

C/M/S/ Cameron McKenna



# The tracker

A guide to the progress of Bills in the  
UK Parliament

June 2007

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A star denotes a change of status since last month's Tracker.

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## Bills in E&W

### Bills currently going through Parliament

Bills	Description	Status
Alcohol Labelling Bill (Bill No.32)	A Bill to make provision for the labelling of alcoholic beverages; and for connected purposes.  <a href="http://www.publications.parliament.uk/pa/pabills/200607/alcohol_labelling.htm">www.publications.parliament.uk/pa/pabills/200607/alcohol_labelling.htm</a>	<b>Amendments 10 May 2007.</b>
Bailiffs (Licensing) Bill (Bill No.16)	A bill to make provision for the licensing of activities involving the judicial or quasi-judicial seizure and sale of goods.  Public (Private Members' Bill starting in the House of Lords) (HL)	<b>Received 1st Reading in the Lords 28 November 2006.</b>
Building Societies (Funding) and Mutual Societies (Transfers) Bill (Bill No.23)	Public (Private Members' Bill under the Ballot Procedure SO No.14) (HC)  A Bill to remove existing funding limits in respect of building societies, subject to regulation by the Financial Services Authority; to provide consequential rights to building society members; and to enable specified categories of mutual organisations to transfer engagements to one another or to a company.  <a href="http://www.parliament.uk/commons/lib/research/rp2007/rp07-028.pdf">http://www.parliament.uk/commons/lib/research/rp2007/rp07-028.pdf</a>	<b>Commons 1st: 13/12/2006.</b>  Lords 1 <sup>st</sup> reading 30 April 2007.
Climate Change (Effects) Bill (Bill No.54)	A Bill to make requirements about the monitoring of measures to address the effects of climate change; and for connected purposes.	<b>Provisional date for 2nd Reading 23 March 2007.</b>  Bill as ordered to be printed 8 March 2007

Bills	Description	Status
<p>*Constitutional Reform Bill</p> <p>Public (Private Member's Bill under the Presentation Procedure SO No.57)</p>	<p>A Bill to provide for the drawing up of a written constitution for the United Kingdom; for its consideration by the people and Parliament of the United Kingdom; and for connected purposes.</p>	<p><b>Commons 1<sup>st</sup> Reading 23 May 2007</b></p> <p>Provisional date for 2nd Reading 19 October 2007.</p>
<p>Consumers, Estate Agents and Redress Bill</p> <p>Public (Private Members' Bill starting in the House of Lords) (HL)</p>	<p>To provide for improved arrangements for consumer advocacy and for regulation of estate agents. Estate Agents would have to join a redress scheme, keep records, provide cooling off periods following a sale made during a solicited sales visit. The Bill would extend to energy and postal sectors. Possibly also the Water sector in future.</p> <p>Combined with the EU Unfair Commercial Practices Directive this would be the most wide-ranging reform of consumer protection for years.</p>	<p><b>Amendments 3 May 2007.</b></p>
<p>*Copyright (Miscellaneous Provisions) Bill (Bill No.104)</p> <p>Public (Private Member's Bill under the Ten Minute Rule SO No.23) (HC)</p>	<p>A Bill to make further provision for the protection of copyright; and for connected purposes.</p>	<p><b>Received 1st Reading in the Commons 15 May 2007.</b></p> <p>Provisional date for 2nd Reading 19 October 2007.</p>

