (b) in sub-paragraph (ii), after "section" insert "2C, 17AA, 17C,".
- (5) Omit subsection (1)(ca) and the preceding "or".

- (6) Omit subsection (2)(ba).
- (7) After subsection (3) insert—
- “(4) The Secretary of State may by order make amendments to this section as to what individuals count as “workers” for the purposes of this Part (despite not being within the definition in section 230(3)).
- (5) An order under subsection (4) may not make an amendment that has the effect of removing a category of individual unless the Secretary of State is satisfied that there are no longer any individuals in that category.”
- (8) In section 236(3) of that Act (orders etc subject to affirmative resolution procedure), after “shall be made under section” insert “43K(4),”.
- (9) In consequence of the amendments made by subsections (6) and (7), omit paragraph 7(a)(ii) and (b) of the Schedule to the Smoking, Health and Social Care (Scotland) Act 2005 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2006 (S.I. 2006/1056).
- (10) Until the coming into force of the repeal (made by Schedule 3 to the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13)) of sections 27 to 28 of the National Health Service (Scotland) Act 1978 (“the 1978 Act”), section 43K(1)(c)(ii) of the Employment Rights Act 1996 has effect as if it included a reference to section 27A of the 1978 Act.”

Clause 19

- 22** Page 13, line 33, at end insert—
- “() Section (*ACAS: prohibition on disclosure of information*) does not apply in relation to a disclosure, or a request for information, made before that section comes into force.”
- 23** Page 13, line 36, at end insert—
- “() Section (*Dismissal for political opinions: no qualifying period of employment*) does not apply where the effective date of termination of the contract of employment in question is earlier than the date on which that section comes into force.
- “Effective date of termination” here has the meaning given by section 97(1) of the Employment Rights Act 1996.”
- 24** Page 13, line 41, at end insert—
- “() Section (*Disclosures not protected unless believed to be made in the public interest*), (*Power to reduce compensation where disclosure not made in good faith*), (*Worker subjected to detriment by co-worker or agent of employer*) or (*Extension of meaning of “worker”*) does not apply to a qualifying disclosure made before the section comes into force.
- “Qualifying disclosure” here has the meaning given by section 43B of the Employment Rights Act 1996.”
- 25** Page 13, line 42, leave out subsection (4)

After Clause 22

- 26** Insert the following new Clause—

“Transitional provision: consultation

- (1) This section applies in relation to a provision of this Act under or by virtue of which the CMA has a function of consulting another person in preparing rules, statements of policy, guidance or general advice or information.
- (2) At any time before the provision comes into force, the Office of Fair Trading or the Competition Commission or both bodies acting jointly –
 - (a) may carry out any consultation that the CMA would have power to carry out after the provision comes into force, and
 - (b) for that purpose, may prepare drafts of any documents to which the consultation relates.
- (3) At any time after the provision comes into force, the CMA may elect to treat any consultation carried out or other thing done under subsection (2) by the Office of Fair Trading or the Competition Commission (or by both bodies acting jointly) as carried out or done by the CMA.
- (4) The Secretary of State may direct the Office of Fair Trading or the Competition Commission, or both of them acting jointly, to exercise a power conferred by subsection (2).”

After Clause 45

27 Insert the following new Clause –

“Power to remove concurrent competition functions of sectoral regulators

- (1) The Secretary of State may make a sectoral regulator order if the Secretary of State considers that it is appropriate to do so for the purpose of promoting competition, within any market or markets in the United Kingdom, for the benefit of consumers.
- (2) A sectoral regulator order is an order that amends one or more enactments so as to remove from a sectoral regulator either or both of the following –
 - (a) all the functions of the regulator under Part 1 of the 1998 Act that are exercisable concurrently by the regulator and the Competition and Markets Authority (“the CMA”) or that would be so exercisable but for provision made by virtue of section 54(5)(e) of that Act;
 - (b) all the functions of the regulator under Part 4 of the 2002 Act that are exercisable concurrently by the regulator and the CMA.
- (3) A sectoral regulator order may make such other amendments of any enactment as the Secretary of State considers appropriate in consequence of the removal of the functions.
- (4) Each of the following is a sectoral regulator –
 - (a) the Office of Communications;
 - (b) the Gas and Electricity Markets Authority;
 - (c) the Water Services Regulation Authority;
 - (d) the Office of Rail Regulation;
 - (e) the Northern Ireland Authority for Utility Regulation;
 - (f) the Civil Aviation Authority.
- (5) A sectoral regulator order may include transitional, transitory or saving provision.

- (6) A statutory instrument containing a sectoral regulator order is not to be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (7) In this section—
 - “amend” includes repeal or revoke;
 - “enactment” includes—
 - (a) an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978),
 - (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament,
 - (c) an enactment contained in, or in an instrument made under, a Measure or Act of the National Assembly for Wales, and
 - (d) an enactment contained in, or in an instrument made under, Northern Ireland legislation.
- (8) The references to the CMA in subsection (2) are to be read, in relation to any time before the commencement of section 20(3), as references to the Office of Fair Trading.”

