



# Regulatory Enforcement and Sanctions Act 2008

## CHAPTER 13

### REGULATORY ENFORCEMENT AND SANCTIONS ACT 2008

#### PART 1

##### THE LOCAL BETTER REGULATION OFFICE

###### *Establishment of LBRO*

- 1 LBRO
- 2 Dissolution of the LBRO company

###### *Definitions*

- 3 “Local authority”
- 4 “Relevant function”

###### *General functions of LBRO*

- 5 Objective relating to general functions
- 6 Guidance to local authorities
- 7 Guidance to local authorities: enforcement
- 8 Financial support and assistance to local authorities
- 9 Advice to Ministers of the Crown
- 10 Advice to Welsh Ministers

###### *Function relating to enforcement priorities*

- 11 Enforcement priorities

*Matters relating to exercise of LBRO's functions*

- 12 Relationship with other regulators
- 13 Duty not to impose burdens etc
- 14 Ancillary powers

*Ministerial powers in relation to LBRO*

- 15 Guidance or directions by the Secretary of State
- 16 Guidance or directions by Welsh Ministers

*Supplementary and general*

- 17 Review of LBRO
- 18 Power to dissolve LBRO
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- 21 Interpretation of Part 1

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- 22 Scope of Part 2
- 23 "Local authority"
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- 25 Primary authorities
- 26 Nomination of primary authorities

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- 28 Enforcement action
- 29 Enforcement action: exclusions
- 30 Inspection plans

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- 37 “Regulator”
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- 44 Discretionary requirements: criminal proceedings and conviction
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- 47 Stop notices: procedure
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- 49 Stop notices: enforcement

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- 50 Enforcement undertakings

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- 52 Monetary penalties
- 53 Costs recovery
- 54 Appeals
- 55 Other provision

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- 56 Excluded provision: Scotland
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- 62 Offences under subordinate legislation

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- 63 Guidance as to use of civil sanctions
- 64 Guidance as to enforcement of relevant offences
- 65 Publication of enforcement action

*Exercise of powers: general*

- 66 Compliance with regulatory principles
- 67 Review
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- 70 Disclosure of information
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- 75 Extent
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- 77 Short title

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**SCHEDULES****SCHEDULE 1 — LBRO: supplementary**

- 1 Status
- 2 Membership
- 3 (1) There are to be at least five and no...
- 4 (1) The ex officio members are to be—
- 5 Service as a member of LBRO is not service in...
- 6 Tenure
- 7 Employees
- 8 Committees
- 9 Proceedings
- 10 Delegation
- 11 Funding
- 12 Annual report
- 13 Accounts
- 14 Financial year
- 15 Instruments and authentication
- 16 Records
- 17 Parliamentary disqualification
- 18 Investigation
- 19 Freedom of information
- 20 Transitional provisions

**SCHEDULE 2 — Replacement of the LBRO company by LBRO**

- 1 Transfer of staff
- 2 Transfer of property, rights and liabilities

- 3 Tax
- 4 Continuity between the LBRO company and LBRO
- 5 Anything (including legal proceedings) which, immediately before the day on...
- 6 So far as is necessary or appropriate in consequence of...

SCHEDULE 3 — Enactments specified for the purposes of Part 1

SCHEDULE 4 — Enforcement action: references to LBRO

- 1 Reference by enforcing authority
- 2 Reference by regulated person
- 3 Reference by primary authority
- 4 Effect of reference
- 5 Consultation
- 6 Procedure: general
- 7 Guidance and directions
- 8 Information

SCHEDULE 5 — Designated regulators

SCHEDULE 6 — Enactments specified for the purposes of orders under Part 3

SCHEDULE 7 — Enactments specified for the purposes of section 62