Bills	Description	Status
<p>*Corporate Manslaughter and Corporate Homicide Bill (Bill No.5)</p> <p>Public (Government Bill) (HC)</p>	<p>A Bill to create a new offence that, in England and Wales or Northern Ireland, is to be called corporate manslaughter and, in Scotland, is to be called corporate homicide; and to make provision in connection with that offence.</p> <p>Carried over from previous session of Parliament (Bill No.220).</p> <p>Commons Insistence, Non-Insistence and Amendments:  <a href="http://www.publications.parliament.uk/pa/ld200607/ldbills/076/07076.1-4.html">http://www.publications.parliament.uk/pa/ld200607/ldbills/076/07076.1-4.html</a></p> <p>For more background, see also:  <a href="http://banklawblog.wordpress.com/tag/banking/company/">http://banklawblog.wordpress.com/tag/banking/company/</a></p>	<p><b>Commons Insistence, Non-Insistence and Amendments in Lieu 8 June 2007.</b></p> <p>The Lords and Commons remain in disagreement about the scope of the Bill. The Lords' position continues to be that it is "appropriate a duty of care should be owed to anyone held in custody".</p>
<p>Corruption Bill</p>	<p>A Bill to make provision about corruption.</p>	<p><b>Introduced to HL 29 November 2006</b></p> <p>Received 2nd Reading in the Lords 16 March 2007. Committed to a Committee of the Whole House 16 March 2007.</p>
<p>Development Orders (Microgeneration) Bill (formerly Energy Efficiency and Microgeneration Bill)</p>	<p>(Change of name)</p> <p>A Bill to make provision about the energy rating of residential properties on the market; to make provision about energy efficiency and microgeneration; and for connected purposes.</p>	<p><b>Bill introduced to House of Lords 14 December 2006</b></p> <p>Amendments March 2007.</p>

Bills	Description	Status
<p>*Digital Switchover (Disclosure of Information) Bill (Bill No.3) Public (Government Bill) (HC)</p>	<p>A Bill to make provision about the disclosure of certain information for purposes connected with digital switchover.</p>	<p>Amendments 23 May 2007. .</p>
<p>Energy Saving (Daylight) Bill</p>	<p>A Bill to advance time by one hour throughout the year to create lighter evenings, for an experimental period; and for connected purposes.</p>	<p><b>Bill as introduced 18 January 2007</b> Second reading in Commons 26 January 2007</p>
<p>European Union (Information, etc.) Bill</p>	<p>A Bill to make provision for information to be made available in various public places relating to the activities and organisation of the European Union; to make provision for the flying of the flag of the European Union on various public buildings; to provide information to further the establishment of twinning arrangements between towns in the United Kingdom and elsewhere in the European Union in accordance with the European Union's town twinning support scheme; and for connected purposes.</p>	<p><b>Amendments 28 February 2007.</b> Third reading HL 27 March 2007.</p>
<p>*Finance Bill</p>	<p>A Bill to grant certain duties, to alter other duties, and to amend the law relating to the National Debt and the Public Revenue, and to make further provision in connection with finance.</p>	<p><b>Notices of Amendments given on 11 June 2007.</b> <a href="http://www.publications.parliament.uk/pa/pabills/200607/finance.htm">www.publications.parliament.uk/pa/pabills/200607/finance.htm</a></p>

Bills	Description	Status
<p>Fraud (Trials Without a Jury) Bill (Bill No.6) Public (Government Bill) (HC)</p>	<p>A Bill to make amendments of and in relation to section 43 of the Criminal Justice Act 2003.</p>	<p><b>Amendment paper 23 January 2007</b> Received 1st Reading in the Lords 26 January 2007.</p>
<p>*Freedom of Information (Amendment) Bill</p>	<p>A Bill to amend the Freedom of Information Act 2000 to exempt from its provisions the House of Commons and House of Lords and correspondence between Members of Parliament and public authorities.</p>	<p><b>Bill as brought from the Commons 22 May 2007</b></p>
<p>Housing Association (Rights and Representation of Residents) Bill</p>	<p>Make provision about the rights and representation of housing association residents; to make requirements of housing associations in relation to service delivery; to make further provision for the regulation of housing associations; and for connected purposes.</p>	<p><b>Bill introduced December 2006</b></p>
<p>Leasehold Information Bill HL Bill 38</p>	<p>A Bill to amend the Land Registration Rules 2003 in relation to registered leasehold estates.  The full text is available at <a href="http://www.publications.parliament.uk/pa/ld200607/ldbills/038/2007038.pdf">http://www.publications.parliament.uk/pa/ld200607/ldbills/038/2007038.pdf</a></p>	<p><b>Received 1st Reading in the Lords 1 February 2007.</b></p>

