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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These are the fourth commencement regulations made under the Enterprise Act 2016 (c.12) (“the Act”).

Regulation 2 commences on 6th April 2017 section 1(1) and (3) of the Act which establish the statutory office of the Small Business Commissioner and Schedule 1 which contains detail on how the office is established and structured.

Regulation 3 commences on 1st October 2017, to the extent that they are not already in force, all other provisions of Part 1 of the Act. Part 1 makes provision about the Small Business Commissioner, whose principal functions are to provide general advice and information to small businesses, and to consider complaints from small businesses relating to payment matters in connection with the supply of goods and services to larger businesses and make recommendations. Any power to make regulations under Part 1 came into force on 4th May 2016 by virtue of section 44(1)(a) of the Act.

Regulation 3 also commences on 1st October 2017, to the extent that they are not already in force, section 20 of and Schedule 3 to the Act, which substitute a new Part 2 of the Regulatory Enforcement and Sanctions Act 2008(1) (“RESA”) and a new Schedule 4A in place of Schedule 4 to that Act, to extend the application of the Primary Authority scheme. Section 20 and Schedule 3 came into force on 4th May 2016 by virtue of section 44(1)(c) of the Act, for the purpose of making regulations under the provisions of RESA inserted by that section and Schedule.

Regulation 4 provides that the appointed start date for the purpose of section 4(5)(e) of the Act is 6th April 2017. This relates to the Small Business Commissioner complaints scheme and the provision for determining that certain complaints are excluded from the scheme by reference to the appointed start date.