



# Deregulation Act 2015

## 2015 CHAPTER 20

### *Exercise of regulatory functions*

#### **109 Functions to which section 108 applies**

- (1) A Minister of the Crown may by order specify the regulatory functions to which section 108 applies.
- (2) Before making an order under subsection (1), the Minister must consult—
  - (a) any person exercising functions to be specified in the order, and
  - (b) such other persons as the Minister considers appropriate.
- (3) An order under this section may not specify—
  - (a) a regulatory function so far as exercisable in Scotland, if or to the extent that the function relates to matters which are not reserved matters;
  - (b) a regulatory function so far as exercisable in Northern Ireland, if or to the extent that the function relates to matters which are transferred matters;
  - (c) a regulatory function so far as exercisable in Wales, if or to the extent that the function [<sup>F1</sup>could be conferred by provision falling within the legislative competence of the National Assembly for Wales].
- (4) An order under this section must be made by statutory instrument.
- (5) A statutory instrument containing an order under this section may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament.
- (6) In this section—
  - <sup>F2</sup>.....  
“reserved matter” and “Scotland” have the same meanings as in the Scotland Act 1998;
  - “transferred matter” and “Northern Ireland” have the same meanings as in the Northern Ireland Act 1998;
  - “Wales” has the same meaning as in the Government of Wales Act 2006.

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*Changes to legislation: Deregulation Act 2015, Section 109 is up to date with all changes known to be in force on or before 06 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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#### **Textual Amendments**

- F1** Words in s. 109(3)(c) substituted (1.4.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), [Sch. 6 para. 105\(2\)](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 3\(r\)](#)
- F2** Words in s. 109(6) omitted (1.4.2018) by virtue of [Wales Act 2017 \(c. 4\), s. 71\(4\)](#), [Sch. 6 para. 105\(3\)](#) (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179, reg. 3\(r\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 110A inserted by [2016 c. 12 s. 16\(1\)](#)