Bills	Description	Status
<p>*Legal Services Bill</p>	<p>A Bill to reform the way legal services are regulated and delivered. Creates a new Legal Services Board for oversight of regulatory bodies. Creates Office for Legal Complaints to ensure high standards and consumer confidence.</p> <p><a href="http://www.publications.parliament.uk/pa/pabills/200607/legal_services.htm">www.publications.parliament.uk/pa/pabills/200607/legal_services.htm</a></p> <p><a href="#">Pilot of explanatory statements on amendments to Bills</a></p> <p>The Legal Services Bill has been selected as the pilot Bill to examine how the Modernisation Committee recommendation on explanatory statements on amendments to Bills will work in practice. More information on link above.</p>	<p><b>Public Bill Committee amendments 12 June 2007</b></p>
<p>*Local Government and Public Involvement in Health Bill</p>	<p>A Bill to make provision with respect to local government and the functions and procedures of local authorities and certain other authorities; to make provision with respect to persons with functions of inspection and audit in relation to local government; to establish the Valuation Tribunal for England; to make provision in connection with local involvement networks; to abolish Patients' Forums and the Commission for Patient and Public Involvement in Health; to make provision with respect to local consultation in connection with health services; and for connected purposes.</p>	<p><b>Bill brought from the Commons to the Lords 23 May 2007.</b></p>
<p>Local Planning Authorities (Energy and Energy Efficiency) Bill Private Members Bill</p>	<p>To enable local planning authorities to make certain requirements regarding the generation, conservation and use of energy, to require local planning authorities to consider specifying requirements for the generation of renewable and low carbon energy and the imposition of energy efficiency standards when determining planning applications.</p>	<p><b>Bill introduced to Commons November 2006; second reading 19 January 2007</b></p>

Bills	Description	Status
<p>*Mental Health Bill (Bill No.1)  Public (Government Bill) (HL)</p>	<p>A bill to amend the Mental Health Act 1983 and the Mental Capacity Act 2005 in relation to mentally disordered persons.</p> <p><a href="http://www.publications.parliament.uk/pa/pabills/200607/mental_health.htm">www.publications.parliament.uk/pa/pabills/200607/mental_health.htm</a></p>	<p><b>Commons consideration of Bill 7 June 2007. Amendments 8 June 2007.</b></p>
<p>*Pensions Bill</p>	<p>A Bill to make provision about pensions and other benefits payable to persons in connection with bereavement or by reference to pensionable age; to make provision about the establishment and functions of the Personal Accounts Delivery Authority; and for connected purposes.</p>	<p><b>Third Marshalled List of Amendments Moved in Lords Committee 7 June 2007.</b></p>
<p>Pensions (Unclaimed Assets) Bill (Bill No.74)</p>	<p>A Bill to establish an Unclaimed Assets Agency; to confer powers on the Agency to obtain information from banks and building societies relating to unclaimed assets; to make provision for the transfer of a proportion of unclaimed assets to the Agency for distribution among certain members of occupational pension schemes; and for connected purposes.</p>	<p><b>Received 1st Reading in the Commons 7 March 2007. Introduced 30 March.</b></p>
<p>Piped Music etc. (Hospitals) Bill (Bill No.26)</p>	<p>A Bill to provide for the Secretary of State to draw up a plan to prohibit piped music and the showing of television programmes in the public areas of hospitals; and to require the wearing of headphones by persons listening to music in public areas of hospitals.</p>	<p><b>Received 1st Reading in the Lords 15 January 2007.</b></p> <p>Received 3rd Reading in the Lords 24 April 2007</p>

