EXPLANATORY NOTES

DEREGULATION ACT 2015

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SUMMARY

BACKGROUND

TERRITORIAL EXTENT AND APPLICATION

COMMENTARY ON SECTIONS

Section	1: Health	and sa	fety at	work.	general.	duty	of self	-emplo	ved:	nersons
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- Section 2: Removal of employment tribunals' power to make wider recommendations
- Section 3: English apprenticeships: simplification
- Section 4: English apprenticeships: funding arrangements
- Section 5: English apprenticeships: disclosure of information
- Section 6: Requirements to wear safety helmets: exemption for Sikhs
- Section 7: Requirements to wear safety helmets: exemption for Sikhs: Northern Ireland
- Section 8: Driving instructors
- Section 9: Motor insurers
- Section 10: Taxis and private hire vehicles: duration of licences
- Section 11: Private hire vehicles: sub-contracting
- Section 12: Space activity: limit on indemnity required
- Section 13: Agricultural Holdings Act 1986: resolution of disputes by third party determination
- Section 14: Shippers etc of gas
- Section 15: Suppliers of fuel and fireplaces
- Section 16: Sellers of knitting yarn
- Section 17: Authorisation of insolvency practitioners

- Section 18: Auditors ceasing to hold office
- Section 19: Insolvency and company law: miscellaneous
- Sections 20 to 26 (and Schedule 7): background and territorial extent, application and commencement
- Section 20: Recorded rights of way: additional protection
- Section 21: Unrecorded rights of way: protection from extinguishment
- Section 22: Conversion of public rights of way to private rights of way
- Section 23: Applications by owners etc for public path orders
- Section 24: Extension of powers to authorise erection of gates at owner's request
- Section 25: Applications for certain orders under Highways Act 1980: cost recovery
- Section 26: Public rights of way: procedure
- Section 27: Erection of public statues (London): removal of consent requirement
- Section 28: Reduction of qualifying period for right to buy
- Section 29: Removal of power to require preparation of housing strategies
- Section 30: Tenancy deposits: provision of information by agents
- Section 31: Tenancy deposits: non-compliance with requirements
- Section 32: Tenancy deposits: deemed compliance with requirements

New section 215A Statutory periodic tenancies: deposit received before 6 April 2007

New section 215B Shorthold tenancies: deposit received on or after 6 April 2007

215C Sections 215A and 215B: transitional provisions

Sections 33 to 41: retaliatory evictions

Overview

- Section 33: Preventing retaliatory eviction
- Section 34: Further exemptions to section 33
- Section 35: Notice to be provided in relation to periodic assured shorthold tenancies
- Section 36: Time limits in relation to section 21 notices and proceedings
- Section 37: Prescribed form of section 21 notices
- Section 38: Compliance with prescribed legal requirements
- Section 39: Requirement for landlord to provide prescribed information

Section 40: Repayment of rent where tenancy ends before end of a period
Section 41: Application of sections 33 to 40
Section 42: Optional building requirements
Section 43: Amendment of Planning and Energy Act 2008
Sections 44 and 45: Short-term use of London accommodation: relaxation of restrictions and power to relax restrictions
Sections 46 and 47: Urban development areas and urban development corporations
Section 48: Provision of advice etc about residential licences
Section 49: Removal of restrictions on provision of passenger rail services
Section 50: Road traffic legislation: use of vehicles in emergency response by NHS
Section 51: Reduction of burdens relating to the use of roads and railways
Section 52: Reduction of burdens relating to enforcement of transport legislation
Section 53: Civil penalties for parking contraventions: enforcement
Section 54: Removal of restriction on investigation of tramway accidents in Scotland by RAIB
Section 55: Removal of duty to order re-hearing of marine accident investigations
Section 56: Repeal of power to make provision for blocking injunctions
Section 57: Reduction of duties relating to energy and climate change
Section 58: Household waste: de-criminalisation
Section 59: Other measures relating to animals, food and the environment
Section 60: Management of child trust funds: looked after children
Section 61: Management of child trust funds: children 16 or over
Section 62: Child trust funds: transfers
Section 63: Child trust funds: safeguards for children's interests
Section 64: Abolition of office of Chief Executive of Skills Funding
Section 65: Further and higher education sectors: reduction of burdens
Section 66: Schools: reduction of burdens
Section 67: Sale of alcohol: community events etc and ancillary business
Section 68: Temporary event notices: increase in maximum number of events per year

