

## **BIS ANNUAL STATEMENT OF COMMON COMMENCEMENT DATES (CCDS) AND OTHER FORTHCOMING PROPOSALS FOR 2009**

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## SECTION A – REGULATIONS COMMENCED ON 6 APRIL 2009

BETTER REGULATION EXECUTIVE	
<ul style="list-style-type: none"> <li>○ <b>The Co-ordination of Regulatory Enforcement (Regulatory Functions in Scotland and Northern Ireland) Order 2009</b></li> <li>○ <b>The Co-ordination of Regulatory Enforcement (Enforcement Action) Order 2009</b></li> <li>○ <b>The Co-ordination of Regulatory Enforcement (Procedure for References to LBRO) Order 2009</b></li> </ul>	
April 2009	<p><b>Relevant for:</b> It is a voluntary scheme that any business that trades over more than one local authority area can enter into. This includes small and medium sized businesses and franchises or Internet traders.</p> <p><b>Summary:</b> The Regulatory Enforcement and Sanctions Act 2008 (RESA) received Royal Assent in July 2008. A public consultation was carried out, about the detail of this enabling Act which is set out in 3 draft statutory instruments.</p> <p>Part 2 of RESA established the Primary Authority scheme, and its effective operation required statutory instruments to be made dealing with four key issues:</p> <ol style="list-style-type: none"> <li>i. The application of the scheme to Scotland and Northern Ireland;</li> <li>ii. The definition of enforcement action;</li> <li>iii. Exclusions from the requirement to notify the Primary Authority; and</li> <li>iv. Determination by LBRO.</li> </ol>
	<p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/whatwedo/bre/inspection-enforcement/implementing-principles/sanctions-bills/page44047.html">http://www.berr.gov.uk/whatwedo/bre/inspection-enforcement/implementing-principles/sanctions-bills/page44047.html</a></p>
COMPETITION AND CONSUMER POLICY	
The Cosmetic Products (Safety) (Amendment No. 2) Regulations 2008	
April 2009	<p><b>Relevant for:</b> Applies to manufacturers and importers of cosmetic products</p> <p><b>Summary:</b> These Regulations implement an amending EU Cosmetics Directive (2008/42/EC) which controls the use of certain ingredients in cosmetic products. The ingredients are mainly sensitising substances used in fragrances.</p> <p><b>Further information:</b> <a href="http://www.opsi.gov.uk/si/si2008/uksi_20082566_en_1">http://www.opsi.gov.uk/si/si2008/uksi_20082566_en_1</a></p>

## CORPORATE LAW AND GOVERNANCE

### Corporate Governance statements and accounts regulations 2008

April 2009	<p><b>Relevant for:</b></p> <p>Part 2 relevant to companies traded on EC regulated market. Part 3 relevant to all size companies.</p> <p><b>Summary:</b> The Regulations complete implementation of EC Directive in respect of filing and auditor review of separate corporate governance statements. The Regulations also make minor corrections to earlier accounting Regulations made under Companies Act 2006.</p>
	<p><b>Further information:</b></p> <p><i>Consultation on the draft regulations (closing date for responses is 9 January 2009):</i> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/draft/page40411.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/draft/page40411.html</a></p> <p><i>Following consultation, revised draft regulations will appear, in due course, on:</i> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/made-or-before-parliament/page35232.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/made-or-before-parliament/page35232.html</a></p>

## EMPLOYMENT

### Employment Act 2008 (Commencement No. 1, Transitional Provisions and Savings) Order 2008

April 2009	<p><b>Relevant for:</b> Employees / Employers.</p> <p><b>Summary:</b> The Employment Act 2008 received Royal Assent on 13th November 2008.</p> <p>This statutory instrument brought sections 1 to 7 of the Employment Act into force on 6 April 2009. These provisions make changes to the law relating to dispute resolution in the workplace. In particular:</p> <ul style="list-style-type: none"><li>• Repeal of the statutory dispute resolution procedures and a related provision about procedural unfairness in dismissal cases</li><li>• Gives employment tribunals discretionary powers to vary awards up or down by up to 25% if parties have failed unreasonably to comply with a relevant code of practice</li><li>• Make changes to the law relating to conciliation by Acas</li><li>• Amend tribunals' powers by which they reach a determination without a hearing</li><li>• Allow tribunals to award compensation for financial loss in certain types of monetary claim.</li></ul>
	<p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/whatwedo/employment/employment-legislation/employment-act-2008/index.html">http://www.berr.gov.uk/whatwedo/employment/employment-legislation/employment-act-2008/index.html</a></p> <p><a href="http://www.opsi.gov.uk/si/si2008/pdf/uksi_20083232_en.pdf">http://www.opsi.gov.uk/si/si2008/pdf/uksi_20083232_en.pdf</a></p>

**Employment Act 2008 (Commencement No. 2, Transitional Provisions and Savings) Order 2008**

**Relevant for:** Employees/Employers.

**Summary:** The Employment Act 2008 received Royal Assent on 13th November 2008. This Statutory Instrument brought the following provisions of the Employment Act into force on 6 April 2009:

- Changes to enforcement of the National Minimum Wage, introducing a new penalty for employers who underpay their workers and a method of calculating arrears that takes into account the length of time that the arrears have been outstanding;
- A new information gateway to allow officers enforcing the National Minimum Wage and Employment Agency Standards to share information with each other for the purposes of their enforcement functions;
- Changes to Trade Union membership law to allow a union to expel or exclude an individual on the grounds of political party membership.

Further information:

<http://www.berr.gov.uk/whatwedo/employment/employment-legislation/employment-act-2008/index.html>

[http://www.opsi.gov.uk/si/si2009/pdf/uksi\\_20090603\\_en.pdf](http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090603_en.pdf)

National Minimum Wage guidance:

<http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&topicId=1081657912&r.lc=en&r.l2=1074207487&r.s=m>

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## The Working Time (Amendment) Regulations 2007 - Increasing the Holiday Entitlement

**Relevant for:** All businesses which are not already providing leave entitlement of at least 28 days by 1 April 2009.

**Summary:** The Government is adding 8 days (pro-rata for part-time workers) to the minimum statutory holiday entitlement, in order to address the inequality in holiday provision for some workers (generally the lowest paid).

The increase is in two phases:

- (i) the minimum entitlement increased from 4 weeks (20 days if you worked a 5 day week) to 4.8 weeks (24 days if you work a 5 day week) on 1 October 2007 and
- (ii) will increase to 5.6 weeks (28 days if you work a 5 day week) on **1 April 2009**.

From 1 April 2009 the minimum entitlement is capped at 28 days.

### Further information:

Holiday guidance:

<http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&topicId=1074414642&r.lc=en&r.l2=1073858926&r.s=tl>

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<b>Amending the Flexible Working Regulations 2002</b>	
6 April 2009	<p><b>Relevant for:</b> Employees/Employers</p> <p><b>Summary:</b> In May 2008 Imelda Walsh, HR Director of J Sainsbury plc, published her independent review into extending the right to request flexible working to parents of older children. The review recommended that the age cut-off be extended to those with parental responsibility for children aged 16 and under. Government accepted these recommendations and the consultation on implementing these recommendations closed on 18 November 2008. Government response to the consultation was published in March 2009.</p> <p>Flexible working regulations amending the 2002 Regulations were laid in March 2009. Regulations came into force on 6 April 2009.</p> <p><b>Further information:</b></p> <p><a href="http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090595_en.pdf">http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090595_en.pdf</a></p> <p><a href="http://www.opsi.gov.uk/si/si2009/em/uksiem_20090595_en.pdf">http://www.opsi.gov.uk/si/si2009/em/uksiem_20090595_en.pdf</a></p> <p>Flexible working – the law and best practice guidance:  <a href="http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&amp;topicId=1073931239&amp;r.lc=en&amp;r.l2=1080898061&amp;r.s=tl">http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&amp;topicId=1073931239&amp;r.lc=en&amp;r.l2=1080898061&amp;r.s=tl</a></p>
<b>Resolving disputes in the workplace</b>	
	<p><b>Relevant for:</b> Employees, Employers.</p> <p><b>Summary:</b> A package of secondary legislation which, together with the Employment Act and other changes from the Dispute Resolution Review will provide a framework for a more efficient system for dispute resolution which is easier to use and enables disputes to be resolved earlier, with less lost time, expense and stress for all parties.</p> <p><b><i>The Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2008</i></b></p> <p>These Regulations amend the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004, as amended, (“the main Regulations”) to:</p> <ul style="list-style-type: none"> <li>• make consequential amendments resulting from the Employment Act 2008, which repeals the existing statutory workplace dispute resolution</li> </ul>

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- procedures (“the statutory procedures”), and make changes to conciliation by officers of the Advisory, Conciliation and Arbitration Service (ACAS);
- make minor clarifications to, and correct drafting errors in, the main Regulations;
  - clarify and make procedural changes to tribunal practice, including:
    - providing that, when the Lord President or Lord Chief Justice appoints someone to discharge the functions of a President, where he is unable to act, or during any vacancy, they must consult the Senior President of Tribunals beforehand;
    - provide for the power to appoint (and therefore remove) employment tribunal lay members to be vested in the Lord Chancellor rather than the Secretary of State;
    - removing Employment Judges’ discretion not to issue a default judgment in certain circumstances;
    - providing that, where electronic communications are used in public hearings, and oral evidence is given, the public must be able to see and hear all parties to the communication, and where the hearing is to be held in private and oral evidence is given the tribunal or Employment Judge must be able to see and hear all parties to the communication;
    - clarifying provisions on the withdrawal and dismissal of proceedings, and a new rule to provide for the automatic dismissal of proceedings, where the parties to an ACAS settlement have confirmed in writing their understanding that the proceedings covered by the settlement will be dismissed and the claimant has withdrawn the claim;
    - enabling an Employment Judge, in specified circumstances, to review a default judgment on his own initiative, and providing for preliminary consideration of an application to review a default judgment;
    - enabling an Employment Judge sitting alone to hear Stage 1 equal value claims;
    - providing for appropriate transitional arrangements.

***The Employment Tribunals Act 1996 (Tribunal Composition) Order 2009***

This order enables employment tribunal proceedings, in respect of payments relating to leave entitlement under certain working time regulations to be heard by an employment judge sitting alone.

***The Employment Code of Practice (Disciplinary and Grievance Procedures) Order 2009***

This order brought into effect the revised Acas Code of Practice on Disciplinary and Grievance procedures on 6<sup>th</sup> April 2009, replacing the previous Acas Code of Practice which came into effect on 1<sup>st</sup> October 2004.