28 Insert the following new Clause—

“Orders under section (Power to remove concurrent competition functions of sectoral regulators): procedural requirements

- (1) If the Secretary of State proposes to make a sectoral regulator order, the Secretary of State must carry out the first stage consultation.
- (2) The first stage consultation is consultation with—
 - (a) the regulator whose functions would be removed by the order,
 - (b) the Competition and Markets Authority,
 - (c) where the regulator is the Office of Rail Regulation, the Scottish Ministers,
 - (d) where the regulator is the Northern Ireland Authority for Utility Regulation, the Department of Enterprise, Trade and Investment in Northern Ireland and the Department for Regional Development in Northern Ireland, and
 - (e) where the regulator is the Water Services Regulation Authority, the Welsh Ministers.
- (3) If (following the first stage consultation) the Secretary of State still proposes to make a sectoral regulator order, the Secretary of State must carry out the second stage consultation.
- (4) The second stage consultation is consultation with—
 - (a) the persons consulted at the first stage,
 - (b) any bodies who appear to the Secretary of State to represent the interests of persons in respect of whom the functions that would be removed by the order are exercisable (“regulated providers”),
 - (c) any bodies who appear to the Secretary of State to represent the interests of persons who use the services supplied by regulated providers, and
 - (d) such other persons as the Secretary of State considers appropriate.
- (5) The Secretary of State must give the following information to each of the persons consulted as part of the first stage or second stage consultation—

- (a) an explanation as to whether the Secretary of State is proposing to remove the functions of the regulator mentioned in subsection (2)(a) of section (*Power to remove concurrent competition functions of sectoral regulators*), the functions of the regulator mentioned in subsection (2)(b) of that section or both sets of functions;
 - (b) the reasons why the Secretary of State considers it appropriate to make the order.
- (6) The reference to the Competition and Markets Authority in subsection (2) is to be read, in relation to any time before the commencement of section 20(3), as a reference to the Office of Fair Trading.
- (7) In this section, “sectoral regulator order” has the same meaning as in section (*Power to remove concurrent competition functions of sectoral regulators*).

Clause 52

29 Page 47, leave out lines 25 and 26 and insert—

- “() providing for any of the following, as they apply for the purposes of provisions mentioned in paragraph (f), to apply with any modifications consequential on provision made under that paragraph—
- (i) sections 30 to 37;
 - (ii) sections 62 and 63;
 - (iii) Parts 3 and 4;
 - (iv) Schedule 3.”

Clause 53

30 Page 52, line 14, leave out “the application for” and insert “issue of”

31 Page 52, leave out lines 15 to 18 and insert—

- “() Works for which a certificate is issued under this section are to be conclusively presumed to be lawful, provided that—
- (a) they are carried out within 10 years beginning with the date of issue of the certificate, and
 - (b) the certificate is not revoked under section 26I.”

32 Page 53, line 27, leave out “by an order”

33 Page 53, line 34, leave out “by an order made by the Secretary of State”

34 Page 53, line 36, leave out “by such an order”

Clause 56

35 Page 54, line 40, leave out paragraph (a)

36 Page 55, line 8, leave out subsection (6)

After Clause 56

37 Insert the following new Clause—

“Equality Act 2010: caste discrimination

- (1) The Equality Act 2010 is amended as follows.
- (2) After section 9(1)(c) (race) insert –
“(d) caste;”.

Clause 61

38 Page 58, line 25, leave out subsection (3)

39 Page 59, leave out lines 17 to 29

After Clause 61

40 Insert the following new Clause –

“Letting agents etc.

- (1) Section 1 of the Estate Agents Act 1979 (estate agency work) is amended as follows.
- (2) In subsection (1) for the words “to which this Act applies” substitute “and in subsection (1A) below to which this Act applies.”
 - (1A) This Act also applies, subject to subsections (2) to (4) below, to –
 - (a) things done by any person in the course of a business (including a business in which he is employed) pursuant to instructions received from another person (in this section referred to as “the client”) who wishes to let or have the letting of an interest in land managed (for example, the collection of rents on his behalf) –
 - (i) for the purpose of, or with a view to, effecting the introduction to the client of a third person who wishes to let an interest in land; or
 - (ii) after such introduction has been effected in the course of that business, for the purpose of securing the letting of the interest in land; or
 - (iii) for the purpose of, or with a view to, managing the letting of the interest in land on behalf of the client; or
 - (iv) for the purpose of, or with a view to, block management of interests in land; and
 - (b) management activities undertaken by any person in the course of a business (including a business in which he is employed) in connection with land or interests in land.”

After Clause 63

41 Insert the following new Clause –

“Abolition of Agricultural Wages Board and related English bodies

- (1) The Agricultural Wages Board for England and Wales is abolished.
- (2) Every agricultural wages committee for an area in England is abolished.

- (3) Every agricultural dwelling-house advisory committee for an area in England is abolished.
- (4) Schedule (*Abolition of Agricultural Wages Board and related English bodies: consequential provision*) (abolition of Agricultural Wages Board and related English bodies: consequential provision) has effect.”

Clause 66

42 Leave out Clause 66 and insert the following new Clause –

“Penalties under provision amending exceptions: copyright and rights in performances

Paragraph 1(1)(d) of Schedule 2 to the European Communities Act 1972 (limitation on criminal penalties) does not apply for the purposes of provision under section 2(2) of that Act amending –

- (a) Chapter 3 of Part 1 of the Copyright, Designs and Patents Act 1988 (acts permitted in relation to copyright works), or
- (b) Schedule 2 to that Act (rights in performances: permitted acts).”

Clause 67

43 Page 62, line 20, after “unpublished” insert “, other than photographs or films.”

44 Page 62, line 20, leave out “, or

- (b) published but anonymous or pseudonymous.”