Section 69: Personal licences: no requirement to renew

These notes rejer to the Beregmanon for 2015 (6.20)
Section 70: Sale of liqueur confectionery to children under 16: abolition of offence
Section 71: Late night refreshment
Section 72: Removal of requirement to report loss or theft of licence etc to police
Sections 73 to 75: Motor racing
England and Wales
Scotland
Section 76: Exhibition of films in community premises
Section 77: TV licensing: duty to review sanctions
Section 78: TV licensing: alternatives to criminal sanctions
Section 79: Repeal of Senior President of Tribunals' duty to report on standards
Section 80: Criminal procedure: written witness statements
Section 81: Criminal procedure: written guilty pleas
Section 82: Criminal procedure: powers to make Criminal Procedure Rules
Section 83: "MAPPA arrangements" to cease to apply to certain offenders
Section 84: Removal of requirement that prison closures be made by order
Section 85: Power of HMRC to disclose information for purposes of certain litigation
Section 86: CLC practitioner services bodies
Section 87: Licensed CLC practitioners
Section 88: CLC practitioner services: consequential amendments
Section 89: The Council for Licensed Conveyancers: other amendments
Section 90: Poisons and explosives precursors
Section 91: London street trading appeals: removal of role of Secretary of State in appeals
Section 92: Gangmasters (Licensing) Act 2004: enforcement
Section 93: Reduction in regulation of providers of social work services
Section 94: Electoral Commission: changes to facilitate efficient administration
Section 95: LGBC for England: changes to facilitate efficient administration
Section 96: NHS foundation trusts and NHS trusts: acquisitions and dissolutions etc

Section 97: Access to registers kept by Gas and Electricity Markets Authority

Sections 98 and 99: information contained in entries of births and deaths etc

Overview

Section 98: Information contained in entries of births and deaths

Section 99: Information contained in entries of marriages and civil partnerships

Section 100: Repeal of duty to prepare sustainable community strategy

Section 101: Repeal of duties relating to local area agreements

Section 102: Repeal of provisions relating to multi-area agreements

Section 103: Repeal of duties relating to consultation or involvement

Section 104: Power to spell out dates described in legislation

Section 105: Combining different forms of subordinate legislation

Section 106: Ambulatory references to international shipping instruments

Section 107: Legislation no longer of practical use

Sections 108 to 111: Exercise of regulatory functions: economic growth

Sections 112 to 116: General

Schedule 1: Approved English apprenticeships

Schedule 2: Driving instructors

PART 1: AMENDMENTS OF PART 5 ROAD TRAFFIC ACT 1988 (AS AMENDED BY ROAD SAFETY ACT 2006)

PART 2: TRANSITORY AMENDMENTS OF PART 5 ROAD TRAFFIC ACT 1988 (BEFORE AMENDMENT BY ROAD SAFETY ACT 2006)

PART 3: CONSEQUENTIAL AND RELATED AMENDMENTS

Schedule 3: Motor insurance industry: certificates of insurance

Schedule 4: Agricultural Holdings Act 1986: resolution of disputes by third party determination

Schedule 5: Auditors ceasing to hold office

PART 1: NOTIFICATION REQUIREMENTS

PART 2: MISCELLANEOUS

Schedule 6: Insolvency and company law

PART 1: DEEDS OF ARRANGEMENT

PART 2: ADMINISTRATION OF COMPANIES

Appointment of administrators

Release of administrator where no distribution to unsecured creditors other than by virtue of section 176A(2)(a)

PART 3: WINDING UP OF COMPANIES

Removal of power of court to order payment into Bank of England of money due to company

