

2015 No. 2029 (C. 125)

COMPANIES

EMPLOYMENT

**The Small Business, Enterprise and Employment Act 2015
(Commencement No. 3) Regulations 2015**

Made - - - -

9th December 2015

The Secretary of State in exercise of the powers conferred by sections 161(1), 161(2) and 164(1) of the Small Business, Enterprise and Employment Act 2015(a) makes the following Regulations.

Citation and interpretation

1. These Regulations may be cited as the Small Business, Enterprise and Employment Act 2015 (Commencement No. 3) Regulations 2015.

Provisions coming into force on 1st January 2016

2. The following provisions of the Small Business, Enterprise and Employment Act 2015 (“the Act”) come into force on 1st January 2016—

- (a) section 148 (protected disclosures: reporting requirements);
- (b) sections 154 to 157 (public sector exit payments).

3. The following provisions of the Act come into force on 1st January 2016 for the purposes of enabling the exercise of any power to make provision by regulations, rules or order made by statutory instrument—

- (a) section 38 (liability of bodies concerned with accounting standards: exemption from liability for bodies concerned with accounting standards etc);
- (b) section 93(3) (section 92: related amendments).

Provisions coming into force on 6th April 2016

4. The following provisions of the Act come into force on 6th April 2016—

- (a) sections 81 (register of people with significant control) and Schedule 3, subject to regulation 5 and to the extent that they have not already been commenced;
- (b) section 82 (review of provisions about PSC register).

Provisions coming into force on 30th June 2016

5. The following provisions of the Act come into force on 30th June 2016—

- (a) sections 790M(9)(c) and 790W to 790ZE in Part 21A of the Companies Act 2006^(a), which are set out in Part 1 of Schedule 3;
- (b) paragraphs 4, 5 and 7 of Part 2 of Schedule 3.

Neville-Rolfe
Parliamentary Under Secretary of State and Minister for Intellectual Property
Department for Business, Innovation and Skills

9th December 2015

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Small Business, Enterprise and Employment Act 2015 (c.26) (“the Act”). These are the third commencement regulations made under the Act. Certain provisions came into force on the passing of the Act.

Regulation 2 commences a provision which inserts a power into the Employment Rights Act 1996 (c.18) for the Secretary of State to require prescribed persons to report on disclosures of information. It also commences a power in the Act to make regulations concerning public sector exit payments.

Regulation 3 commences provisions for the purpose of exercising powers in the Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27) and the Companies Act 2006 (c.46).

Regulation 4 commences provisions that insert a new Part 21A of and Schedules 1A and 1B to the Companies Act 2006 to the extent that they were not commenced by the first commencement order (S.I. 2015/1329) which brought section 81 and Schedule 3 into force on 26th May 2015 for the limited purpose of enabling the exercise of any power to make provision by regulations, rules or orders made by statutory instrument or to prepare and issue guidance.

In general, regulation 4 commences the new Part 21A of and Schedules 1A and 1B to the Companies Act 2006 on 6th April 2016. However, this is subject to regulation 5 which specifies that sections 790M(9)(c) and 790W to 790ZE of Part 21A together with paragraphs 4, 5 and 7 of Part 2 of Schedule 3 commence on 30th June 2016.

In addition, regulation 4 commences section 82 of the Act on 6th April 2016. Section 82 sets out provisions requiring the Secretary of State to review the provisions of Part 21A and Schedules 1A and 1B about PSC registers within three years of the date of commencement of section 92 of the Act.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Act are brought into force by commencement regulations made before the date of these Regulations:

| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|-----------------------------|-----------------------------|-----------------|
| Section 18 | 26th May 2015 | 2015/1329 |

(a) 2006 c. 46

| | | |
|------------------------------------------------|-------------------------------------------------------------------------------------------|-----------|
| Section 19(1), (3) and (4) | 26th May 2015 | 2015/1329 |
| Section 20 | 1st October 2015 | 2015/1689 |
| Sections 28 to 32 | 1st July 2015 | 2015/1329 |
| Section 33(4), (6) and (7) | 26th May 2015 | 2015/1329 |
| Section 34 | 26th May 2015 | 2015/1329 |
| Sections 35 and 36 (in relation to England) | 1st October 2015 | 2015/1689 |
| Section 76 | 1st January 2016 | 2015/1329 |
| Section 77 and Schedule 2 (partially) | 15th June 2015 | 2015/1329 |
| Section 77 and Schedule 2 (partially) | 1st January 2016 | 2015/1329 |
| Section 81 and Schedule 3 (partially) | 26th May 2015 | 2015/1329 |
| Section 96 (partially) | 26th May 2015 | 2015/1329 |
| Section 96 (partially) | 10th October 2015 | 2015/1689 |
| Sections 100 and 101 | 10th October 2015 | 2015/1689 |
| Section 103 | 10th October 2015 | 2015/1689 |
| Sections 104 to 106 (partially) | 26th May 2015 | 2015/1329 |
| Sections 104 to 106 (partially) | 1st October 2015 | 2015/1689 |
| Section 107 (partially) | 26th May 2015 | 2015/1329 |
| Sections 108 to 111 and Schedule 7 (partially) | 26th May 2015 | 2015/1329 |
| Section 108 to 111 and Schedule 7 (partially) | 1st October 2015 | 2015/1689 |
| Section 112 and Schedule 8 (partially) | 1st October 2015 | 2015/1689 |
| Sections 113 to 119 | 1st October 2015 | 2015/1689 |
| Sections 122 to 126 and Schedule 9 (partially) | 26th May 2015 | 2015/1329 |
| Sections 137 to 146 and Schedule 11 | Immediately after the coming into force of section 17 of the Deregulation Act 2015 (c.20) | 2015/1689 |
| Section 149 | 26th May 2015 | 2015/1329 |
| Section 152 | 26th May 2015 | 2015/1329 |
| Section 153 | 26th May 2015 | 2015/1329 |
| Section 158 | 26th May 2015 | 2015/1329 |

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