45 Page 62, line 22, after “expire” insert “–

- (a) with the end of the term of protection of copyright laid down by Directive 2006/116/EC or at any later time;
- (b) subject to that,”

46 Page 62, line 25, at end insert –

- “() make different provision for different purposes;”

Clause 68

47 Page 65, line 2, leave out “that amend an enactment”

48 Page 65, leave out lines 5 and 6

Clause 70

49 Page 66, line 11, leave out from “which” to “, and” in line 13 and insert “the company becomes a quoted company”

50 Page 66, line 26, at end insert –

- “() Subsection (2) does not apply in relation to a quoted company before the first meeting in relation to which it gives notice under subsection (1).”

Clause 71

51 Page 69, line 36, at end insert –

- “(5A) Nothing in section 226B or 226C applies in relation to a remuneration payment or (as the case may be) a payment for loss of office made to a person who is, or is to be or has been, a director of a quoted company before the earlier of—
- (a) the end of the first financial year of the company to begin on or after the day on which it becomes a quoted company, and
 - (b) the date from which the company’s first directors’ remuneration policy to be approved under section 439A takes effect.”
- 52 Page 69, line 43, leave out “Subject to subsections (3) and (4),”
- 53 Page 70, line 10, leave out “it” and insert “—
- (a) subsection (2) does not apply,
 - (b) the payment”
- 54 Page 70, line 16, leave out from end of line to “is” in line 17 and insert—
- “() subsection (2) does not apply,
 - () the payment”
- 55 Page 70, line 21, at end insert—
- “(5) If in proceedings against a director for the enforcement of a liability under subsection (2)(b)—
 - (a) the director shows that he or she has acted honestly and reasonably, and
 - (b) the court considers that, having regard to all the circumstances of the case, the director ought to be relieved of liability,
- the court may relieve the director, either wholly or in part, from liability on such terms as the court thinks fit.”

Clause 72

- 56 Page 70, line 45, after “company” insert “other than a payment to which section 226C does not apply by virtue of section 226D(5A)”
- 57 Page 71, line 11, after “concerned,” insert—
- “() particulars of any remuneration payment (within the meaning of Chapter 4A of Part 10) made or to be made to the person after ceasing to be a director, including its amount and how it was calculated,”
- 58 Page 71, line 13, leave out “Chapter 4A of Part 10” and insert “that Chapter”
- 59 Page 71, line 13, after “made” insert “or to be made”

Clause 73

- 60 Page 72, line 16, at end insert—
- “() In relation to a company that is a quoted company immediately before the day on which section 70 of this Act comes into force, section 439A(1)(a) of the Companies Act 2006 (as inserted by section 70(4) of this Act) applies as if—

- (a) the reference to the day on which the company becomes a quoted company were a reference to the day on which section 70 of this Act comes into force, and
 - (b) at the end of the paragraph (but before the “, and”) there were inserted “or at an earlier general meeting”.
- () In relation to a company that is a quoted company immediately before the day on which section 70 of this Act comes into force, section 226D(5A)(a) of the Companies Act 2006 (as inserted by section 71 of this Act) applies as if the reference to the day on which the company becomes a quoted company were a reference to the day on which section 70 of this Act comes into force.”

61 Page 72, line 17, leave out subsection (1)

62 Page 72, line 21, leave out subsection (2)

63 Page 73, line 2, leave out “(2) or”

After Clause 73

64 Insert the following new Clause –

“Supply of customer data

- (1) The Secretary of State may by regulations require a regulated person to provide customer data –
 - (a) to a customer, at the customer’s request;
 - (b) to a person who is authorised by a customer to receive the data, at the customer’s request or, if the regulations so provide, at the authorised person’s request.
- (2) “Regulated person” means –
 - (a) a person who, in the course of a business, supplies gas or electricity to any premises;
 - (b) a person who, in the course of a business, provides a mobile phone service;
 - (c) a person who, in the course of a business, provides financial services consisting of the provision of current account or credit card facilities;
 - (d) any other person who, in the course of a business, supplies or provides goods or services of a description specified in the regulations.
- (3) “Customer data” means information which –
 - (a) is held in electronic form by or on behalf of the regulated person, and
 - (b) relates to transactions between the regulated person and the customer.
- (4) Regulations under subsection (1) may make provision as to the form in which customer data is to be provided and when it is to be provided (and any such provision may differ depending on the form in which a request for the data is made).
- (5) Regulations under subsection (1) –

- (a) may authorise the making of charges by a regulated person for complying with requests for customer data, and
 - (b) if they do so, must provide that the amount of any such charge—
 - (i) is to be determined by the regulated person, but
 - (ii) may not exceed the cost to that person of complying with the request.
- (6) Regulations under subsection (1)(b) may provide that the requirement applies only if the authorised person satisfies any conditions specified in the regulations.
- (7) In deciding whether to specify a description of goods or services for the purposes of subsection (2)(d), the Secretary of State must (among other things) have regard to the following—
 - (a) the typical duration of the period during which transactions between suppliers or providers of the goods or services and their customers take place;
 - (b) the typical volume and frequency of the transactions;
 - (c) the typical significance for customers of the costs incurred by them through the transactions;
 - (d) the effect that specifying the goods or services might have on the ability of customers to make an informed choice about which supplier or provider of the goods or services, or which particular goods or services, to use;
 - (e) the effect that specifying the goods or services might have on competition between suppliers or providers of the goods or services.
- (8) The power to make regulations under this section may be exercised—
 - (a) so as to make provision generally, only in relation to particular descriptions of regulated persons, customers or customer data or only in relation to England, Wales, Scotland or Northern Ireland;
 - (b) so as to make different provision for different descriptions of regulated persons, customers or customer data;
 - (c) so as to make different provision in relation to England, Wales, Scotland and Northern Ireland;
 - (d) so as to provide for exceptions or exemptions from any requirement imposed by the regulations, including doing so by reference to the costs to the regulated person of complying with the requirement (whether generally or in particular cases).
- (9) For the purposes of this section, a person (“C”) is a customer of another person (“R”) if—
 - (a) C has at any time, including a time before the commencement of this section, purchased (whether for the use of C or another person) goods or services supplied or provided by R or received such goods or services free of charge, and
 - (b) the purchase or receipt occurred—
 - (i) otherwise than in the course of a business, or
 - (ii) in the course of a business of a description specified in the regulations.
- (10) In this section, “mobile phone service” means an electronic communications service which is provided wholly or mainly so as to be