Release of liquidator where winding-up order rescinded

PART 4: DISQUALIFICATION OF UNFIT DIRECTORS OF INSOLVENT COMPANIES

PART 5: BANKRUPTCY

Appointment of insolvency practitioner as interim receiver

Statement of affairs

After-acquired property of bankrupt

PART 6: AUTHORISATION OF INSOLVENCY PRACTITIONERS

Repeal of provision for authorisation of nominees and supervisors in relation to voluntary arrangements

Repeal of provision for authorisation of insolvency practitioners to be granted by competent authority

PART 7: LIABILITIES OF ADMINISTRATORS AND ADMINISTRATIVE RECEIVERS OF COMPANIES AND PREFERENTIAL DEBTS OF COMPANIES AND INDIVIDUALS

Treatment of liabilities relating to contracts of employment

PART 8: REQUIREMENTS OF COMPANY LAW: PROXIES

Proxies at a poll taken 48 hours or less after it was demanded

Schedule 7: Ascertainment of rights of way

PART 1: WILDLIFE AND COUNTRYSIDE ACT 1981

Modifications arising from administrative errors

Amendment of the requirement to register applications in relation to the new preliminary assessment

Modification of the definitive map and statement by consent

PART 2: NEW SCHEDULE 13A TO THE WILDLIFE AND COUNTRYSIDE ACT 1981

New Schedule 13A to the Wildlife & Countryside Act 1981

Prescribed form of application

Preliminary assessment and notice of applications

Failure by an authority to conduct a preliminary assessment

Determination of an application by the authority

Failure by an authority to determine an application

Procedure where an authority decides not to make an order

Transfer of application for order modifying the definitive map

PART 3: NEW SCHEDULE 14A TO THE WILDLIFE AND COUNTRYSIDE ACT 1981

Part 1 – orders made in accordance with paragraph 8 of Schedule 13A

Part 2 – other orders

Consultation

Coming into operation

Publicity for orders

Abandoned surveys or reviews

Irrelevant representations or objections and severance of orders

Confirmation of orders

Restriction on power to confirm orders with modifications

Appointment of inspectors etc

Hearings and local inquiries

PART 3: ORDERS: GENERAL

PART 4: HIGHWAYS ACT 1980

PART 5: CONSEQUENTIAL AMENDMENTS

Schedule 8: Provision of passenger rail services

Consequential amendments

Franchise exemptions granted by Secretary of State: protection of railway assets etc

Minor correcting amendments

Schedule 9: Road traffic legislation: use of vehicles in emergency response by NHS

Schedule 10: Regulation of the use of roads and railways

PART 1: DURATION OF DRIVING LICENCES TO BE GRANTED TO DRIVERS WITH RELEVANT OR PROSPECTIVE DISABILITIES

PART 2: PERMIT SCHEMES: REMOVAL OF REQUIREMENT FOR SECRETARY OF STATE APPROVAL

PART 3: ROAD HUMPS

PART 4: PEDESTRIAN CROSSINGS: REMOVAL OF REQUIREMENT TO INFORM SECRETARY OF STATE

PART 5: OFF-ROAD MOTORING EVENTS

PART 6: TESTING OF VEHICLES

PART 7: RAIL VEHICLE ACCESSIBILITY REGULATIONS: EXEMPTION ORDERS

Schedule 11: Enforcement of transport legislation

PART 1: DRINK AND DRUG DRIVING OFFENCES

Removal of "statutory option" to have breath specimen replaced: road and rail transport

No need for preliminary breath test before evidential breath test: road transport

Removing restriction that evidential breath test must be taken at police station: rail transport

Healthcare professionals advising whether condition is due to drugs: road and rail transport

Further extension of role of healthcare professionals: road and rail transport

Extent and commencement: road and rail transport

Application of Road Traffic Act provisions in shipping regime

Application of Road Traffic Act provisions in aviation regime

PART 2: BUS LANE CONTRAVENTIONS

Schedule 12: Household waste: London

Schedule 13: Other measures relating to animals, food and the environment

PART 1: DESTRUCTIVE IMPORTED ANIMALS

PART 2: FARRIERS

PART 3: JOINT WASTE AUTHORITIES

PART 4: AIR QUALITY

PART 5: NOISE ABATEMENT ZONES

Schedule 14: Abolition of the Office of the Chief Executive of Skills Funding

Schedule 15: Further and higher education: reduction of burdens

PART 1: MEASURES APPLYING TO ENGLAND AND WALES

Control of interest rates on loans

Powers of Secretary of State in relation to local authority maintained institutions