Bills	Description	Status
Rating (Empty Properties) Bill	<p>Make provision for and in connection with the liability of owners of unoccupied hereditaments to a non-domestic rate.</p> <p><a href="http://www.publications.parliament.uk/pa/pabills/200607/rating_empty_properties.htm">http://www.publications.parliament.uk/pa/pabills/200607/rating_empty_properties.htm</a></p>	<b>Bill introduced 11 May 2007</b>
Retail Packaging Recycling Bill (Bill No.71)	<p>A Bill to require that certain retailers shall provide free of charge a collection point for any packaging materials sold or supplied by them; and to require them to recycle or safely dispose of such materials</p>	<p><b>Received 1st Reading in the Commons 6 March 2007.</b> Provisional date for 2nd Reading 15 June 2007</p>
Rural Tranquillity Bill (Bill No.73)	<p>A Bill to provide for the establishment of an indicator for rural tranquillity; to provide for the protection of rural tranquillity in the planning process; and for connected purposes.</p>	<p><b>Received 1st Reading in the Commons 7 March 2007.</b> Provisional date for 2nd Reading 18 May 2007.</p>

Bills	Description	Status
*Serious Crime Bill Public (Government Bill) (HL)	A bill to make provision about serious crime prevention orders; to create offences in respect of the encouragement or assistance of crime; to enable information to be shared or processed to prevent fraud; to enable data matching to be conducted both in relation to fraud and for other purposes; to transfer functions of the Director of the Assets Recovery Agency to the Serious Organised Crime Agency and other persons and to make further provision in connection with the abolition of the Agency and the Office of Director; to amend the Proceeds of Crime Act 2002 in relation to certain investigations and in relation to accredited financial investigators and search warrants; to make amendments relating to Her Majesty's Revenue and Customs in connection with the regulation of investigatory powers; and for connected purposes.	<b>Amendments at 3rd Reading in the Lords 9 May 2007. Bill brought from the Lords to the Commons 10 May 2007.</b>  <a href="http://www.publications.parliament.uk/pa/pabills/2006/serious_crime.htm">www.publications.parliament.uk/pa/pabills/2006/serious_crime.htm</a>
*Statistics and Registration Service Bill (Bill No.8) Public (Government Bill) (HC)	A Bill to establish and make provision about the Statistics Board; to make provision about offices and office-holders under the Registration Service Act 1953; and for connected purposes.	<b>Amendment paper 8 June 2007</b>

Bills	Description	Status
<p>*Sustainable Communities Bill</p>	<p>A Bill to make provision for the Secretary of State to publish action plans in connection with promoting the sustainability of local communities and to enable local authorities and local communities to participate in the formulation and implementation of those plans; to require the Secretary of State to provide information on government spending in local authority areas to local authorities upon request; to make provision for local authorities to produce local spending plans; to require the Secretary of State to approve and implement those plans; and for connected purposes.</p>	<p><b>Amended at Committee Stage in the Commons 23 May 2007.</b></p> <p>Provisional date for Report Stage 15 June 2007.</p> <p><a href="http://www.publications.parliament.uk/pa/pabills/200607/sustainable_communities.htm">www.publications.parliament.uk/pa/pabills/200607/sustainable_communities.htm</a></p>
<p>Tribunals, Courts and Enforcement Bill</p>	<p>A Bill to make provision about tribunals and inquiries; establish an Administrative Justice and Tribunals Council; amend the law relating to qualification for judicial appointment; amend the law relating to the enforcement of judgements and debts; make further provision about the management and relief of debt; amend the law related to the possession of land affected by compulsory purchase; and alter the powers of the High Court in judicial review applications.</p>	<p><b>Public Bill Committee Proceedings 27 March 2007.</b></p> <p>Policy statement republished: <a href="http://www.justice.gov.uk/publications/policystatement230507.htm">http://www.justice.gov.uk/publications/policystatement230507.htm</a></p>
<p>*Victims of Overseas Terrorism Bill (Bill No.23)</p>	<p>A Bill to make provision for advice and assistance to victims of acts of terrorism taking place outside the United Kingdom; for arrangements under which insurance is made available to individuals in respect of risks against injury resulting from acts of terrorism taking place outside the United Kingdom; and for connected purposes.</p>	<p><b>Amendments to be moved in Committee 2 May 2007.</b></p>