available to members of the public for the purpose of communicating with others, or accessing data, by mobile phone.”

65 Insert the following new Clause –

“Supply of customer data: enforcement

- (1) Regulations may make provision for the enforcement of regulations under section (*Supply of customer data*) (“customer data regulations”) by the Information Commissioner or any other person specified in the regulations (and, in this section, “enforcer” means a person on whom functions of enforcement are conferred by the regulations).
- (2) The provision that may be made under subsection (1) includes provision –
 - (a) for applications for orders requiring compliance with the customer data regulations to be made by an enforcer to a court or tribunal;
 - (b) for notices requiring compliance with the customer data regulations to be issued by an enforcer and for the enforcement of such notices (including provision for their enforcement as if they were orders of a court or tribunal).
- (3) The provision that may be made under subsection (1) also includes provision –
 - (a) as to the powers of an enforcer for the purposes of investigating whether there has been, or is likely to be, a breach of the customer data regulations or of orders or notices of a kind mentioned in subsection (2)(a) or (b) (which may include powers to require the provision of information and powers of entry, search, inspection and seizure);
 - (b) for the enforcement of requirements imposed by an enforcer in the exercise of such powers (which may include provision comparable to any provision that is, or could be, included in the regulations for the purposes of enforcing the customer data regulations).
- (4) Regulations under subsection (1) may –
 - (a) require an enforcer (if not the Information Commissioner) to inform the Information Commissioner if the enforcer intends to exercise functions under the regulations in a particular case;
 - (b) provide for functions under the regulations to be exercisable by more than one enforcer (whether concurrently or jointly);
 - (c) where such functions are exercisable concurrently by more than one enforcer –
 - (i) designate one of the enforcers as the lead enforcer;
 - (ii) require the other enforcers to consult the lead enforcer before exercising the functions in a particular case;
 - (iii) authorise the lead enforcer to give directions as to which of the enforcers is to exercise the functions in a particular case.
- (5) Regulations may make provision for applications for orders requiring compliance with the customer data regulations to be made to a court or tribunal by a customer who has made a request under those regulations or in respect of whom such a request has been made.
- (6) Subsection (8)(a) to (c) of section (*Supply of customer data*) applies for the purposes of this section as it applies for the purposes of that section.

- (7) The Secretary of State may make payments out of money provided by Parliament to an enforcer.
- (8) In this section, “customer” and “regulated person” have the same meaning as in section (*Supply of customer data*).

66 Insert the following new Clause –

“Supply of customer data: supplemental

- (1) The power to make regulations under section (*Supply of customer data*) or (*Supply of customer data: enforcement*) includes –
 - (a) power to make incidental, supplementary, consequential, transitional or saving provision;
 - (b) power to provide for a person to exercise a discretion in a matter.
- (2) Regulations under either of those sections must be made by statutory instrument.
- (3) A statutory instrument containing (whether alone or with other provision) –
 - (a) regulations under section (*Supply of customer data*) which make provision by virtue of section (*Supply of customer data*)(2)(d), or
 - (b) regulations under section (*Supply of customer data: enforcement*),may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (4) A statutory instrument which –
 - (a) contains regulations under section (*Supply of customer data*), and
 - (b) is not an instrument to which subsection (3) applies,is subject to annulment in pursuance of a resolution of either House of Parliament.”

67 Insert the following new Clause –

“Power to add to supplies protected under Insolvency Act 1986

- (1) The Secretary of State may by order amend section 233 of the Insolvency Act 1986 so as to add to the supplies mentioned in subsection (3) of that section any of the following –
 - (a) a supply of gas, electricity, water or communication services by a specified description of person;
 - (b) a supply of a specified description of goods or services by a specified description of person where the supply is for the purpose of enabling or facilitating anything to be done by electronic means.
- (2) The Secretary of State may by order amend section 372 of that Act of 1986 so as to add to the supplies mentioned in subsection (4) of that section any of the following –
 - (a) a supply of gas, electricity, water or communication services by a specified description of person;
 - (b) a supply of a specified description of goods or services by a specified description of person where the supply is for the purpose of enabling or facilitating anything to be done by electronic means.

- (3) The power to make an order under this section includes power to make incidental, supplementary, consequential, transitional or saving provision, including doing so by amending any enactment.
- (4) An order under this section must be made by statutory instrument.
- (5) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) In this section –
 - “enactment” includes –
 - (a) an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978),
 - (b) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament, and
 - (c) an enactment contained in, or in an instrument made under, a Measure or Act of the National Assembly for Wales; and
 - “specified” means specified in the order.”

