

ENTERPRISE AND REGULATORY REFORM ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Reduction of Legislative Burdens

Sunset and review

Section 59: Sunset and review provisions

410. This section amends the Interpretation Act 1978 to help give effect to the Government's policy on the use of sunset and review provisions which was first published in March 2011¹. A sunset provision provides for legislation to cease to have effect at a particular point in time. A review provision requires a person to review the effectiveness of the legislation within or at the end of a specified period.
411. [Section 59](#) inserts a new section 14A into the Interpretation Act 1978. This ensures Ministers and other people making subordinate legislation may include sunset and review provisions in that legislation and in other subordinate legislation where that is being amended. A review provision may include an obligation to consider whether the objectives of the legislation remain appropriate, and whether they could be achieved in another way. Review or sunset provisions may apply to all or part of the legislation or to its application in particular circumstances. Subordinate legislation including sunset or review provisions may also include certain supplementary provisions, for example transitional or consequential provisions or savings in connection with the sunset or review provision. New section 14A does not apply to Scottish Ministers, or to non-Ministerial Scottish bodies and other persons exercising powers in areas where legislative competence is devolved to the Scottish Parliament.

¹ <http://www.bis.gov.uk/policies/bre/effectiveness-of-regulation/sunsetting-regulations>