	<p><b>Further information:</b>  <a href="http://www.opsi.gov.uk/si/si2008/pdf/uksi_20083240_en.pdf">http://www.opsi.gov.uk/si/si2008/pdf/uksi_20083240_en.pdf</a>  <a href="http://www.opsi.gov.uk/si/si2008/em/uksiem_20083240_en.pdf">http://www.opsi.gov.uk/si/si2008/em/uksiem_20083240_en.pdf</a>  <a href="http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090789_en.pdf">http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090789_en.pdf</a>  <a href="http://www.opsi.gov.uk/si/si2009/em/uksiem_20090789_en.pdf">http://www.opsi.gov.uk/si/si2009/em/uksiem_20090789_en.pdf</a>  <a href="http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090771_en.pdf">http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090771_en.pdf</a></p> <p>Disciplinary problems, disputes and grievances guidance:  <a href="http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&amp;topicId=1074207487&amp;r.lc=en&amp;r.s=tl">www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&amp;topicId=1074207487&amp;r.lc=en&amp;r.s=tl</a></p>
<b>ENVIRONMENTAL AND TECHNICAL REGULATIONS</b>	
<b>The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations 2009</b>	
April 2009	<p><b>Relevant for:</b> All those who manufacture electrical &amp; electronic equipment (EEE), those who import these goods into the EU and those who re-brand equipment produced by others.</p> <p><b>Summary:</b> The new Regulations corrected some minor drafting errors in the existing (2008) Regulations and clarify the enforcement provisions in light of experience.</p>
	<p><b>Further information:</b>  <a href="http://www.berr.gov.uk/whatwedo/sectors/sustainability/rohs/page29048.html">http://www.berr.gov.uk/whatwedo/sectors/sustainability/rohs/page29048.html</a></p>
<b>EXPORT CONTROL</b>	
<b>The Export Control Order 2008</b>	
April 2009	<p><b>Relevant for:</b> Applies to all sizes and types of business or individuals involved in the export or trade of strategic (military or dual use) goods.</p> <p><b>Summary:</b> The Order will more accurately align controls to the risks posed by strategic goods. It will adjust the trade controls on Light Weapons, Long Range Missiles (LRMs) and Unmanned Aerial Vehicles (UAVs). The exemptions in relation to transit and transshipment will be adjusted so that there is no exemption for Category A goods. For Category B goods, the exemption for specified destinations of concern will be removed. The Order will also introduce controls on the sole provision of transport services for Category B goods.</p>
	<p><b>Further information:</b>  <a href="http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html">http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html</a></p>
<b>The Export of Radioactive Sources (Control) (Amendment) Order 2009</b>	

<p>April 2009</p>	<p><b>Relevant for:</b> Applies to all sizes and types of business or individuals involved in the export of controlled radioactive sources.</p> <p><b>Summary:</b> The Order is expected to make technical changes to the Export of Radioactive Sources (Control) Order 2006, to bring its licensing provisions into line with those adopted for the Export Control Order 2008.</p> <p><b>Further information:</b>  <a href="http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html">http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html</a></p>
<b>INSOLVENCY SERVICE (INSS)</b>	
<b>The Debt Relief Orders (Designation of Competent Authorities) Regulations 2009 and related amendment to the Insolvency Rules 1986</b>	
<p>April 2009</p>	<p><b>Relevant for:</b> The debt advice sector (including insolvency practitioners), the creditor community and the Office of Fair Trading, who issue Consumer Credit Licenses and Guidance for those who provide debt management services.</p> <p><b>Summary:</b> The legislation will bring into force Debt Relief Orders (DROs) (part of the Insolvency Act 1986) which will provide a debt remedy aimed at the financially excluded who have relatively low liabilities, little surplus income and few assets and who are currently unable to access other forms of debt relief. DROs will be delivered in partnership with the advice sector who will act as intermediaries, assisting the debtor to make the application and conducting the initial scrutiny. Additionally, DROs will be administrative rather than court based – the DRO will be made by an Official Receiver.</p> <p><b>Further information:</b> The primary legislation relating to Debt Relief Orders (see section 108 and Schedule 17 onwards) can be accessed at:  <a href="http://www.opsi.gov.uk/acts/acts2007/ukpga_20070015_en_1">http://www.opsi.gov.uk/acts/acts2007/ukpga_20070015_en_1</a></p> <p>The secondary legislation on competent authorities (intermediaries) can be accessed at:  <a href="http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/DRORegulations2009final.doc">http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/DRORegulations2009final.doc</a></p> <p>The appropriate amendments to the Insolvency Rules 1986 can be accessed at:  <a href="http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/DraftDRORules.doc">http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/DraftDRORules.doc</a></p>
<b>The Insolvency (Amendment) Rules 2009</b>	

April 2009	<p><b>Relevant for:</b> Insolvency practitioners, local and regional newspapers.</p> <p><b>Summary:</b> Will replace existing mandatory requirements to advertise key insolvency events with discretion for the relevant insolvency office-holder to decide whether an advertisement is necessary and to allow greater flexibility for the form that that advertisement may take.</p>
	<p><b>Further information:</b>  <a href="http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/consolidation/consolidationhome.htm">http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/consolidation/consolidationhome.htm</a></p>
<p><b>Amendment to the Insolvency Proceedings (Fees) (Order) 2004</b></p>	
April 2009	<p><b>Relevant for:</b> Insolvency practitioners, solicitors and debtors.</p> <p><b>Summary:</b> Uplifts various statutory fees that are payable in connection with bankruptcy and compulsory winding-up proceedings and Debt Relief Orders.</p>
	<p><b>Further information:</b> <a href="http://www.insolvency.gov.uk/">http://www.insolvency.gov.uk/</a></p>
<p><b>Amendment to the Insolvency Practitioners and Insolvency Services Account (Fees) Order 2003</b></p>	
April 2009	<p><b>Relevant for:</b> Insolvency practitioners.</p> <p><b>Summary:</b> Amends the fee that licensed insolvency practitioners are obliged to pay in respect of their authorisation. It also amends certain fees that are payable by insolvency practitioners in connection with funds held in the Insolvency Services Account.</p>
	<p><b>Further information:</b> <a href="http://www.insolvency.gov.uk/">http://www.insolvency.gov.uk/</a></p>

## SECTION B – REGULATIONS TO COMMENCE ON 1 OCTOBER 2009

<b>COMPANIES HOUSE</b>	
<b>The Companies House Trading Fund (Amendment) Order 2009</b>	
October 2009	<p><b>Relevant for:</b> Northern Ireland companies.</p> <p><b>Summary:</b> The Companies Act 2006 will create a single company law regime applying to the whole of the UK, and this Order allows for a single UK-wide Register of Companies. The Companies Registry in Northern Ireland, currently part of the Department of Enterprise, Trade and Investment in Northern Ireland (DETI), will become the responsibility of the Secretary of State for BIS with effect from 1 October 2009.</p> <p><b>Further information:</b></p> <p><a href="http://www.companieshouse.gov.uk/companiesAct/implementations/oct2009.shtml">http://www.companieshouse.gov.uk/companiesAct/implementations/oct2009.shtml</a></p> <p><a href="http://www.berr.gov.uk/consultations/page47538.html">http://www.berr.gov.uk/consultations/page47538.html</a></p>
<b>Community Interest Company Amendment Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Community-interest companies.</p> <p><b>Summary:</b> Amends the CIC Regulation 2005 to reflect legislative and other developments since the CIC form was introduced.</p> <p><b>Further information:</b></p> <p><a href="http://www.opsi.gov.uk/si/si2009/draft/ukdsi_9780111481004_en_1">http://www.opsi.gov.uk/si/si2009/draft/ukdsi_9780111481004_en_1</a></p>
<b>The Companies Act 2008 (Part 35) Consequential Amendments, Transitional Provisions and Savings) Order 2009</b>	
October 2009	<p><b>Relevant for:</b> Companies.</p> <p><b>Summary:</b> Makes consequential amendments to Part 35 of the 2006 Companies Act.</p> <p><b>Further information:</b></p> <p><a href="http://www.opsi.gov.uk/si/si2009/draft/ukdsi_9780111479513_en_1">http://www.opsi.gov.uk/si/si2009/draft/ukdsi_9780111479513_en_1</a></p>
<b>Statutory Auditors and Third Country Auditors (Amendment) Regulations 2008</b>	
October 2009	<p><b>Relevant for:</b> Companies.</p> <p><b>Summary:</b> The Regulations correct a number of errors in the Statutory Auditors and Third Country Auditors Regulations 2007 ("SATCAR"). The purpose of SATCAR is to amend the provisions of the Companies Act 2006 relating to the regulation of statutory auditors, and provide for a register of non-EEA auditors to be established.</p> <p><b>Further information:</b></p> <p><a href="http://www.opsi.gov.uk/si/si2008/pdf/uksi_20080499_en.pdf">http://www.opsi.gov.uk/si/si2008/pdf/uksi_20080499_en.pdf</a></p>

<b>The Registrar of Companies (Fees) (Companies, Overseas Companies and LLPs) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Companies, Overseas Companies and Limited Liability Partnerships (LLPs).</p> <p><b>Summary:</b> This updates and amalgamates existing Fees Regulations for Companies, Overseas Companies and LLPs as a consequence of changes implemented as part of the Companies Act 2006.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.companieshouse.gov.uk/companiesAct/implementations/oct2009.shtml">http://www.companieshouse.gov.uk/companiesAct/implementations/oct2009.shtml</a></p> <p><a href="http://www.berr.gov.uk/consultations/page47538.html">http://www.berr.gov.uk/consultations/page47538.html</a></p>
<b>CORPORATE LAW AND GOVERNANCE</b>	
<b>The Companies (Disclosure of Address) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Credit reference agencies and companies in sensitive sectors, e.g. bioindustries.</p> <p><b>Summary:</b> The regulations will prescribe who can see directors' home addresses. How directors may apply for special protection for their home addresses. How addresses already on register may be made unavailable for public inspection.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page41084.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page41084.html</a></p>
<b>The Companies (Trading Disclosures) (Amendment) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> liquidators and administrators and companies in sensitive sectors, e.g. bioindustries.</p> <p><b>Summary:</b> Exemptions from the requirement for a sign with the company's name at all its premises.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page38501.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page38501.html</a></p>