68 Insert the following new Clause –

“Corporate insolvency: power to give further protection to essential supplies

- (1) The Secretary of State may by order make provision for insolvency-related terms of a contract for the supply of essential goods or services to a company to cease to have effect where –
 - (a) the company enters administration or a voluntary arrangement under Part 1 of the Insolvency Act 1986 takes effect in relation to it, and
 - (b) any conditions specified in the order are met.
- (2) The order must include provision for securing that, where an insolvency-related term of a contract ceases to have effect under the order, the contract may be terminated by the supplier if –
 - (a) an insolvency office-holder consents to the termination,
 - (b) a court grants permission for the termination, or
 - (c) any charges in respect of the supply that are incurred after the company enters administration or the voluntary arrangement takes effect are not paid within the period of 28 days beginning with the day on which payment is due.
- (3) The order must include provision for securing that, where an insolvency-related term of a contract ceases to have effect under the order, the supplier may terminate the supply unless an insolvency office-holder personally guarantees the payment of any charges in respect of the continuation of the supply.
- (4) The order may provide for exceptions to the right of a supplier to terminate a supply under provision made by virtue of subsection (3).
- (5) The order must (in addition to the provision mentioned in subsections (2) and (3)) include such other provision as the Secretary of State considers appropriate for securing that the interests of suppliers are protected.
- (6) A contract for the supply of essential goods or services is a contract for a supply mentioned in section 233(3) of the Insolvency Act 1986.

- (7) An insolvency-related term of a contract for the supply of essential goods or services to a company is a provision of the contract under which—
 - (a) the contract or the supply would terminate, or any other thing would take place, because the company enters administration or the voluntary arrangement takes effect,
 - (b) the supplier would be entitled to terminate the contract or the supply, or to do any other thing, because the company enters administration or the voluntary arrangement takes effect, or
 - (c) the supplier would be entitled to terminate the contract or the supply because of an event that occurred before the company enters administration or the voluntary arrangement takes effect.
- (8) In this section, “insolvency office-holder” means—
 - (a) in a case where a company enters administration, the administrator;
 - (b) in the case where a voluntary arrangement under Part 1 of the Insolvency Act 1986 takes effect in relation to a company, the supervisor of the voluntary arrangement.”

69 Insert the following new Clause—

“Individual insolvency: power to give further protection to essential supplies

- (1) The Secretary of State may by order make provision for insolvency-related terms of a contract for the supply of essential goods or services to an individual to cease to have effect where—
 - (a) a voluntary arrangement proposed by the individual is approved under Part 8 of the Insolvency Act 1986, and
 - (b) any conditions specified in the order are met.
- (2) The order must include a condition that ensures that an insolvency-related term of a contract for the supply of essential goods or services to an individual does not cease to have effect unless the supply is for the purpose of a business that is or has been carried on by the individual or with which the individual has or had another connection of a kind specified in the order.
- (3) The order must include provision for securing that, where an insolvency-related term of a contract ceases to have effect under the order, the contract may be terminated by the supplier if—
 - (a) the supervisor of the voluntary arrangement consents to the termination,
 - (b) a court grants permission for the termination, or
 - (c) any charges in respect of the supply that are incurred after the voluntary arrangement proposed by the individual is approved are not paid within the period of 28 days beginning with the day on which payment is due.
- (4) The order must include provision for securing that, where an insolvency-related term of a contract ceases to have effect under the order, the supplier may terminate the supply unless the supervisor of the voluntary arrangement personally guarantees the payment of any charges in respect of the continuation of the supply.
- (5) The order may provide for exceptions to the right of a supplier to terminate a supply under provision made by virtue of subsection (4).

- (6) The order must (in addition to the provision mentioned in subsections (3) and (4)) include such other provision as the Secretary of State considers appropriate for securing that the interests of suppliers are protected.
- (7) A contract for the supply of essential goods or services is a contract for a supply mentioned in section 372(4) of the Insolvency Act 1986.
- (8) An insolvency-related term of a contract for the supply of essential goods or services to an individual is a provision of the contract under which—
 - (a) the contract or the supply would terminate, or any other thing would take place, because the voluntary arrangement proposed by the individual is approved,
 - (b) the supplier would be entitled to terminate the contract or the supply, or to do any other thing, because the voluntary arrangement proposed by the individual is approved, or
 - (c) the supplier would be entitled to terminate the contract or the supply because of an event that occurred before the voluntary arrangement proposed by the individual is approved.”

70 Insert the following new Clause—

“Sections (Corporate insolvency: power to give further protection to essential supplies) and (Individual insolvency: power to give further protection to essential supplies): supplemental

- (1) The power to make an order under section (*Corporate insolvency: power to give further protection to essential supplies*) or (*Individual insolvency: power to give further protection to essential supplies*) includes—
 - (a) power to make different provision for different cases;
 - (b) power to provide for a person to exercise a discretion in a matter;
 - (c) power to make incidental, supplementary, consequential, transitional or saving provision;
 - (d) power to make any provision that may be made by the order by amending the Insolvency Act 1986 or any other enactment.
- (2) An order under either of those sections may not be made so as to have effect in relation to contracts entered into before the order come into force.
- (3) An order under either of those sections must be made by statutory instrument.
- (4) A statutory instrument containing an order under either of those sections may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (5) In this section, “enactment” has the same meaning as in section (*Power to add to supplies protected under Insolvency Act 1986*).”

