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STATUTORY INSTRUMENTS

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**2017 No. 473 (C. 42)**

**ENTERPRISE  
REGULATORY REFORM**

The Enterprise Act 2016 (Commencement No.  
4 and Appointed Start Date) Regulations 2017

Made - - - - 27th March 2017

The Secretary of State, in exercise of powers conferred by sections 4(6) and 44(5) of the Enterprise Act 2016<sup>(1)</sup>, makes the following Regulations.

**Citation and interpretation**

1.—(1) These Regulations may be cited as the Enterprise Act 2016 (Commencement No. 4 and Appointed Start Date) Regulations 2017.

(2) In these Regulations “the Act” means the Enterprise Act 2016.

**Provisions coming into force on 6th April 2017**

2. Section 1(1) and (3) and Schedule 1 (Small Business Commissioner) of the Act come into force on 6th April 2017.

**Provisions coming into force on 1st October 2017**

3. The following provisions of the Act come into force on 1st October 2017 to the extent that they are not already in force—

- (a) Part 1 (the Small Business Commissioner); and
- (b) section 20 and Schedule 3 (extending the primary authority scheme).

**Appointed Start Date**

4. For the purpose of determining whether a complaint is excluded from the SBC complaints scheme under section 4(5)(e) of the Act, the appointed start date is 6th April 2017.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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*Margot James*  
Parliamentary Under Secretary of State and  
Minister for Small Business, Consumers and  
Corporate Responsibility  
Department for Business, Energy and Industrial  
Strategy

27th March 2017

## 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(2) (“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.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

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

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

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i>  |
|------------------|-----------------------------|------------------|
| Section 17       | 01.10.2016                  | 2016/695 (C. 49) |
| Section 19       | 01.10.2016                  | 2016/695 (C. 49) |
| Section 21       | 01.10.2016                  | 2016/695 (C. 49) |
| Section 22       | 01.04.2017                  | 2017/346 (C. 32) |
| Section 23       | 01.04.2017                  | 2017/346 (C. 32) |
| Section 25       | 01.04.2017                  | 2017/346 (C. 32) |
| Section 26       | 04.07.2016                  | 2016/695 (C. 49) |

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| <i>Provision</i>                | <i>Date of Commencement</i> | <i>S.I. No.</i>  |
|---------------------------------|-----------------------------|------------------|
| Section 27                      | 04.07.2016                  | 2016/695 (C. 49) |
| Section 36                      | 01.02.2017                  | 2017/70 (C. 7)   |
| Section 39                      | 21.07.2016                  | 2016/695 (C. 49) |
| Section 40                      | 21.07.2016                  | 2016/695 (C. 49) |
| Section 41                      | 01.02.2017                  | 2017/70 (C. 7)   |
| Schedule 4                      | 01.04.2017                  | 2017/346 (C. 32) |
| Paragraphs 1 to 4 of Schedule 6 | 01.02.2017                  | 2017/70 (C. 7)   |