<b>The Registrar of Companies and Applications for Striking Off Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Companies of all sizes which register and file documents at Companies House.</p> <p><b>Summary:</b> Make provision relating to the striking off of companies from the register and the functions of the registrar and delivery of documents to the registrar.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page38501.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page38501.html</a></p>
<b>The Companies (Company and Business Names) (Miscellaneous Provisions) Regulations 2008</b>	
October 2009	<p><b>Relevant for:</b> Incorporation agents. Groups of companies.</p> <p><b>Summary:</b> Restrictions on the choice of company name and rules about the use of “plc”, “ltd”, etc.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page42740.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page42740.html</a></p>
<b>The Companies (Shares and Share Capital) Regulations 2008</b>	
October 2009	<p><b>Relevant for:</b> Private and public limited companies.</p> <p><b>Summary:</b> These regulations prescribe particulars of rights attached to shares; information to include in returns of allotment delivered to the registrar of companies; and the form of, and information to be contained in, a directors’ statement. They also provide that settlement under the CREST system is to be regarded as cash consideration.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a></p>
<b>The Companies (Authorised Minimum) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Public companies.</p> <p><b>Summary:</b> The regulations provide for a euro equivalent to the sterling amount of £50,000; and how the authorised minimum requirement applies where a public company reduces its share capital under particular provisions of the 1985 Act and has shares denominated in multiple currencies.</p> <p>In some circumstances they enable the Registrar of Companies to assume that the authorised minimum requirement is no longer satisfied; and, for specified procedures, allow the court to determine the rate of exchange to be applied when establishing whether a public company satisfies the authorised minimum requirement.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a></p>

<b>The Companies Act 2006 (Annual Return and Service Addresses) Regulations 2008</b>	
October 2009	<b>Relevant for:</b> All business.
	<b>Summary:</b> Rules for the information about shareholders that must be included in Annual Returns. What may be used as a service address, i.e. the address at which documents may be effectively served on a person/company.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page48805.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page48805.html</a>
<b>The Companies (Company Records) Regulations 2008</b>	
October 2009	<b>Relevant for:</b> All business.
	<b>Summary:</b> Where, when and how companies must make certain of their records available for inspection.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a>
<b>The Companies (Fees for Inspection of Company Records) Regulations 2008</b>	
October 2009	<b>Relevant for:</b> All business.
	<b>Summary:</b> What companies may charge those inspecting their records.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a>
<b>The Companies (Registration) Regulations 2008</b>	
October 2009	<b>Relevant for:</b> All companies incorporating after 1 October 2009.
	<b>Summary:</b> Details the information required and the form of the Memorandum of Association. Forms required for re-registration and those for statement of capital and guarantee.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/made-or-before-parliament/page35232">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/made-or-before-parliament/page35232</a>
<b>The Companies (Particulars of Company Charges) Regulations 2008</b>	
October 2009	<b>Relevant for:</b> All business.
	<b>Summary:</b> The information that must be provided when registering a charge over a company's assets.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a>

<b>The Overseas Companies Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> All companies incorporated outside the UK that have a branch or a place of business in the UK, or that will open a UK establishment on or after 1 October 2009.</p> <p><b>Summary:</b> The new UK regime for overseas companies that operate their business in the UK – setting out how such companies should comply with EU and UK regulation and the information they should share with the Registrar of Companies.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a></p>
<b>The Non-Companies Acts Companies Authorised to Register Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Companies that are not set up under the Companies Act 2006.</p> <p><b>Summary:</b> Provides for certain provisions of the Companies Act 2006 to be applied to companies not set up under the Act.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a></p>
<b>The Companies (Unregistered Companies) Regulation 2009</b>	
October 2009	<p><b>Relevant for:</b> Unregistered companies.</p> <p><b>Summary:</b> Applies provisions of the Companies Act 2006 to unregistered companies.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/index.html</a></p>
<b>The Overseas Companies (Execution of Documents Registration of Charges) Regulations 2009</b>	
10 October 2009	<p><b>Relevant for:</b> overseas companies</p> <p><b>Summary:</b> sets out the requirements to register changes to any overseas company only if it has complied with the requirement to register an establishment (and has not subsequently closed all of its UK establishments).</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/draft/page40411.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/draft/page40411.html</a></p>

<b>The Companies (Company and Business Names) (Sensitive Words and Expressions) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Incorporation agents.</p> <p><b>Summary:</b> List of words and expressions for which the Secretary of State's approval is required before their use in a company's registered name or any business name.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page42740.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page42740.html</a></p>
<b>The Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Limited Liability Partnerships of all sizes and their advisors.</p> <p><b>Summary:</b> Applies as appropriate the remaining provisions of the Companies Act 2006 (non-account and audit) to Limited Liability Partnerships.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/llp/page39897.html">http://www.berr.gov.uk/whatwedo/businesslaw/llp/page39897.html</a></p>
<b>The Companies (Model Articles) Regulations 2008</b>	
October 2009	<p><b>Relevant for:</b> private companies limited by shares, or by guarantee, and public companies who are incorporating on or after 1 October 2009.</p> <p><b>Summary:</b> Sets out model articles of association for the three main types of company: a private company limited by shares, a private company limited by guarantee, and a public company.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/files/file29937.pdf">http://www.berr.gov.uk/files/file29937.pdf</a></p>

<b>The Companies (Creditor Protection and Treasury Shares) Regulations</b>	
October 2009	<p><b>Relevant for:</b> All Public Limited Liability Companies.</p> <p><b>Summary:</b> These regulations implement the amendments to the Second Company Law Directive:</p> <ul style="list-style-type: none"> <li>• Amend creditor protection provisions when companies reduce their capital, so that creditors objecting to the reduction will be required to demonstrate that their claim is at stake and the company has not provided adequate safeguards;</li> <li>• Provide an option for companies to be authorized for a period of up to 5 years to purchase and hold their own shares up to the limit of distributable reserves (profits);</li> <li>• Reduce the current 21 day period of notice given to existing shareholders when companies issue new shares to raise capital to 14 days.</li> </ul>
	<p><b>Further information:</b> 2<sup>nd</sup> Company Law Directive: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31977L0091:EN:NOT">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31977L0091:EN:NOT</a></p> <p>Directive 2006/68 amending the 2<sup>nd</sup> Company Law Directive: <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006L0068:EN:NOT">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006L0068:EN:NOT</a></p>
<b>The Registrar of Companies (Fees) (LPs, Newspapers, SEs and EEIGs) Regulations 2009</b>	
October 2009	<p><b>Relevant for:</b> Limited Partnerships (LPs), Newspapers, European Economic Interest Groupings (EEIGs) and European Public Companies (Societas Europaea).</p> <p><b>Summary:</b> This updates and amalgamates existing fees for LPs, Newspapers, EEIGs and SEs. Amendments to the regulations as a result of implementation of the Companies Act 2006. The provisions in this legislation set fees for the receipt of documents delivered to the Registrar, and the inspection or provision of copies and will mean no practical changes to the day-to-day running of EEIGs and SEs.</p> <p>Entities registered in Northern Ireland will now fall under the UK regime rather than being separate (as was previously the case).</p>
	<p><b>Further information:</b></p> <p><a href="http://www.companieshouse.gov.uk/about/gbhtml/gb06.shtml">http://www.companieshouse.gov.uk/about/gbhtml/gb06.shtml</a></p> <p>More information will be made available in due course.</p>

<b>The EEIG and SE (GB) (Fees) Revocation Regulations</b>	
October 2009	<b>Relevant for:</b> SEs and EEIGs
	<b>Summary:</b> This revocation allows for the fees for the receipt of documents delivered to the Registrar, and for the inspection or provision of copies of these documents, relating to SEs and EEIGs, to be applied through the Registrar of Companies (Fees) (LPs, Newspapers, SEs and EEIGs) Regulations.
	<b>Further Information:</b> Available in due course.
<b>The Companies Act 2006 (Index of Company Names and Consequential Provisions relating to Limited Partnerships Act 1907) Order 2009</b>	
October 2009	<b>Relevant for:</b> All limited partnerships, many of which are investment funds.
	<b>Summary:</b> Brings aspects of limited partnership law on names and registration into line with company law as in the Companies Act 2006.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/partnership/page25911.html">http://www.berr.gov.uk/whatwedo/businesslaw/partnership/page25911.html</a>
<b>The Legislative Reform (Limited Partnerships) Order 2009</b>	
October 2009	<b>Relevant for:</b> All limited partnerships, many of which are investment funds.
	<b>Summary:</b> Clarifies and modernises the law on limited partnerships in line with recommendations of the Law Commission.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/partnership/page25911.html">http://www.berr.gov.uk/whatwedo/businesslaw/partnership/page25911.html</a>
<b>CONSUMER AND COMPETITION POLICY</b>	
<b>Designation of a new super-complainant under the Enterprise Act 2002</b>	
October 2009	<b>Relevant for:</b> Consumer organisations.
	<b>Summary:</b> Previous Statutory Instruments (SIs) made under the Enterprise Act 2002 in order to add new designated super-complainant bodies to the existing list. The purpose of permitting certain bodies to be designated to make supercomplaints is to encourage well researched and substantial complaints about a market failure that might be harming the interests of consumers to be made to the Office of Fair Trading (or certain other sectoral regulators). Individual consumers would not find it as easy to make such complaints individually. Although anyone can submit a complaint to the OFT or other sectoral regulators about market failure, designated bodies will benefit from the 'fast-track' procedure whereby the OFT or other sectoral regulator is obliged to publish a response to a supercomplaint within 90 days. Citizens Advice Scotland (CAS) will be designated as a super-complainant by SI on 1 October 2009.
	<b>Further information:</b> <a href="http://www.berr.gov.uk/files/file50334.pdf">http://www.berr.gov.uk/files/file50334.pdf</a>