Bills	Description	Status
UK Borders Bill	A Bill to make provision about immigration and asylum; and for connected purposes.	<b>Proceedings 10 May 2007.</b> <a href="http://www.publications.parliament.uk/pa/pabills/2006/uk_borders.htm">www.publications.parliament.uk/pa/pabills/2006/uk_borders.htm</a>

## Draft Bills and proposals in E&W

### Bills and issues being considered before being laid before Parliament

Bills	Description	Note
*Climate Change Bill	The Bill establishes fixed carbon reduction targets for the UK Government as well as creating enabling powers to allow for the introduction of domestic emissions legislation. It is expected the Bill will come into force in Spring 2008.	<b>A draft of this Bill was published by DEFRA on 13 May 2007.</b>
Counter Terrorism provisions	A review of our current measures is underway and if gaps are identified in our security measures, the Government will legislate to fill the gaps.	
Identity Cards	To make biometric identity compulsory for non-EU foreign nationals coming to the UK to work and for those applying for a NI number from 2008.	<b>Identity cards (compulsory) for British citizens to be issued from 2009.</b>
Organised Crime Bill	To extend the powers of enforcement agencies to combat serious and organised crime. Would establish a new Serious Crime Prevention Order to prevent organised crime, and introduce new offences of encouraging or assisting a criminal act with intent.	<b>Stronger powers to recover assets by financial investigators.</b>

Bills	Description	Note
Planning system	<p>To reform the planning system including major infrastructure projects. Secondary legislation will reform energy consents but more radical changes can be expected in the longer term. Proposals for reform expected Spring 2007.</p> <p>Note the effect of this on major real estate and infrastructure projects and on energy.</p>	
Road congestion	<p>To tackle the problems and improve transport. This may have an effect on major infrastructure projects.</p>	
Unfair Contract Terms Bill		<p><b>Timing of the proposed Bill is not yet known</b></p>

## Acts

### Acts recently awarded Royal Assent

Act	Comment	Date of RA
<p>Consumer Credit Act 2006</p> <p>The 2006 Act received Royal Assent on 30 March 2006.</p> <p>It makes various amendments to the Consumer Credit Act 1974 to reform the consumer credit regime.</p>	<p>The key provisions in force as of 6 April 2007 are:</p> <ul style="list-style-type: none"> <li>➤ Consumer credit falls under the ambit of the Financial Ombudsman Service (FOS). All businesses holding a consumer credit licence from the Office of Fair Trading must have a complaints handling policy in place. Customers with a complaint relating to an event that occurred after 6 April 2007 can refer it to the FOS after they have raised it with the licensee.</li> <li>➤ The courts have the power to intervene in relation to consumer credit agreements where the relationship between the debtor and the creditor is "unfair". This broader test has replaced the previous test for intervention, which required the agreement to be an "extortionate credit bargain". The new test will apply to <b>all</b> new consumer lending except mortgage contracts regulated by the FSA. Its application will not be extended to existing agreements until 6 April 2008.</li> <li>➤ The courts now have discretion as to whether to enforce all invalidly executed agreements.</li> <li>➤ The definition of "individual" has been changed, so that new lending to partnerships of more than three persons is excluded from the regime.</li> </ul> <p>The next implementation date for provisions of the 2006 Act will be on 6 April 2008, when the following will be implemented:</p> <ul style="list-style-type: none"> <li>➤ removal of the maximum financial limit for contracts to which the regime applies;</li> <li>➤ the introduction of an opt-out of the regime for high net worth individuals;</li> <li>➤ creation of enhanced powers of enforcement for the OFT as regulator under the 2006 Act; and</li> <li>➤ creation of a Consumer Credit Appeals Tribunal, which will allow licensees to challenge the OFT's decisions.</li> </ul> <p>The remainder of the 2006 Act will be implemented on 1 October 2008, including provisions on</p> <ul style="list-style-type: none"> <li>➤ post-contract transparency,</li> <li>➤ interest on default sums,</li> <li>➤ the incorporation of debt administration and information services to the consumer credit regime.</li> </ul>	<p><b>6 April 2007</b></p>