Transfer of property etc

PART 2: MEASURES APPLYING TO ENGLAND ONLY

Control of governance of designated institutions conducted by companies

Conversion of sixth form college corporations into further education corporations

Power of Secretary of State in relation to local authority maintained institutions

Regulation of teaching requirements for teaching staff and principals

Schedule 16: Schools: reduction of burdens

Responsibility for discipline

Home-school agreements

Determining school terms

Staffing matters

Publication of reports

Schedule 17: Part to be inserted as Part 5A of the Licensing Act 2003

Schedule 18: Amendments consequential on section 69

Schedule 19: CLC practitioner services: consequential amendments

Schedule 20: The Council for Licensed Conveyancers: other amendments

Schedule 21: Poisons and explosives precursors

Schedule 22: Removal of consultation requirements

PART 1: MEASURES AFFECTING ENGLAND ONLY

National Parks and Access to the Countryside Act 1949: making of byelaws

Pests Act 1954: designation of rabbit clearance areas

Agriculture and Horticulture Act 1964: grading etc of horticultural produce

Control of Pollution Act 1974: reduction of noise from plant or machinery

Agriculture (Miscellaneous Provisions) Act 1976: metrication of measurements

Forestry Act 1979: metrication of measurements

Derelict Land Act 1982: grants for reclaiming or improving derelict land etc

Horticultural Produce Act 1986: movement of horticultural produce

Housing Act 1988: designation of Housing Action Trust Areas

Land Drainage Act 1991: codes of practice

Environment Act 1995: National Park grant

Environment Act 1995: hedgerows

Environment Act 1995: environmental subordinate legislation

Local Government Act 1999: keeping of accounts by best value authorities

Countryside and Rights of Way Act 2000: grants to conservation boards

Fire and Rescue Services Act 2004: schemes for combining fire and rescue authorities

PART 2: MEASURES AFFECTING ENGLAND AND WALES

Water Industry Act 1991: provision of sewers

Local Government Act 2003: commencement of BID arrangements following appeal

Schedule 23: Legislation no longer of practical use

PART 1: COMPANIES

PART 2: INDUSTRY

Newspaper Libel and Registration Act 1881

Mining Industry Act 1920

Mining Industry Act 1926

Industry Act 1972 and Aircraft and Shipbuilding Industries Act 1977

British Steel Act 1988

European Communities (Definition of Treaties) (International Railway Tariffs Agreements) Order 1980

PART 3: ENERGY

Atomic Energy Act 1946

Energy Act 1976

Nuclear Industry (Finance) Act 1977

Sustainable Energy Act 2003

Electricity and Gas (Energy Efficiency Obligations) Orders

PART 4: TRANSPORT

Road Traffic Act 1988

Subordinate legislation relating to railways

PART 5: ENVIRONMENT

Farm and Garden Chemicals Act 1967

Merchant Shipping Act 1988

Statutory Water Companies Act 1991

Sea Fish (Conservation) Act 1992

Highways (Assessment of Environmental Effects) Regulations 1988 and 1994

PART 6: ANIMALS AND FOOD

Sea Fisheries Act 1868 and other fisheries legislation

Agricultural Produce (Grading and Marking) Acts 1928 and 1931

Breeding of Dogs Act 1973

Animal Health Act 1981

Milk: cessation of production

Breeding and Sale of Dogs (Welfare) Act 1999

Coal and Other Mines (Horses) Order

PART 7: EDUCATION

PART 8: CIVIL LAW

PART 9: CRIMINAL LAW

Town Police Clauses Act 1847

PART 10: HOUSING

Housing Act 1988

COMMENCEMENT DATES

HANSARD REFERENCES