<b>Merger Fees Increase</b>	
October 2009	<p><b>Relevant for:</b> Companies undertaking mergers</p> <p><b>Summary:</b> Recovers the cost of the UK competition authorities of operating the merger regime. Merger fees were first introduced in 1990 but over time the fees did not generate enough to cover the cost of operating the merger regime, the shortfall was covered by the taxpayer. The first increase in fees was made in April 2006 which doubled the fees. However, in order to be able to fully recover the costs of operating the regime, it was announced that the fees would need to be doubled again in 2009, though a review would be undertaken before the final increase was implemented to ensure that the level set was appropriate. That review has been undertaken and an announcement will be made during August 2009.</p>
	<p><b>Further information:</b> The results of the review will be announced at the following weblink:  <a href="http://www.berr.gov.uk/whatwedo/businesslaw/competition/mergers/fees/index.html">http://www.berr.gov.uk/whatwedo/businesslaw/competition/mergers/fees/index.html</a></p>
<b>Aerosols Dispensers Regulation 2009</b>	
October 2009	<p><b>Relevant for:</b> The aerosol industry, enforcement authorities.</p> <p><b>Summary:</b> Updating Aerosol safety standards to reflect current processes and products. To improve both the level of safety and consumer information. The Regulation provides a new mandatory framework implementing the Aerosol Dispensers Directive (ADD) in its amended form and revoke the 1997 Aerosol Dispensers (EEC Requirements) Regulations.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/files/file50858.pdf">http://www.berr.gov.uk/files/file50858.pdf</a></p>
<b>EMPLOYMENT</b>	
<b>Annual changes to National Minimum Wage Regulations 1999</b>	
October 2009	<p><b>Relevant for:</b> All businesses paying on or below the National Minimum Wage.</p> <p><b>Summary:</b> The regulations:</p> <ul style="list-style-type: none"> <li>• increase the hourly rate of the NMW for adults (22 years and over), 18-21 year olds and 16-17 year olds and increase the maximum amount for living accommodation that is allowed to count towards pay for NMW purposes;</li> <li>• prevent tips, service charges, gratuities and cover charges paid through the employer's payroll from counting towards payment of the NMW; and</li> <li>• clarify that people on work placements under the European Community Erasmus and Comenius Programmes do not qualify for the NMW in respect of the work done as part of those schemes.</li> </ul>
	<p><b>Further information:</b>  <a href="http://www.opsi.gov.uk/si/si2009/pdf/uksi_20091902_en.pdf">http://www.opsi.gov.uk/si/si2009/pdf/uksi_20091902_en.pdf</a>  <a href="http://www.opsi.gov.uk/si/si2009/em/uksiem_20091902_en.pdf">http://www.opsi.gov.uk/si/si2009/em/uksiem_20091902_en.pdf</a></p> <p>Tippling: <a href="http://www.berr.gov.uk/files/file51166.pdf">http://www.berr.gov.uk/files/file51166.pdf</a></p>

<b>The Work and Families (Increase of Maximum Amount) Order 2009</b>	
October 2009	<p><b>Relevant for:</b> All businesses implementing redundancies and employees being made redundant.</p> <p><b>Summary:</b> The Order increases the maximum weekly limit from £350 to £380. This limit is used to calculate certain awards made by employment tribunals (including awards for redundancy or unfair dismissal), and other amounts payable by the Secretary of State under employment legislation, where an employer is insolvent. It suspends the annual uprating of these limits due to take place in February 2010.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.opsi.gov.uk/si/si2009/pdf/uksi_20091903_en.pdf">http://www.opsi.gov.uk/si/si2009/pdf/uksi_20091903_en.pdf</a>  <a href="http://www.opsi.gov.uk/si/si2009/em/uksiem_20091903_en.pdf">http://www.opsi.gov.uk/si/si2009/em/uksiem_20091903_en.pdf</a></p>
<b>INSOLVENCY SERVICE (INSS)</b>	
<b>Amendment to the Insolvency Practitioners and Insolvency Services Account (Fees) Order 2003</b>	
October 2009	<p><b>Relevant for:</b> Insolvency practitioners.</p> <p><b>Summary:</b> Amends the fee that recognised professional bodies are obliged to pay in respect of their regulation in order to comply with the Services Directive.</p>
	<p><b>Further information:</b> <a href="http://www.insolvency.gov.uk/">http://www.insolvency.gov.uk/</a></p>
<b>Companies (Disqualification Orders) Regulations</b>	
	<p><b>Relevant for:</b> Company directors, courts.</p> <p><b>Summary:</b> To replace the existing regulations to update forms which are sent to the Secretary of State by the courts and other enforcement authorities to enable Companies House to update the register of disqualified directors, primarily as a consequence of the implementation of the Companies Act 2006.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/insolvencylaw.htm">http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/insolvencylaw.htm</a></p>
<b>Amendment to the Insolvency (Scotland) Rules 1986</b>	
	<p><b>Relevant for:</b> Insolvency practitioners, lawyers, law stationers.</p> <p><b>Summary:</b> To update those forms prescribed by the rules that include an address for Companies House in Edinburgh, to reflect the new address of that office.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.insolvency.gov.uk/forms/scotFormsNotice09.doc">http://www.insolvency.gov.uk/forms/scotFormsNotice09.doc</a></p>

## INTELLECTUAL PROPERTY

### Trade Marks & Designs Fee Changes

October 2009	<p><b>Relevant for:</b> Businesses.</p> <p><b>Summary:</b> Introduction of a 'Right Start' service to prospective trade mark applicants with specific advice together with the option of making the payment for an application in two parts. Changes also include introducing a fee for more than two series marks, a facility to suspend the Fast-Track Examination Service, and some revision to Tribunal fees. The measures also introduce a differential (lower) fee for those who apply for trade marks (£30 reduction) and patents (£10 reduction) using our online filing systems.</p>
	<p><b>Further information:</b> <a href="http://www.ipo.gov.uk/pro-policy/consult/consult-live/consult-feeservices.htm">http://www.ipo.gov.uk/pro-policy/consult/consult-live/consult-feeservices.htm</a></p>

## NATIONAL MEASUREMENT OFFICE

### Measuring Equipment for Intoxicating Liquor

October 2009	<p><b>Relevant for:</b> Manufacturers, importers, approved verifiers and inspectors.</p> <p><b>Summary:</b> The purpose of the new regulations is to permit manufacturers, approved verifiers and inspectors to verify instruments which meet the criteria specified in the Regulations and are used for the measurement of intoxicating liquor, except beer and cider, to test a sample of the production. Where a sample meets the acceptance criteria the whole batch can then be stamped confirming compliance with the requirements.</p>
	<p><b>Further information:</b> <a href="http://www.nmo.bis.gov.uk/fileuploads/Legislation/12_week_guidance_on_Intoxicating_Liq_June_09.pdf">http://www.nmo.bis.gov.uk/fileuploads/Legislation/12_week_guidance_on_Intoxicating_Liq_June_09.pdf</a></p>

**SECTION C – REGULATIONS TO COMMENCE OUTSIDE THE CCD  
TIMETABLE E.G. AGREED SECTORAL CCD OR PREVIOUSLY PUBLISHED  
IMPLEMENTATION DATES**

<b>BETTER REGULATION EXECUTIVE</b>	
<b>The Legislative and Regulatory Reform (Regulatory Functions) Order (Amendment) Order 2009</b>	
1 December 2009	<p><b>Relevant for:</b> Any business regulated by local authorities in Scotland, Wales and Northern Ireland in relation to certain reserved functions; any business regulated by public sector regulator in England in respect of specified activities; and any business regulated by additional national regulators in relation to a variety of regulatory activity, including the enforcement of money laundering regulations.</p> <p><b>Summary:</b> The Regulators' Compliance Code came into force in April 2008 as a statutory code of practice applying to several national regulators as well as local authorities in England. A consultation is currently underway on extending the coverage of the Code to additional regulators, which will be listed in the draft Statutory Instrument. The Statutory Instrument will amend an existing one (The Legislative and Regulatory Reform (Regulatory Functions) Order 2007) which lists the regulatory functions to which the Code already applies.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/consultations/page48886.html">http://www.berr.gov.uk/consultations/page48886.html</a></p>
<b>COMPETITION AND CONSUMER POLICY</b>	
<b>The Cosmetic Products (Safety) (Amendment No. 2) Regulations 2009</b>	
8 July 2009	<p><b>Relevant for:</b> Applies to manufacturers and importers of cosmetic products</p> <p><b>Summary:</b> These Regulations implement an amending EU Cosmetics Directives (2008/123/EC &amp; 2009/6) which controls the use of certain ingredients in cosmetic products.</p> <p><b>Further information:</b></p> <p><a href="http://www.opsi.gov.uk/si/si2009/uksi_20091346_en_1">http://www.opsi.gov.uk/si/si2009/uksi_20091346_en_1</a></p>
<b>The Cosmetic Products (Safety) (Amendment) Regulations 2009</b>	
14 October 2009	<p><b>Relevant for:</b> Applies to manufacturers and importers of cosmetic products.</p> <p><b>Summary:</b> These Regulations implement an amending EU Cosmetics Directive (2008/88/EC) which bans the use of certain ingredients in cosmetic products. The ingredients are some of those used in hair dyes.</p> <p><b>Further information:</b> <a href="http://www.opsi.gov.uk/si/si2009/uksi_20090796_en_1">http://www.opsi.gov.uk/si/si2009/uksi_20090796_en_1</a></p>

## CORPORATE LAW AND GOVERNANCE

### The Companies (Company and Business Names) (Public Authority) Regulations 2009

October 2009 <sup>1</sup>	<p><b>Relevant for:</b> Incorporation agents.</p> <p><b>Summary:</b> The Secretary of State's approval is needed if a company's registered name or any other business name suggests a connection with one of the public bodies listed in the Regulations.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page42740.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page42740.html</a></p>

## EXPORT CONTROL

### Council Regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items

Late 2009	<p><b>Relevant for:</b> Applies to all sizes and types of business or individuals involved in the export or trade of strategic dual-use items.</p> <p><b>Summary:</b> Intended to replace the current dual-use items Regulation (EC) No.1334/2000 following a review of existing practices and operation. Includes additional controls on the brokering and transit of dual-use items if they are or may be intended for WMD purposes to fulfil EU Member States international obligations under UNSCR 1540. There will need to be an amendment to the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order to implement this regulation.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html">http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html</a></p>

### The Export Control (Amendment) Order 2009

16 June 2009	<p><b>Relevant for:</b> Applies to all sizes and types of business or individuals involved in the export of strategic goods.</p> <p><b>Summary:</b> The amending Order updates an entry in the military list (ML9) to bring under control certain vessels which, although not designed or modified for military use, have similar characteristics to vessels of war. In addition extends current trade controls to certain types of weapon sights and adds Angola and Namibia to a list of destinations for which a licence is required where certain sensitive goods (including small arms and light weapons) are being moved in transit.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html/strategic-export-control/index.html">http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html/strategic-export-control/index.html</a></p>

<sup>1</sup> Exact date to be confirmed.