71 Insert the following new Clause—

“Royal Charters

Royal Charters: requirements for Parliamentary approval

Where a body is established by Royal Charter after 1 March 2013 with functions relating to the carrying on of an industry, no recommendation may be made to Her Majesty in Council to amend the body’s Charter or

dissolve the body unless any requirements included in the Charter on the date it is granted for Parliament to approve the amendment or dissolution have been met.”

Clause 74

72 Page 73, leave out lines 34 to 36 and insert –

“(6) The regulations may provide for an employment tribunal to have power, where a person fails to comply with an order to carry out an equal pay audit, to order that person to pay a penalty to the Secretary of State of not more than an amount specified in the regulations.

(6A) The regulations may provide for that power –
 (a) to be exercisable in prescribed circumstances;
 (b) to be exercisable more than once, if the failure to comply continues.

(6B) The first regulations made by virtue of subsection (6) must not specify an amount of more than £5,000.

(6C) Sums received by the Secretary of State under the regulations must be paid into the Consolidated Fund.”

73 Page 73, leave out lines 37 to 41 and insert –

“(7) The first regulations under this section must specify an exemption period during which the requirement to order an equal pay audit does not apply in the case of a business that –

(a) had fewer than 10 employees immediately before a specified time, or
 (b) was begun as a new business in a specified period.

(8) For the purposes of subsection (7) –
 (a) “specified” means specified in the regulations, and
 (b) the number of employees a business had or the time when a business was begun as a new business is to be determined in accordance with the regulations.”

74 Page 73, line 41, at end insert –

“() Before making regulations under this section, a Minister of the Crown must consult any other Minister of the Crown with responsibility for employment tribunals.””

Clause 78

75 Page 75, line 39, after “19” insert “(and section 63(3) so far as it relates to those paragraphs)”

76 Page 75, line 40, leave out “and 63” and insert “, 63(1) and (2) and (*Abolition of Agricultural Wages Board and related English bodies*)(1) to (3)”

77 Page 75, line 41, after “19” insert “(and section 63(3) so far as it relates to those paragraphs)”

78 Page 75, line 42, at end insert “, and

- (e) an amendment, repeal or revocation made by Schedule (*Abolition of Agricultural Wages Board and related English bodies: consequential provision*) has the same extent as the provision amended, repealed or revoked, subject to subsection (5A).
- (5A) The repeals of the following provisions in Schedule (*Abolition of Agricultural Wages Board and related English bodies: consequential provision*) extend to England and Wales only –
- (a) section 67 of the Agriculture Act 1967,
 - (b) paragraph 32 of Schedule 2 to the Social Security (Consequential Provisions) Act 1975,
 - (c) paragraph 10 of Schedule 4 to the Social Security Pensions Act 1975,
 - (d) paragraph 12 of Schedule 17 to the Employment Protection Act 1975, and
 - (e) paragraph 4 of Schedule 2 to the Social Security (Consequential Provisions) Act 1992.”
- 79 Page 76, line 2, leave out “section 74 extends” and insert “–
- () sections (*Power to add to supplies protected under Insolvency Act 1986*), (*Corporate insolvency: power to give further protection to essential supplies*), (*Sections (Corporate insolvency: power to give further protection to essential supplies) and (Individual insolvency: power to give further protection to essential supplies): supplemental*) and 74 extend”
- 80 Page 76, line 2, at end insert –
- “() section (*Individual insolvency: power to give further protection to essential supplies*) extends only to England and Wales”
- 81 Page 76, line 2, at end insert –
- “() section (*Royal Charters: requirements for Parliamentary approval*) extends only to England and Wales”

Clause 79

- 82 Page 76, line 4, leave out “Sections 75 to 80” and insert “The following provisions”
- 83 Page 76, line 4, at end insert “–
- (a) section (*ACAS: prohibition on disclosure of information*);
 - (b) section 19;
 - (c) section (*Transitional provision: consultation*);
 - (d) sections (*Power to remove concurrent competition functions of sectoral regulators*) and (*Orders under section (Power to remove concurrent competition functions of sectoral regulators): procedural requirements*);
 - (e) section 51;
 - (f) sections 66 to 69 and Schedule 21;
 - (g) sections (*Power to add to supplies protected under Insolvency Act 1986*), (*Corporate insolvency: power to give further protection to essential supplies*), (*Individual insolvency: power to give further protection to essential supplies*) and (*Sections (Corporate insolvency: power to give further protection to essential supplies) and (Individual insolvency: power to give further protection to essential supplies): supplemental*);
 - (h) section (*Royal Charters: requirements for Parliamentary approval*);
 - (i) sections 74 to 80;
 - (j) any other provision so far as is necessary for enabling the exercise on or after the day on which this Act is passed of any power (arising

under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument.”