Act	Comment	Date of RA
Welfare Reform Act (Bill No.1) Public (Government Bill) (HC)	A Bill to make provision about social security; to amend the Vaccine Damage Payments Act 1979; and for connected purposes.  <a href="http://www.publications.parliament.uk/pa/pabills/200607/welfare_reform.htm">www.publications.parliament.uk/pa/pabills/200607/welfare_reform.htm</a>	<b>4 May 2007</b>

## Statutory instruments

### SI's and Orders in E&W

SI/Order	Description	Status
The Commonhold and Leasehold Reform Act 2002 (Commencement No.6) (England) Order 2007 2007/1256 (C.55)	Enabling Act: Commonhold and Leasehold Reform Act 2002, s.181 Application: E	<b>Bringing into operation various provisions of the 2002 Act on 1 October 2007</b>
The Consumer Credit (Exempt Agreements) Order 2007 2007/1168	Consumer Credit Act 1974, s.16A, s.16B(4), s.182(2) E/W/S/NI The Order is available at <a href="http://www.opsi.gov.uk/si/si2007/20071168.htm">http://www.opsi.gov.uk/si/si2007/20071168.htm</a>	<b>6 April 2008</b>
The Consumer Credit (Information Requirements and Duration of Licences and Charges) Regulations 2007 2007/1167	Consumer Credit Act 1974, s.22(1B)(1E), s.28A(3)(b)(6), s.77A(2), s.78(4A), s.86B(8), s.86C(6), s.86E(2)(7)(b), s.88(1)(4), s.130A(6), s.182(2), s.189(1) Consumer Credit (Enforcement, Default and Termination Notices) Regulations 1983 (S.I. 1983/1561) amended. Consumer Credit (Period of Standard Licence) Regulations 1975 (S.I. 1975/2124) revoked.This S.I. modifies itself. E/W/S/NI The Regulations are available at <a href="http://www.opsi.gov.uk/si/si2007/20071167.htm">http://www.opsi.gov.uk/si/si2007/20071167.htm</a>	<b>1 October 2008 except for reg.2, reg.42, reg.43, reg.44 on 6 April 2008.</b>

SI/Order	Description	Status
<p>*The Control of Cash (Penalties) Regulations 2007 2007/1509</p>	<p>Enabling Act: European Communities Act 1972, s.2(2) Effect: Give effect to Community Regulation 1889/2005. Application: E/W/S/NI These Regulations provide for penalties for failing to declare movements of cash into and out of the European Community, and an appeal mechanism.</p>	<p><b>15 June 2007</b></p>
<p>The Financial Services and Markets Act 2000 (Appointed Representatives) (Amendment) Regulations 2006 SI 2006/3414</p>	<p>Enabling Act: Financial Services and Markets Act 2000, s.39(1), s.417(1), s.426, s.428(3) Effect: S.I. 2001/1217 amended. S.I. 2001/1217 revoked in part. Implement European Parliament and Council Directive 2004/39/EC in part. Application: E/W/S/NI</p>	<p><b>Coming Into Force: 1 November 2007</b></p>
<p>The Financial Services and Markets Act 2000 (Disclosure of Confidential Information) (Amendment) Regulations 2006 No 2006/3413</p>	<p>Enabling Act: Financial Services and Markets Act 2000, s.349(1)(2)(3), s.417(1), s.428(3) Effect: S.I. 2001/2188 amended. S.I. 2001/2188 revoked in part. Implement European Parliament and Council Directive 2004/39/EC in part. Application: E/W/S/NI</p>	<p><b>Comes into force</b> In accordance with reg.1(2)</p>

