



# Digital Economy Act 2010

## 2010 CHAPTER 24

### *Online infringement of copyright*

#### **18 Consultation and Parliamentary scrutiny**

- (1) Before making regulations under section 17 the Secretary of State must consult—
  - (a) the Lord President of the Court of Session and the Lord Chief Justice of Northern Ireland,
  - (b) the persons that the Secretary of State thinks likely to be affected by the regulations (or persons who represent such persons), and
  - (c) such other persons as the Secretary of State thinks fit.
- (2) If, following the consultation under subsection (1), the Secretary of State proposes to make regulations under section 17, the Secretary of State must lay before Parliament a document that—
  - (a) explains the proposal and sets it out in the form of draft regulations,
  - (b) explains the reasons why the Secretary of State is satisfied in relation to the matters listed in section 17(3)(a) to (c), and
  - (c) contains a summary of any representations made during the consultation under subsection (1).
- (3) During the period of 60 days beginning with the day on which the document was laid under subsection (2) (“the 60-day period”), the Secretary of State may not lay before Parliament a draft statutory instrument containing regulations to give effect to the proposal (with or without modifications).
- (4) In preparing draft regulations under section 17 to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft regulations during the 60-day period—
  - (a) any representations, and
  - (b) any recommendations of a committee of either House of Parliament charged with reporting on the draft regulations.
- (5) When laying before Parliament a draft statutory instrument containing regulations to give effect to the proposal (with or without modifications), the Secretary of State must

---

*Status: This is the original version (as it was originally enacted).*

---

also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (2).

- (6) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days.