<b>The Export Control (Amendment No 2) Order 2009</b>	
27 August 2009	<p><b>Relevant for:</b> Applies to all sizes and types of business or individuals involved in the export of strategic goods.</p> <p><b>Summary:</b> The amending Order will updates references to the new Regulation (EC) No.428/2009 and introduce penalties in respect of new brokering controls contained within the Regulation. Will also need to remove any national overlap in scope of controls on transit which will from 27<sup>th</sup> August 2009 will be controlled directly under the Regulation.</p> <p><b>Further information:</b>  <a href="http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html/strategic-export-control/index.html">http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html/strategic-export-control/index.html</a></p>
<b>NATIONAL MEASUREMENT OFFICE</b>	
<b>Hallmarking of Palladium</b>	
July 2009	<p><b>Relevant for:</b> Precious metal refiners, jewellery manufacturers and retailers.</p> <p><b>Summary:</b> Introduction of palladium into the list of precious metals that may be hallmarked. This entails amending the provisions in the 1973 Hallmarking Act to add the precious metal palladium and give palladium articles the same status and protection as those made of gold, silver or platinum. It will help stimulate trade in precious metals made of palladium. Hallmarking of precious metal articles wholly or partly made of palladium is mandatory from 1 January 2010.</p> <p><b>Further information:</b>  <a href="http://www.nmo.bis.gov.uk/fileuploads/Legislation/Hallmarking_/12_Week_Guide_-_palladium_May_09_version.pdf">http://www.nmo.bis.gov.uk/fileuploads/Legislation/Hallmarking_/12_Week_Guide_-_palladium_May_09_version.pdf</a></p>

## SECTION D – ANY EU DIRECTIVES IMPLEMENTED OUTSIDE THE CCD TIMETABLE

CONSUMER AND COMPETITION POLICY	
<b>EU Transparency Directive</b>	
by December 2009	<p><b>Relevant for:</b> Principally large public bodies who undertake Services of General Economic Interest alongside commercial activities. None of changes will have a significant impact to business.</p> <p><b>Summary:</b> The Directive requires bodies engaged in commercial activities and in receipt of funding for the performance of Services of General Economic Interest (SGEIs) to ensure that their management accounts are sufficiently separate to distinguish between these activities and their purely commercial activities (whose annual turnover is at least €40m). While this applies to both public and private bodies, our research indicates that SGEIs are most likely to be performed by public bodies which already have appropriate systems in place.</p> <p>Public bodies (the €40m threshold also applies) engaged in commercial activities, should ensure that they are able to inform the Commission, if requested, of the support they receive from public authorities. In addition, public bodies engaged in the manufacturing sector (with an annual turnover above €250m) are required to supply details of their annual report and accounts and certain specified information, to the Commission on an annual basis.</p> <p>Respondents to our formal consultation in 2005 either did not anticipate an additional burden or were not in a position to quantify it. We did not receive evidence that reporting requirements for public undertakings set out in the Directive will exceed existing requirements, and we are unaware of public bodies within the manufacturing sector in the UK that would fall within the scope of the Directive. Given the turnover qualification, it is unlikely that SMEs will fall foul of the Directive.</p> <p>Transposition of the Directive is estimated by the end of 2009.</p> <p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/files/file16342.pdf">http://www.berr.gov.uk/files/file16342.pdf</a></p> <p><a href="http://www.berr.gov.uk/files/file37723.pdf">http://www.berr.gov.uk/files/file37723.pdf</a></p>

CORPORATE LAW AND GOVERNANCE	
<b>The Companies (Shareholders' Rights) Regulations 2009</b>	
1 August 2009	<p><b>Relevant for:</b> "Traded companies": UK Companies traded on a regulated market in an EEA state.</p> <p><b>Summary:</b> Improving the ability of shareholders to receive company information and vote shares across EU member states' borders.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page38139.html">http://www.berr.gov.uk/whatwedo/businesslaw/co-act-2006/faq%20Act%202006/page38139.html</a></p>
EXPORT CONTROL	
<b>Amendment to Council Regulation (EC) No.1334/2000 on exports of dual-use items; the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) (Amendment) (No. 2) Order 2008</b>	
2 January 2009	<p><b>Relevant for:</b> Applies to all sizes and types of business or individuals involved in the export of strategic dual-use goods.</p> <p><b>Summary:</b> The amending Regulation updates the list of controlled dual-use goods, software and technology in order to meet EU Member states international obligations following reviews undertaken in international non-proliferation regimes. The Order makes the changes to UK legislation that are required in consequence, at the same time updating the UK's list of military items controlled for export following changes at the plenary meeting of the Wassenaar Arrangement (an international non-proliferation regime).</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html">http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/index.html</a></p>
EU SERVICES DIRECTIVE	
<b>Regulations to implement the EU Services Directive (2006/123/EC) in the UK</b>	
By 28 December 2009	<p><b>Relevant for:</b> All businesses in the services sector falling within the Directive's scope (largely SMEs). Also consumers, regulators (including local authorities).</p> <p><b>Summary:</b> The EU Services Directive is intended to open up the internal market in services across Europe. It will remove unfair barriers to trading within the EU, facilitate the cross-border provision of services, and encourage high standards in service provision. The implementing regulations will cover the whole Directive and will include obligations on business to:</p> <ul style="list-style-type: none"> <li>• make certain information available to recipients</li> <li>• respond to complaints and make efforts to find a satisfactory solution</li> <li>• remove terms from their general conditions of service that discriminate on the grounds of nationality or place of residence, unless justified by objective criteria.</li> </ul> <p>Member States are required to implement by 28 December 2009.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/servicesdirective">www.berr.gov.uk/servicesdirective</a></p>

<b>ENVIRONMENTAL AND TECHNICAL REGULATIONS</b>	
<b>Regulations to implement the Batteries and Accumulators and Waste Batteries and Accumulators Directive (2006/66/EC)</b>	
Spring 2009	<p><b>Relevant for:</b> Those involved in the production, distribution, collection, treatment and recycling of batteries.</p> <p><b>Summary:</b> The Regulations (enacted 5 May 2009) set out the rules for: producer responsibility for registration, financing and reporting upon the collection and recycling of waste batteries and accumulators.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/files/file46146.doc">http://www.berr.gov.uk/files/file46146.doc</a></p>
<b>Changes to the End-of-Life Vehicles Regulations 2003 and the End-of-Life Vehicles (Producer Responsibility) Regulations 2005</b>	
December 2009	<p><b>Relevant for:</b> Vehicle and component manufacturers, dismantlers and recyclers.</p> <p><b>Summary:</b> The amendments to these Regulations will take account of Commission Decisions relating to exemptions to restrictions on the use of certain substances in vehicle and component manufacture, and will make small technical amendments to recycling reporting procedures.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/sectors/sustainability/elv/page30591.html">http://www.berr.gov.uk/whatwedo/sectors/sustainability/elv/page30591.html</a></p>
<b>INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS</b>	
<b>Amendments to the Electronic Communications Code (Conditions and Restrictions) Regulations 2003 (S.I. 2003/2553)</b>	
April 2009	<p><b>Relevant for:</b> OFCOM, DEFRA, DCLG, Local Authorities, Code Operators, Natural England, the National Association for the Areas of Outstanding Natural Beauty, the English National Park Authorities and the Scottish Natural Heritage.</p> <p><b>Summary:</b> The Code consists of legislative and regulatory guidelines setting out the powers that can be given to providers (and some others) of electronic communications networks to enable them to install and maintain electronic communications apparatus. The <i>proposed</i> amendments to Regulations 2, 5 and 8 are essentially of a housekeeping nature to comply with requirements set out by the JCSI and to ensure consistency in the application of the Code.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/sectors/telecoms/codeamendments/page48963.html">http://www.berr.gov.uk/whatwedo/sectors/telecoms/codeamendments/page48963.html</a></p>

<b>Amending Regulation (EC) No 717/2007 on roaming on public mobile telephone networks within the Community and Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services</b>	
April 2009	<p><b>Relevant for:</b> Companies engaged in mobile communications provision and services.</p> <p><b>Summary:</b> Legislation updates the previous Roaming Regulation by lowering the retail and wholesale caps for voice calls and introducing a glide path for their further reduction in future. Also introduces wholesale and retail price caps for SMS and a wholesale price cap for data communications. On unitization, it proposes that calls should be charged at 30 second rate for set-up of call with per second charges thereafter. Anti bill-shock measures proposed, whereby customers could pre-set a financial limit for data downloads and receive a warning message when they have approached that limit.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/consultations/page48729.html">http://www.berr.gov.uk/consultations/page48729.html</a>  <a href="http://ec.europa.eu/information_society/activities/roaming/docs/regulation/reg_en.pdf">http://ec.europa.eu/information_society/activities/roaming/docs/regulation/reg_en.pdf</a></p>
<b>NATIONAL MEASUREMENT OFFICE</b>	
<b>Units of Measurement implementing European Directive 2009/3/EC</b>	
December 2009	<p><b>Relevant for:</b> Any business that trades using imperial units alongside metric units.</p> <p><b>Summary:</b> The SI will remove a deadline that would have made illegal the use of imperial units altogether after 2009. Once implemented, business will be able to continue to use imperial units alongside metric units as they do now, after 2009.</p>
	<p><b>Further information:</b> <a href="http://www.nmo.bis.gov.uk/content.aspx?SC_ID=261">http://www.nmo.bis.gov.uk/content.aspx?SC_ID=261</a></p>
<b>TRADE</b>	
<b>Order in Council to give effect to agreements in the WTO consolidating the EC's trade in services commitments at the EC-25 level</b>	
First half 2009	<p><b>Relevant for:</b> business related to the services sector, falling within the Instrument's scope.</p> <p><b>Summary:</b> The instrument is intended to give effect under domestic law to a series of agreements reached in the World Trade Organisation (WTO). These agreements follow the expansion of the EC to 25 Member States and will allow the enlarged EC to present a consolidated schedule of trade in services commitments at EC-25 level under the WTO's General Agreement on Trade in Services (GATS). The agreements include the withdrawal of some commitments on the part of the new EC Member States and compensatory adjustments in the form of commitments offered in exchange, some offered by individual Member States, others offered by the EC as a whole. There will be no subsequent regulation to undertaking this Order.</p>
	<p><b>Further information:</b> The agreements have been published in full in a Command paper (Cm 7430), available at: <a href="http://www.official-documents.gov.uk/document/cm74/7430/7430.asp">http://www.official-documents.gov.uk/document/cm74/7430/7430.asp</a></p>