84 Page 76, line 5, after “provisions” insert “(so far as not already in force by virtue of subsection (1)(j))”

85 Page 76, line 6, at end insert –
“() Part 1;
() sections 11, (*Dismissal for political opinions etc: no qualifying period of employment*), 13, (*Disclosures not protected unless believed to be made in the public interest*), (*Power to reduce compensation where disclosure not made in good faith*), (*Extension of meaning of “worker”*), 16 and 17;”

86 Page 76, line 9, leave out paragraph (c)

87 Page 76, line 13, leave out “The remaining provisions” and insert “Except as provided by subsections (1) and (2), the provisions”

Schedule 2

88 Page 80, line 33, leave out “Section” and insert “Where the complaint concerns a failure to comply with a requirement of section 188, section”

Schedule 4

89 Page 103, line 44, after “20” insert “(3)”

90 Page 104, line 17, after “Commission” insert “(excluding any period when he or she also holds office as a member of the CMA panel)”

91 Page 104, line 20, at end insert –
“() The power conferred by section 76 includes power to make provision for the appointment of panel members of the Competition Commission as members of the CMA panel, or for the re-appointment of persons who are appointed as members of the CMA panel by virtue of sub-paragraph (2), for the purpose of enabling anything in the process of being done by or on behalf of the Competition Commission immediately prior to its abolition to be completed by or on behalf of the CMA; and nothing in sub-paragraphs (1) to (4) restricts the provision that may be made for that purpose.”

Schedule 5

92 Page 115, line 19, at end insert “, and
(b) for “Commission” substitute “CMA”.”

93 Page 115, line 22, leave out sub-paragraph (5)

94 Page 119, line 8, at end insert –
“() In subsection (1), in the words before paragraph (a), for “Commission” substitute “CMA”.”

Schedule 6

95 Page 171, line 25, at end insert –

“() In paragraph 6A, in sub-paragraph (3), for “Competition Commission” substitute “Competition and Markets Authority”.”

Schedule 8

96 Page 195, line 32, at end insert –
“() omit paragraph (b),”

Schedule 15

97 Page 231, line 38, leave out “Omit”

98 Page 231, line 39, at end insert “is amended as follows.

- () Omit subsections (1) to (3).
- () In subsection (4), omit “or subsection (3)(a) above”.
- () In the heading, for “sections 25 and 31” substitute “section 25”.”

Schedule 17

99 Page 239, line 38, at end insert –

“ In section 108 (compensation for refusal or conditional grant of planning permission formerly granted by order) after subsection (3E) insert –

“(3F) This section does not apply to the extent that the development referred to in subsection (1)(b) would, while permitted by a development order, have required conservation area consent under the Planning (Listed Buildings and Conservation Areas) Act 1990.””

100 Page 242, line 36, at end insert –

“ In section 92(2)(b) (application to Isles of Scilly), after “Schedules 1, 2” insert “, 2A”.”

101 Page 242, line 39, leave out sub-paragraph (3) and insert –

“(3) In subsection (5A) after “section” insert “26C or”.”

Schedule 19

102 Page 248, line 14, at end insert –

“ In section 293 (summoning of meeting to appoint first trustee), in subsections (2) and (3) for “court” substitute “prescribed person”.

In section 295 (failure of meeting to appoint trustee), in subsection (3) for “court” substitute “prescribed person”.”

103 Page 248, line 18, at end insert –

“ In section 298 (removal of trustee and vacation of office), in subsections (7) and (8) for “court” substitute “prescribed person”.

(1) Section 299 (release of trustee) is amended as follows.

(2) In subsection (1)(a) for “to the court” substitute “under this paragraph to the prescribed person”.

- (3) In subsection (3)(a) for “court” substitute “prescribed person”.”
- 104** Page 251, line 38, leave out “In section 415 (fees orders), after” and insert –
“(1) Section 415 (fees orders) is amended as follows.
(2) In subsection (1) –
(a) after paragraph (a) omit “and”, and
(b) at the end of paragraph (b) insert “and
(c) the performance by an adjudicator of functions under Part 9 of this Act,”.
(3) After”
- 105** Page 252, line 28, after “adjudicators” insert “in the discharge of functions for the purposes of Part 9 of this Act”
- 106** Page 252, line 40, at end insert –
““24ZA Provision requiring adjudicators –
(a) to keep files and other records relating to bankruptcy applications and bankruptcies resulting from bankruptcy applications,
(b) to make files and records available for inspection by persons of a prescribed description, and
(c) to provide files and records, or copies of them, to persons of a prescribed description.
24ZB Provision requiring an adjudicator to make returns to the Secretary of State of the adjudicator’s business under Part 9 of this Act.”
- 107** Page 253, line 2, after “applications” insert “and bankruptcies resulting from bankruptcy applications”
- 108** Page 253, line 3, leave out “those”
- 109** Page 253, line 4, at end insert –
“24B Provision requiring a person to whom notice is given under section 293(2), 295(3), 298(7) or (8) or section 299(1)(a) or (3)(a) –
(a) to keep files and other records of notices given under the section in question, and
(b) to make files and records available for inspection by persons of a prescribed description.””
- After Schedule 19**
- 110** Insert the following new Schedule –
“ABOLITION OF AGRICULTURAL WAGES BOARD AND RELATED ENGLISH BODIES:
CONSEQUENTIAL PROVISION
- 1 In section 28 of the Rent (Agriculture) Act 1976 (duty of housing authority upon receiving application that agricultural worker be rehoused etc), in subsection (3), for “The authority” substitute “If the dwelling-house is in Wales, the authority”.

