STATUTORY INSTRUMENTS

2016 No. 321 (C. 18)

COMPANIES
EMPLOYMENT TRIBUNALS
INSOLVENCY
REGULATORY REFORM

The Small Business, Enterprise and Employment Act 2015 (Commencement No. 4, Transitional and Savings Provisions) Regulations 2016

Made - - - - 9th March 2016

The Secretary of State in exercise of the powers conferred by sections 160(1), 161(1), 161(2), 164(1) and 164(6) of the Small Business, Enterprise and Employment Act 2015(**1**) makes the following Regulations.

Citation

1. These Regulations may be cited as the Small Business, Enterprise and Employment Act 2015 (Commencement No. 4, Transitional and Savings Provisions) Regulations 2016.

Interpretation

2. In these Regulations—

"the Act" means the Small Business, Enterprise and Employment Act 2015;

"the 2006 Act" means the Companies Act 2006(**2**);

"annual return" means a return described in section 854 of the 2006 Act;

"registrar" has the meaning given in section 1060(3) of the 2006 Act;

"return date" has the meaning given in section 854(2) of the 2006 Act.

(**1**) 2015 c.26.
(**2**) 2006 c.46.

Provisions coming into force on 6th April 2016

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

(a) section 102 (removal from register of material about directors);

(b) section 107 (reports of office-holders on conduct of directors of insolvent companies);

(c) section 112 (to the extent that it is not already in force) and paragraph 5 of Schedule 8 (provision for Northern Ireland corresponding to sections 104 to 111); and

(d) section 150 (financial penalty for failure to pay sums ordered by employment tribunal etc.).

4. The following provisions of the Act come into force on 6th April 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 45 (market rent only option: disputes);

(b) section 47 (inconsistency with Pubs Code etc.);

(c) section 51 (arbitration: supplementary); and

(d) section 58 (financial penalties).

Provision coming into force on 1st May 2016

5. Section 92 of the Act (duty to deliver confirmation statement instead of annual return) comes into force on 1st May 2016 for the purpose of enabling the registrar to impose the requirements referred to in section 853F(6) of the 2006 Act.

Provisions coming into force on 30th June 2016

6. The following provisions of Part 8 of the Act come into force on 30th June 2016—

(a) section 92 (duty to deliver confirmation statement instead of annual return) so far as not yet in force by virtue of regulation 5;

(b) section 93 (section 92: related amendments) so far as not yet in force;

(c) section 94 (option for companies to keep information on central register) and Schedule 5;

(d) section 96 (protection of information about a person's date of birth), so far as not yet in force;

(e) section 97 (contents of statements of capital) and Schedule 6; and

(f) section 98 (public companies: information about aggregate amount paid up on shares).

Provisions coming into force on 1st October 2016

7. The following provisions of the Act come into force on 1st October 2016—

(a) section 17 (review of regulators' complaints and appeals procedures); and

(b) section 19(2) (guidance by the Secretary of State).

Transitional and savings provisions

8. The Schedule (which contains transitional and savings provisions relating to the provisions brought into force by these Regulations) has effect.

Neville-Rolfe
Parliamentary Under Secretary of State and
Minister for Intellectual Property
9th March 2016 Department for Business, Innovation and Skills