## SECTION E – OTHER KEY ACTIVITY BY BIS THAT WILL IMPACT ON 2009 AND BEYOND

<b>CONSUMER AND COMPETITION POLICY</b>	
<b>Estate Agents (Record Keeping) Regulations 2010</b>	
Date to be confirmed	<p><b>Relevant for:</b> Estate Agents.</p> <p><b>Summary:</b> The Estate Agents Act 1979, as amended by Consumers, Estate Agents and Redress Act 2007, contains provisions to introduce formal record keeping requirements for estate agents. When commenced, agents will be required to keep records of their transactions with consumers, including offer letters, for a period of 6 years. The bulk of the record keeping requirements will set be out in accompanying regulations.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/consultations/page42059.html">http://www.berr.gov.uk/consultations/page42059.html</a> . An information notice seeking views (from 18 July 2009 to 10 October 2009) on the draft estate agents record keeping regulations and draft guidance to the regulations is available at: <a href="http://www.berr.gov.uk/whatwedo/consumers/business/estate-agents/index.html">www.berr.gov.uk/whatwedo/consumers/business/estate-agents/index.html</a></p>
<b>The Estate Agents (Provision of Information) Regulations 2010</b>	
Date to be confirmed	<p><b>Relevant for:</b> Estate Agents.</p> <p><b>Summary:</b> A consultation was undertaken on changing the statutory definitions for the contract terms ‘sole agency’, ‘sole selling rights’ and ‘ready, willing and able purchaser’ when used in estate agents’ contracts. Estate agents using the terms in their contracts must use the statutory definitions or similar versions. In view of the responses received to the consultation, further work is needed before introducing revised statutory terms. BIS expects to set out plans towards the end of 2009.</p> <p><b>Further information:</b>  <a href="http://www.berr.gov.uk/consultations/page42059.html">http://www.berr.gov.uk/consultations/page42059.html</a>  <a href="http://www.berr.gov.uk/files/file52006.pdf">http://www.berr.gov.uk/files/file52006.pdf</a></p>
<b>Implementation of a new European Directive on Timeshare and Long-term Holiday Products – consumer protection</b>	
April 2011	<p><b>Relevant for:</b> UK timeshare resorts, timeshare resale agents, timeshare exchange companies (two in the UK), sellers of other long-term holiday products.</p> <p><b>Summary:</b> Directive to be published in early 2009. Extends information requirements for timeshare sellers, applies new information requirements, cooling-off periods and restrictions on pre-payments to timeshare resale and timeshare exchange, sets new regulatory regime within which sellers of other long-term holiday products (e.g. “holiday clubs”) must operate. Implementation is estimated for April 2011.</p> <p><b>Further information:</b> A consultation document will be published on BIS website in 2009.</p>

<b>Consumer Credit Directive</b>	
June 2010	<p><b>Relevant for:</b> UK credit consumer and the consumer credit lending industry.</p> <p><b>Summary:</b> The CCD sets out to standardise EU consumer credit legislation by updating the existing Directive, which focussed primarily on consumer protection, and to drive legislation towards a single market.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/whatwedo/consumers/consumer-finance/ec-directives/page29927.html">http://www.berr.gov.uk/whatwedo/consumers/consumer-finance/ec-directives/page29927.html</a></p>
<b>The Cosmetic Products (Safety) (Amendment No. 3) Regulations 2009</b>	
15 May 2010	<p><b>Relevant for:</b> Applies to manufacturers and importers of cosmetic products.</p> <p><b>Summary:</b> These Regulations implement an amending EU Cosmetics Directive (2009/36/EC) which controls the use of certain ingredients in cosmetic products. The ingredients are used in hair dyes.</p>
	<p><b>Further information:</b> further information will be made available on the BIS website in due course.</p>
<b>The Pyrotechnic Articles (Safety) Regulations 2009</b>	
4 July 2010	<p><b>Relevant for:</b> pyrotechnic manufacturers, importers and distributors.</p> <p><b>Summary:</b> There will be a Government consultation on how the European Directive on the placing on the market of pyrotechnic articles will be implemented in the UK. This deals with the categorisation and safety of pyrotechnic articles, (fireworks, theatrical pyrotechnics, car air bag detonators, bird scarers, etc.), and their availability.</p>
	<p><b>Further information:</b> Further information will be made available on the BIS website in due course.</p>
<b>Toys Directive</b>	
20 July 2011	<p><b>Relevant for:</b> Toy manufacturers, importers and distributors.</p> <p><b>Summary:</b> Updates the existing rules on toy safety, particularly in relation to chemical content of materials used.</p>
	<p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/consumers/fact-sheets/page38560.html">http://www.berr.gov.uk/whatwedo/consumers/fact-sheets/page38560.html</a></p>

<b>COMPANIES HOUSE</b>	
<b>The Registrar of Companies (Fees) Regulations 2010</b>	
October 2010	<p><b>Relevant for:</b> All companies.</p> <p><b>Summary:</b> These Regulations will update and consolidate existing Fees Regulations for all companies.</p> <p><b>Further information:</b> Will be made available in due course.</p>
<b>CONSTRUCTION</b>	
<b>Amendments to Part 2 of the Housing Grants, Construction and Regeneration Act 1996 (“the Construction Act”)</b>	
Royal Assent is expected in Autumn 2009 and commencement in 2011.	<p><b>Relevant for:</b> Construction Contractors of all sizes. Over 90% of the industry are SMEs.</p> <p><b>Summary:</b> We have clauses in the Local Democracy, Economic Development and Construction Bill, which is currently completing its passage in Parliament, to amend Part 2 of the Housing Grants, Construction and Regeneration Act 1996 (the “Construction Act”). The “Construction Act” came into force on 1 May 1998 and it regulates construction contracts by introducing a right to stage payments and the right to refer disputes to a quick alternative dispute resolution regime (adjudication).</p> <p>The amendments being made to the legislation will seek to fix weaknesses and close loopholes by providing sub-contractors, many of whom are SMEs, with greater certainty about what they will be paid and when and encourage parties to resolve disputes by adjudication rather than by litigation.</p> <p>The changes to the primary legislation will be supplemented by secondary legislation, the Scheme for Construction Contracts (England and Wales) 1998, which will also need to be amended in view of the consequential amendments to the primary legislation.</p> <p><b>Further information:</b>  <a href="http://www.berr.gov.uk/whatwedo/sectors/construction/constructionact/page13956.html">http://www.berr.gov.uk/whatwedo/sectors/construction/constructionact/page13956.html</a>   <a href="http://www.communities.gov.uk/publications/communities/amendmentshousinggrants">http://www.communities.gov.uk/publications/communities/amendmentshousinggrants</a></p>

<b>EMPLOYMENT RELATIONS</b>	
<b>Employment tribunal claims and the Public Interest Disclosure Act (PIDA)</b>	
April 2010	<p><b>Relevant for:</b> Employers, employees, "prescribed persons" under PIDA legislation</p> <p><b>Summary:</b> The Government is consulting on a practical method of passing employment tribunal papers to the relevant regulator ("prescribed person" under PIDA legislation) for employment tribunal claims made under PIDA. This is so that the allegations of the underlying issue e.g. fraud, non-compliance with health and safety law, care home standards; etc can be assessed and investigated where appropriate by the regulator.</p> <p>The consultation closes on 2 October 2009.</p> <p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/consultations/page52097.html">http://www.berr.gov.uk/consultations/page52097.html</a></p> <p><a href="http://www.berr.gov.uk/files/file51554.pdf">http://www.berr.gov.uk/files/file51554.pdf</a></p>
<b>Amendments to the Conduct of Employment Agencies and Employment Business Regulations</b>	
April 2010	<p><b>Relevant for:</b> Employment Agencies, Employment Businesses and Medical Deaneries and businesses that use these agencies for recruitment.</p> <p><b>Summary:</b> These amendments:</p> <ul style="list-style-type: none"> <li>• Reduce levels of checks for workers supplied for permanent recruitment by employment agencies. Therefore reducing the administrative burden on agencies</li> <li>• Either remove or tighten the payment of up front fees charged by entertainment and modeling agencies to stop abuse by rogue agencies on vulnerable workers.</li> <li>• Remove post graduate medical deaneries from scope of regulations.</li> </ul> <p>A consultation is planned for January 2010. The issue around Medical Deaneries has no impact on business and may be amended outside of the common commencement dates.</p> <p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/whatwedo/employment/employment-agencies/index.html">http://www.berr.gov.uk/whatwedo/employment/employment-agencies/index.html</a></p> <p><a href="http://www.berr.gov.uk/files/file50425.pdf">http://www.berr.gov.uk/files/file50425.pdf</a></p>

<b>Regulations on the Blacklisting of Trade Unionists</b>	
2009/10	<p><b>Relevant for:</b> Employers, workers and trade unions.</p> <p><b>Summary:</b> The Government's consultation on draft regulations to outlaw the blacklisting of trade unionists runs between 7 July and 18 August. The intention is to debate the draft regulations, amended as necessary, after Recess.</p> <p>These regulations will outlaw (in Great Britain only) the kind of blacklisting uncovered by the Information Commissioner, as reported in the media in early March. As currently drafted, the regulations will:</p> <ul style="list-style-type: none"> <li>• Define a blacklist of trade union members</li> <li>• Make it unlawful to compile, use or distribute such a list</li> <li>• Refuse employment (or the services of an employment agency) or dismiss someone on such a list, or otherwise cause them to suffer detriment</li> <li>• Provide for the Employment Tribunal to hear complaints and award remedies based on existing trade union law</li> <li>• As an alternative, provide for the courts to hear complaints that a person has suffered or may potentially suffer a loss because of such unlawful activity.</li> </ul> <p>The date on which these regulations will come into force has not been determined. However, the Government has committed to bringing regulations into force as soon as possible.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/consultations/page52145.html">http://www.berr.gov.uk/consultations/page52145.html</a>  <a href="http://www.berr.gov.uk/files/file51729.pdf">http://www.berr.gov.uk/files/file51729.pdf</a></p>

## ACAS Code of Practice on time off for Trade Union duties

**Relevant for:** Businesses with union representatives, Unions and employees.

**Summary:** The Arbitration, Conciliation and Arbitration Service (ACAS) Code of Practice on time off for Trade Union duties and activities first came into effect in April 1978. It has been revised three times since then, the last of which was in 2003. The current revised version of the Code has not been produced in response to any legislative changes. The Code has been revised in light of changes to the modern workplace, as much of the previous code was drafted in the mid 1970s.