SI/Order	Description	Status
<p>The Financial Services and Markets Act 2000 (Exemption) (Amendment) Order 2007 No 125</p>	<p>This Order implements in part Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments (OJ No L 145, 30.4.2004, p1). The Directive is also implemented by other statutory instruments including the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007 (S.I. 2007/126) and the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment No. 3) Order 2006 (S.I. 2006/3384) ("the RAO Amendment Order") and by the Financial Services Authority using powers under the Financial Services and Markets Act 2000 (c. 8).</p> <p><a href="http://www.opsi.gov.uk/si/si2007/20070125.htm">http://www.opsi.gov.uk/si/si2007/20070125.htm</a></p>	<p><b>Date in force, 6 April 2007</b></p>
<p>The Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007 No 126</p>	<p>These Regulations implement in part Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments (OJ No L 145, 30.4.2004, p.1). The Directive is also implemented by other statutory instruments including the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment No. 3) Order (S.I. 2006/3384), the Financial Services and Markets Act 2000 (Exemption) (Amendment) Order 2007 (S.I. 2007/125), the Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) (Amendment) Regulations 2006 (S.I. 2006/3386) and the Financial Services and Markets Act 2000 (EEA Passport Rights) (Amendment) Regulations 2006 (S.I. 2006/3385), and by the Financial Services Authority ("FSA") using powers under the Financial Services and Markets Act 2000 (c. 8).</p> <p><a href="http://www.opsi.gov.uk/si/si2007/20070126.htm">http://www.opsi.gov.uk/si/si2007/20070126.htm</a></p>	<p><b>Date in force, in accordance with regulation 1(2)</b></p>

SI/Order	Description	Status
<p>The Financial Services and Markets Act 2000 (Regulated Activities) (Amendment No. 3) Order 2006 No 3384</p>	<p>This Order implements in part Directive 2004/39/EC of 21 April 2004 of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments (OJ No L 145, 30.4.2004, p.1) ("MiFID").</p> <p>In force:</p> <p>(a) 1.4.07 for the purposes of enabling applications to be made for—</p> <p>(i) a Part IV permission,</p> <p>(ii) a variation of a Part IV permission,</p> <p>(iii) the Authority's approval under section 59 of the Act, in relation to an activity of the kind specified by article 25D of the principal Order (inserted by this Order) or in relation to an investment of the kind specified by article 83, 84 or 85 of the principal Order (as amended by this Order);</p> <p>(b) for all other purposes, on 1.11.07.</p>	<p><b>See opposite</b></p>
<p>The Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) (Amendment) Regulations 2006 No 33386</p>	<p>These Regulations implement in part Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments. The Regulations amend the Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) Regulations 2001 (S.I. 2001/995). The Regulations also contain other amendments transposing the Directive, making consequential amendments and inserting definitions for the purposes of the amendments.</p>	<p><b>Date in force, 1 November 2007</b></p>

SI/Order	Description	Status
<p>The Health Act 2006 (Commencement No.2) Order 2006 2006/3125 (C.108)</p>	<p>All enclosed public places and workplaces will become smoke-free from 1st July 2007</p>	<p><b>Coming into force: 1 July 2007</b></p>
<p>*The Home Information Pack (Revocation) Regulations 2007 2007/1525</p>	<p>Enabling Act: Housing Act 2004, s.161, s.163, s.164, s.165, s.250(2), Sch.8, para.11(b) Effect: S.I. 2006/1503;S.I. 2007/992 revoked.</p>	<p><b>31 May 2007</b></p>
<p>*The Home Information Pack (Redress Scheme) (Revocation) Order 2007 2007/1536</p>	<p>Enabling Act: Housing Act 2004, s.172 Effect: S.I. 2007/560 revoked. Application: E/W</p>	<p><b>31 May 2007</b></p>
<p>The Lasting Powers of Attorney, Enduring Powers of Attorney and Public Guardian Regulations 2007/1253</p>	<p>Enabling Act: Mental Capacity Act 2005, s.13(6)(a), s.58(3), s.64(1), Sch.1, Sch.4 Application: E/W These Regulations supplement the requirements set out in Schedule 1 to the Mental Capacity Act 2005 that apply to the making and registration of lasting powers of attorney and the requirements set out in Schedule 4 to the Act which apply to the registration of enduring powers or attorney. The Regulations also confer functions on the Public Guardian and make other provision in connection with functions conferred on him by the Act or by these Regulations. <a href="http://www.opsi.gov.uk/si/si2007/20071253.htm">www.opsi.gov.uk/si/si2007/20071253.htm</a></p>	<p><b>1 October 2007</b></p>