2 The repeals and revocations in the following table have effect.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Agricultural Wages Act 1948 (c. 47)	Section 1. In section 2— (a) in subsection (1)— (a) the words “England and”, and (b) paragraph (a), and (c) subsection (4). Sections 3 to 4. Sections 6 to 16. In section 17— (a) in subsection (1), the definition of “the national minimum wage”, and (b) subsection (1A). Sections 17A to 19. Schedules 1, 2 and 4.
The Agricultural Wages Committee Regulations 1949 (S.I. 1949/1885)	Regulation 3(2)(a) and the word “and” after it. Regulation 16.
Public Records Act 1958 (c. 51)	In the table at the end of paragraph 3 of Schedule 1, the words “Agricultural Wages Board.”
Parliamentary Commissioner Act 1967 (c. 13)	In Schedule 2, the words “Agricultural Wages Board for England and Wales.”
Agriculture Act 1967 (c. 22)	Section 67.
Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)	Section 46.
Agricultural Wages Committees (Wages Structure) Regulations 1971 (S.I. 1971/844)	The whole instrument.
Agricultural Wages Committees (Areas) Order 1974 (S.I. 1974/515)	In article 3(1), the words— (a) “Subject to the provisions of this order”, and (b) “an agricultural wages committee for each county in England and”. Article 3(2). Article 4. The Schedule.
Social Security (Consequential Provisions) Act 1975 (c. 18)	In Schedule 2, paragraph 32.
House of Commons Disqualification Act 1975 (c. 24)	In Part 3 of Schedule 1, the words “Member appointed by a Minister of the Crown of the Agricultural Wages Board for England and Wales.”
Northern Ireland Assembly Disqualification Act 1975 (c. 25)	In Part 3 of Schedule 1, the words “of the Agricultural Wages Board for England and Wales or”.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Social Security Pensions Act 1975 (c. 60)	In Schedule 4, paragraph 10.
Employment Protection Act 1975 (c. 71)	Section 97(1) and (2). Schedule 9. In Schedule 17, paragraph 12.
Agriculture (Miscellaneous Provisions) Act 1976 (c. 55)	In section 4(1)(c), the words from “(including” to the end.
Agricultural Wages Committees (New Combinations of Counties) Order 1981 (S.I. 1981/179)	The whole order.
Agricultural Wages Committee (Cleveland, Durham, Northumberland and Tyne and Wear) Order 1989 (S.I. 1989/1173)	The whole order.
Social Security (Consequential Provisions) Act 1992 (c. 6)	In Schedule 2, paragraph 4.
Agricultural Wages Committees (Areas) (England) Order 1995 (S.I. 1995/3186)	The whole order.
Employment Rights Act 1996 (c. 18)	In section 35— (a) in subsection (2), paragraph (a) and the word “or” at the end of that paragraph, and (b) in subsection (3), paragraph (b) and the “and” before that paragraph.
National Minimum Wage Act 1998 (c. 39)	In section 16(6)— (a) in the definition of “the agricultural wages legislation”, paragraph (a), and (b) in the definition of “relevant authority”, paragraphs (a), (b) and (c). In section 16A(5)— (a) in the definition of “enforcement officer”, paragraph (b), and (b) in the definition of “the relevant legislation”, paragraph (b). Section 46(4)(a). In section 47— (a) subsection (1)(a), (b) subsection (2)(a) and (d), (c) subsection (4)(a), (d) in subsection (4)(b), the words “(similar provision for Scotland)”, and (e) subsection (6)(a).

<i>Reference</i>	<i>Extent of repeal or revocation</i>
National Minimum Wage Regulations 1998 (S.I. 1999/584)	In section 55(1), in the definition of “regulations”, the words “by the Secretary of State and the Minister of Agriculture, Fisheries and Food acting jointly or”. Part 1 of Schedule 2. Regulation 38(5)(a).
Freedom of Information Act 2000 (c. 36)	In Part 6 of Schedule 1, the words “An Agricultural Wages Board for England and Wales”.
Criminal Justice Act 2003 (c. 44)	In Schedule 25, paragraph 28.
Employment Relations Act 2004 (c. 24)	Section 47. In Schedule 1, paragraph 1.
Public Contracts Regulations 2006 (S.I. 2006/5)	In Schedule 1, in the entry relating to the Agricultural Wages Board and agricultural wages committees, the words “Board and”.
Employment Act 2008 (c. 24)	Section 8(6). Section 9(6).
Public Contracts (Scotland) Regulations 2012 (S.S.I. 2012/88)	In Schedule 1, in the entry relating to the Agricultural Wages Board and agricultural wages committees, the words “Board and”.

Schedule 21

- 111** Page 255, leave out lines 1 to 6 and insert –
- “(2) The regulations may provide that, if a licensing body fails to adopt such a code of practice, any code of practice that is approved for the purposes of that licensing body by the Secretary of State, or by a person designated by the Secretary of State under the regulations, has effect as a code of practice adopted by the body.
- (3) The regulations must provide that a code is not to be approved for the purposes of provision under sub-paragraph (2) unless it complies with criteria specified in the regulations.”
- 112** Page 256, line 39, leave out “may” and insert “must”
- 113** Page 256, line 41, at end insert “any provision made under”
- 114** Page 256, line 45, leave out “the imposition of any such sanction” and insert “a determination within paragraph (a) or (b)”
- 115** Page 257, leave out lines 40 and 41
- 116** Page 257, line 44, leave out “that amend an enactment”
- 117** Page 258, leave out lines 3 to 5
- 118** Page 260, line 23, leave out “that amend an enactment”
- 119** Page 260, leave out lines 27 to 29

In the Title

- 120** Line 7, after “directors;” insert “to make provision about the supply of customer data; to make provision for the protection of essential supplies in cases of insolvency; to make provision about certain bodies established by Royal Charter;”

LORDS AMENDMENTS TO THE
ENTERPRISE AND REGULATORY
REFORM BILL

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