Where unions are recognised, their workplace representatives enjoy certain statutory rights for reasonable time off with pay to undertake their duties. Also, trade union members are entitled to reasonable time off without pay to undertake trade union activities. Essentially, the Code provides guidance in applying these rights in practice.

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The Code of Practice does not change the law. However, its guidance may be admissible as evidence and it must be taken into account by the employment tribunal when considering questions where it is relevant. So, the Code is of use to the tribunal in determining what time off would be "reasonable" in particular circumstances.

The revised Code was laid before Parliament in draft on 24<sup>th</sup> June 2009, pursuant to section 200(2) of the Trade Union and Labour Relations (Consolidation) Act 1992. It will come into effect, once approved by a resolution of each House of Parliament in accordance with section 200(3) of that Act, on such day as the Secretary of State shall appoint by order.

### **Further information:**

<http://www.acas.org.uk/index.aspx?articleid=1878>

Further information about the revision to the code will be made available in due course.

<b>Additional Paternity Leave and Pay</b>	
to be confirmed	<p><b>Relevant for:</b> All businesses and employees.</p> <p><b>Summary:</b> The Government's consultation on how Additional Paternity Leave and Pay should be administered in practice closed on 3 August 2007.</p> <p>The Work and Families Act 2006 included scope to give working fathers and partners of new mothers a new right to up to 26 weeks additional paternity leave, with the aim of introducing this alongside the extension of Statutory Maternity Pay, Adoption Pay and Maternity Allowance to 12 months.</p> <p>This will give them leave and statutory pay if the mother returns to work after six months but before the end of her maternity leave and pay period, providing parents with the option of dividing a period of paid leave entitlement between them. The Government's consultation on how Additional Paternity Leave and Pay should be administered closed on 3 August 2007.</p> <p>A date for extending maternity and paternity rights has not yet been announced.</p> <p><b>Further information:</b>  <a href="http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&amp;topicId=1080898067&amp;r.lc=en&amp;r.l2=1080898061&amp;r.s=tl">http://www.businesslink.gov.uk/bdotg/action/layer?r.l1=1073858787&amp;topicId=1080898067&amp;r.lc=en&amp;r.l2=1080898061&amp;r.s=tl</a></p>
<b>European Agency Workers Directive</b>	
EU deadline December 2011	<p><b>Relevant for:</b> Primary employment businesses (temporary work agencies) and employers hiring agency workers.</p> <p><b>Summary:</b> The Government has launched a consultation on its proposals to implement the Agency Workers Directive on 8 May - this initial consultation closes on 31 July 2009. A second stage consultation on the draft regulations will take place later in the year. It is intended, if possible, to lay the regulations this Parliamentary session although the date for coming into force is a question raised in the initial consultation document - all Member States must bring into force by 5 December 2011.</p> <p>The Directive's aim is to give equal treatment to agency workers in relation to basic working and employment conditions (pay, holidays, rest periods overtime etc). On the basis of an agreement between national social partners, the Directive allows a qualifying period before equal treatment is applied. The TUC and the CBI reached an agreement in May 2008 which said that an Agency worker would be entitled to equal treatment after 12 weeks in a given job.</p> <p><b>Further information:</b>  <a href="http://www.berr.gov.uk/whatwedo/employment/employment-legislation/ice/eu-works-council/page47620.html">http://www.berr.gov.uk/whatwedo/employment/employment-legislation/ice/eu-works-council/page47620.html</a></p>

<b>European Works Council Directive</b>	
5 June 2011	<p><b>Relevant for:</b> Multinational companies with at least 1,000 employees, and employees.</p> <p><b>Summary:</b> UK implementation of the recast of the European Works Council Directive (2009/38/EC).</p> <p>The recast Directive makes a number of limited changes to improve the practical operation of Directive 94/45/EC on European Works Councils (EWC) which sets out requirements for informing and consulting employees in European level companies with at least 1,000 employees across the EEA and at least 150 employees in at least two or more Member States.</p> <p>The Government intends to launch a 12-week public consultation on the UK's implementation of Directive 2009/38/EC in autumn 2009. The deadline for the implementation of the recast Directive is 5 June 2011.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/employment/employment-legislation/ice/eu-works-council/page47620.html">www.berr.gov.uk/whatwedo/employment/employment-legislation/ice/eu-works-council/page47620.html</a></p>
<b>ENVIRONMENTAL AND TECHNICAL REGULATIONS</b>	
<b>The Waste from Electrical and Electronic Equipment (Amendment) Regulations 2009</b>	
January 2010	<p><b>Relevant for:</b> All those who manufacture electrical &amp; electronic equipment (EEE), those who import these goods into the EU and those who re-brand equipment produced by others. Those who sell EEE to final consumers. Those who collect, treat and process waste electrical and electronic equipment.</p> <p><b>Summary:</b> The revised Regulations aim to streamline the 2006 WEEE Regulations (as amended in 2007) and deliver improvements to the UK WEEE system whilst reducing burdens on business.</p> <p><b>Further information:</b> <a href="http://www.berr.gov.uk/whatwedo/sectors/sustainability/weee/page30269.html">http://www.berr.gov.uk/whatwedo/sectors/sustainability/weee/page30269.html</a></p>
<b>EU Regulation on Accreditation and Market Surveillance (RAMS) - relating to the Marketing of Products (765/2008)</b>	
1 January 2010	<p><b>Relevant for:</b> Market Surveillance (enforcement) authorities and for manufacturers of CE marked products (all sizes of manufacturers).</p> <p><b>Summary:</b> RAMS creates an EU legal framework for Accreditation, sets out the obligations of Member States and their authorities responsible for market surveillance for products subject to Community Harmonisation legislation, strengthens the control of products at the borders of the EU and introduces legal protection for the CE Marking.</p> <p><b>Further information:</b> currently being updated, and will be made available in due course.</p>

<b>EXPORT CONTROL</b>	
<b>Implementation of a new European Directive simplifying transfers of defence-related products within the Community</b>	
June 2011	<p>Relevant for: Companies in the defence sector but primarily those involved in system integration.</p> <p><b>Summary:</b> The Directive was published June 2009, aiming to reduce national obstacles to the circulation of defence-related products within the Internal Market. There are a few practical implications for Her Majesty's Government and UK business, because the Directive permits the UK to operate a licensing system very close to current arrangements. There is no requirement for new legislation, and implementation can be achieved through existing legislation and through changes at the administrative level. Measures to enable the implementation of the Directive are expected place by June 2011.</p> <p><b>Further information:</b> Detail on the proposed implementation of the Directive will be published on the Export Control Organisation section of the BIS website.</p>
<b>The Insolvency Act 1986 (Insolvency Practitioners) (Recognition of Qualifications) Regulations 2009</b>	
April 2010	<p><b>Relevant for:</b> Insolvency practitioners.</p> <p><b>Summary:</b> To remove insolvency practitioners from the scope of the European Communities (Recognition of Professional Qualifications) Regulations 2007 (2007/2781) and to provide them with their own regulations; to reduce the experience requirements for persons seeking their authorisation as an insolvency practitioner from the Secretary of State, in order to comply with EU Directive 2006/123 (Services).</p> <p><b>Further information:</b> <a href="http://www.insolvency.gov.uk/">http://www.insolvency.gov.uk/</a></p>
<b>INNOVATION</b>	
<b>EC Regulation on Accreditation and Market Surveillance (RAMS) - relating to Accreditation (765/2008)</b>	
1 January 2010	<p><b>Relevant for:</b> Conformity assessment bodies, accreditation bodies.</p> <p><b>Summary:</b> Provides a legal framework for the provision of accreditation services across Europe, setting out the provisions for operation of accreditation in support of voluntary conformity assessment as well as conformity assessment required by legislation.</p> <p><b>Further information:</b></p> <p><a href="http://www.dius.gov.uk/innovation/infrastructure/standardisation/eu_regulation_7_6508_on_accreditation_and_market_surveillance">http://www.dius.gov.uk/innovation/infrastructure/standardisation/eu_regulation_7_6508_on_accreditation_and_market_surveillance</a></p> <p><a href="http://ec.europa.eu/enterprise/newapproach/index_en.htm">http://ec.europa.eu/enterprise/newapproach/index_en.htm</a></p>

<b>Accreditation Regulations – relating to EC Regulation on Accreditation and Market Surveillance (RAMS) (765/2008)</b>	
1 January 2010	<p><b>Relevant for:</b> conformity assessments bodies, accreditation bodies.</p> <p><b>Summary:</b> appointment of the National Accreditation Body for the UK under EC Regulation 765/2008 Accreditation and Market Surveillance.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.dius.gov.uk/innovation/infrastructure/standardisation/eu_regulation_76508_on_accreditation_and_market_surveillance">http://www.dius.gov.uk/innovation/infrastructure/standardisation/eu_regulation_76508_on_accreditation_and_market_surveillance</a></p> <p><a href="http://ec.europa.eu/enterprise/newapproach/index_en.htm">http://ec.europa.eu/enterprise/newapproach/index_en.htm</a></p>
<b>Changes to the Waste Electrical and Electronic Equipment Regulations</b>	
January 2012	<p><b>Relevant for:</b> All those who manufacture electrical &amp; electronic equipment (EEE), those who import these goods into the EU and those who re-brand equipment produced by others. Those who sell EEE to final consumers. Those who collect, treat and process waste electrical and electronic equipment.</p> <p><b>Summary:</b> Recast of the existing WEEE Directive which establishes producer responsibility for waste electrical and electronic equipment (WEEE), treatment standards and recycling targets for WEEE.</p>
	<p><b>Further information:</b></p> <p><a href="http://www.berr.gov.uk/whatwedo/sectors/sustainability/weee/page30269.html">http://www.berr.gov.uk/whatwedo/sectors/sustainability/weee/page30269.html</a></p>
<b>Restriction of the use of certain Hazardous Substances in electrical and electronic equipment (ROHS Directive)</b>	
January 2012	<p><b>Relevant for:</b> All those who manufacture electrical &amp; electronic equipment (EEE), those who import these goods into the EU and those who re-brand equipment produced by others.</p> <p><b>Summary:</b> Recast of the existing RoHS Directive which imposes restrictions on the use of certain hazardous substances in electrical and electronic equipment to assist recycling and general sustainability of products.</p>
	<p><b>Further information:</b> will be made available in due course.</p>
<b>Amendment to the Machinery Directive for pesticide application</b>	
Sept- ember 2011	<p><b>Relevant for:</b> Manufacturers and importers of pesticide application equipment.</p> <p><b>Summary:</b> Additional provisions to the Machinery Directive to improve the environmental performance of pesticides application equipment.</p>
	<p><b>Further information:</b> currently being updated, and will be made available in due course.</p>

## INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

### Peer-to-Peer file sharing

<p>To be confirmed</p>	<p><b>Relevant for:</b> industry, in particular Internet Service Providers (ISPs) and copyright holders such as music, film, publishing, software, TV, sports and games sectors. Consumers and consumer organisations.</p> <p><b>Summary:</b> A consultation is currently underway to examine legislation to address illicit peer-to-peer (P2P) file-sharing. This takes forward a Digital Britain Final Report action, and a Gowers Review recommendation. It aims to change the behaviour of the majority of file sharers, provide a mechanism for identifying any further action to be taken against repeat infringers, and facilitate rights holder efforts in taking legal action against the most frequent infringers. These measures are aimed at assisting industry in devising commercial agreements which both offer consumers the kind of content when, where and how they want it, at a price they are prepared to pay.</p>
	<p><b>Further information:</b> Consultation document - <a href="http://www.berr.gov.uk/files/file51703.pdf">http://www.berr.gov.uk/files/file51703.pdf</a></p>
<h3>Digital Economy Bill</h3>	
<p>2011</p>	<p><b>Relevant for:</b> information technology and telecommunications companies, consumers.</p> <p><b>Summary:</b> As set out in the Government's <a href="#">Draft Legislative Programme</a> for 2009-10, the Digital Economy Bill will take forward the actions set out in Digital Britain Final Report. BIS elements are expected to include:</p> <ul style="list-style-type: none"> <li>• giving the sector regulator, Ofcom, new duties to promote investment in infrastructure and content alongside the promotion of competition;</li> <li>• giving the Secretary of State reserve powers to direct Ofcom to regulate the UK Internet Domain Name System to prevent abuse;</li> <li>• reinforcing intellectual property protection by tackling illegal file-sharing and a new licensing regime to enable the wider commercial availability of orphan works;</li> <li>• delivering the Broadband Universal Service Commitment and Next Generation Access</li> </ul> <p>Royal Assent is anticipated in November 2010.</p>
	<p><b>Further information:</b> Digital Britain - final report: <a href="http://www.culture.gov.uk/what_we_do/broadcasting/6216.aspx">www.culture.gov.uk/what_we_do/broadcasting/6216.aspx</a></p>

<b>INSOLVENCY SERVICE</b>	
<b>Modernisation of Insolvency Rules</b>	
April 2010	<p><b>Relevant for:</b> Insolvency practitioners, lawyers, company directors, businesses generally and insolvent individuals.</p> <p><b>Summary:</b> To simplify and modernise the existing Insolvency Rules, which set out the detailed procedural rules for the various insolvency processes.</p>
	<p><b>Further information:</b>  <a href="http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/consolidation/consolidationhome.htm">http://www.insolvency.gov.uk/insolvencyprofessionandlegislation/consolidation/consolidationhome.htm</a></p>
<b>Amendment to the Insolvency Practitioners and Insolvency Services Account (Fees) Order 2003</b>	
April 2010	<p><b>Relevant for:</b> Insolvency practitioners.</p> <p><b>Summary:</b> Amends the fee that recognised professional bodies are obliged to pay in respect of their regulation.</p>
	<p><b>Further information:</b> <a href="http://www.insolvency.gov.uk/">http://www.insolvency.gov.uk/</a></p>
<b>NATIONAL MEASUREMENT OFFICE</b>	
<b>Specified Quantities for non pre-packaged intoxicating liquor and unwrapped bread</b>	
	<p><b>Relevant for:</b> Pubs and other licensed premises, retailers and bakers of non pre-packaged bread.</p> <p><b>Summary:</b> Deregulation of specified quantities for unwrapped bread and amendments to the specified quantities for alcoholic drinks served on licensed premises.</p>
	<p><b>Further information:</b> <a href="http://www.nmo.bis.gov.uk/content.aspx?SC_ID=260">http://www.nmo.bis.gov.uk/content.aspx?SC_ID=260</a></p>
<b>Implementing the International Hallmarking Convention's 2001 Amendment</b>	
April 2010	<p><b>Relevant for:</b> Precious metal refiners, assay offices and jewellery manufacturers and retailers.</p> <p><b>Summary:</b> This Order amends the Hallmarking (International Convention) Order 2002. It implements the International Hallmarking Convention's 2001 Amendment. In particular, it adds palladium to the list of precious metals to which the Conventions Common Control Mark (CCM) may be affixed and brings up to date the list of foreign assay office marks. It enables UK assay offices to affix the CCM to palladium items as soon as possible.</p>
	<p><b>Further information:</b> <a href="#">will be made available in due course.</a></p>
<b>INTELLECTUAL PROPERTY</b>	
<b>Review of exemptions to copyright in relation to the public performance of sound recording</b>	
1 April 2010	<p><b>Relevant for:</b> Rights holders, licensing bodies and third sector organisations.</p> <p><b>Summary:</b> To amend the balance between copyright-holders and user exemptions.</p>
	<p><b>Further information:</b> <a href="http://www.ipo.gov.uk/consult-musiclicensing.pdf">http://www.ipo.gov.uk/consult-musiclicensing.pdf</a></p>

<b>Gowers copyright exceptions</b>	
October 2010	<p><b>Relevant for:</b> Rights holders, educational establishments, private individuals and museums, libraries and archives.</p> <p><b>Summary:</b> Extend the scope of certain of the acts permitted by exceptions in relation to copyright works.</p> <p><b>Further information:</b> <a href="http://www.ipo.gov.uk/pro-policy/consult/consult-closed/consult-closed-2008.htm">http://www.ipo.gov.uk/pro-policy/consult/consult-closed/consult-closed-2008.htm</a></p>
<b>Country Convention Orders - giving reciprocity to other countries</b>	
To be confirmed	<p><b>Relevant for:</b> All UK citizens whose IP rights originate in convention countries</p> <p><b>Summary:</b> The Orders revoke, replace and update existing Orders giving effect to our international responsibilities to reciprocate protection to citizens of other member countries where their works originate in the UK</p> <p><b>Further information:</b> <a href="http://www.ipo.gov.uk/pro-home.htm">http://www.ipo.gov.uk/pro-home.htm</a></p>
<b>Bermuda Copyright Law changes</b>	
To be confirmed	<p><b>Relevant for:</b> The Government of Bermuda and UK citizens whose copyright and performances originate in Bermuda.</p> <p><b>Summary:</b> As a self governing British Overseas Territory, Bermuda currently relies on the UK's Copyright, Patents and Designs Act 1988 for their copyright law. Bermuda wants the Bermuda Copyright and Designs Act 2008 (CDA) as sole legislation on copyright in Bermuda. The UK must revoke the Copyright (Bermuda) Order 2003 leaving their legislation in its place. The UK must also, by Order in Council, extend the 2009 Order to Bermuda granting reciprocal protection to copyright works and performances for Bermudan citizens in the UK.</p> <p><b>Further information:</b> <a href="http://www.gov.bm/portal/server.pt?open=512&amp;objID=216&amp;mode=2&amp;in_hi_userid=2&amp;cached=true">http://www.gov.bm/portal/server.pt?open=512&amp;objID=216&amp;mode=2&amp;in_hi_userid=2&amp;cached=true</a> <a href="http://www.ipo.gov.uk/pro-policy/policy-information/extendukip/extendukip-bermuda.htm">http://www.ipo.gov.uk/pro-policy/policy-information/extendukip/extendukip-bermuda.htm</a></p>
<b>Proposed changes to the Patents Fees</b>	
2010	<p><b>Relevant for:</b> Businesses and individuals (from the UK or overseas) who make use of the patents system.</p> <p><b>Summary:</b> proposed changes to patent fees, to ensure a sustainable income for the IPO, to implement the relevant Gowers Review recommendation and to encourage e-business use of the patents system.</p> <p><b>Further information:</b> A consultation paper will shortly be available on the IPO website at <a href="http://www.ipo.gov.uk/pro-policy/consult/consult-live.htm">www.ipo.gov.uk/pro-policy/consult/consult-live.htm</a></p>

## SKILLS

### Apprenticeships

2011	<p><b>Relevant for:</b> Further Education providers including employers.</p> <p><b>Summary:</b> Apprenticeships are proposed in the Apprenticeships, Skills, Children and Learning Bill 2009.</p> <p>The Apprenticeships regulations will look to drive up the quality of apprenticeships by setting out the standards that all apprenticeships must meet, introduce an entitlement to an apprenticeship as part of training the participation age, address diversity within the cohort of apprenticeships and simplify the access for small businesses shaping apprentices.</p> <p>Royal Assent is expected in Autumn 2009, with implementation by 2011.</p>
	<p><b>Further information:</b> Apprenticeships: <a href="http://www.apprenticeships.org.uk/">http://www.apprenticeships.org.uk/</a> <a href="http://www.dius.gov.uk/consultations/apprenticeships_bill.aspx">http://www.dius.gov.uk/consultations/apprenticeships_bill.aspx</a></p> <p>The Apprenticeships, Skills, Children and Learning Bill and Impact Assessment: <a href="http://www.dcsf.gov.uk/apprenticeshipsskillschildrenandlearningbill/">http://www.dcsf.gov.uk/apprenticeshipsskillschildrenandlearningbill/</a></p>

### The Right to Request Time to Train

2011	<p><b>Relevant for:</b> Further Education providers including employers.</p> <p><b>Summary:</b> The Right to Request Time to Train are proposed in the Apprenticeships, Skills, Children and Learning Bill 2009.</p> <p>The Right to request time to train aims to create a culture in which all employers view the investment of skills of their workforce as key to drive their businesses forward. Eligible employees would have a right to ask their employer to give them time to undertake training. Employers would have to consider requests fairly and seriously and respond within a set timeframe.</p> <p>Royal Assent is expected in Autumn 2009, with implementation by 2011.</p>
	<p><b>Further information:</b> Right to Request Time to Train: <a href="http://www.dius.gov.uk/consultations/time_to_train.aspx">http://www.dius.gov.uk/consultations/time_to_train.aspx</a></p> <p>The Apprenticeships, Skills, Children and Learning Bill and Impact Assessment: <a href="http://www.dcsf.gov.uk/apprenticeshipsskillschildrenandlearningbill/">http://www.dcsf.gov.uk/apprenticeshipsskillschildrenandlearningbill/</a></p>