SI/Order	Description	Status
<p>The National Savings Bank (Amendment) Regulations 2007 2007/1265</p>	<p>Enabling Act: National Savings Bank Act 1971, s.2 Effect: National Savings Bank Regulations 1972 (S.I. 1972/764) amended. Application: E/W/S/NI</p>	<p><b>10 May 2007</b></p>
<p>The Proceeds of Crime Act 2002 (Business in the Regulated Sector) Order 2007 2007/208</p>	<p>Enabling Act: Proceeds of Crime Act 2002, Sch.9, para.5 Effect: Proceeds of Crime Act 2002 amended.</p>	<p><b>Coming Into Force: 1 November 2007</b></p>
<p>The Terrorism Act 2000 (Business in the Regulated Sector) Order 2007 2007/207</p>	<p>Enabling Act: Terrorism Act 2000, Sch.3A, para.5 Effect: Terrorism Act 2000 amended.</p>	<p><b>Coming Into Force: 1 November 2007</b></p>

SI/Order	Description	Status
<p>The Uncertificated Securities (Amendment) Regulations 2007 No 124</p>	<p>These Regulations implement in part Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments (OJ No L 145, 30.4.2004, p.1) ("the Directive"). The Directive is also implemented by other statutory instruments, including the Financial Services and Markets Act 2000 (Markets in Financial Instruments) Regulations 2007 (S.I. 2007/126), the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment No. 3) Order 2006 (S.I. 2006/3384) and the Financial Services and Markets Act 2000 (Recognition Requirements for Investment Exchanges and Clearing Houses) (Amendment) Regulations 2006 (S.I. 2006/3386), and by the Financial Services Authority using powers under the Financial Services and Markets Act 2000 (c. 8). The Regulations amend Schedule 1 to the Uncertificated Securities Regulations 2001 (S.I. 2001/3755) which sets out the requirements for approval of a person as an operator of a computer-based system which enables title to units of a security to be evidenced and transferred without a written instrument. They add a new requirement, transposing in part Article 34 of the Directive, for any person approved as an operator to maintain transparent and non-discriminatory rules governing access to any settlement facilities he provides. The rules must grant investment firms (within the meaning of the Directive) and credit institutions (as defined in Directive 2006/48/EC (OJ No L 177, 30.6.2006, p.1)) authorised in other EEA States access to those settlement facilities on the same terms as access is granted to firms and institutions established in the United Kingdom.</p> <p><a href="http://www.opsi.gov.uk/si/si2007/20070124.htm">http://www.opsi.gov.uk/si/si2007/20070124.htm</a></p>	<p><b>Date in force, 1 November 2007</b></p>

## Companies Act 2006

### Timetable for implementation

Not all sections are accounted for yet. Information provided at

[www.publications.parliament.uk/pa/cm/cmtoday/cmwms/archive/070228.htm#hddr\\_9](http://www.publications.parliament.uk/pa/cm/cmtoday/cmwms/archive/070228.htm#hddr_9)

Part	Description	Coming into force
Part 1	General introductory provisions	<b>1 October 2008</b>
Part 2	Company formation	<b>1 October 2008</b>
Part 3	A company's constitution	<b>1 October 2008</b>
Part 4	A company's capacity and related matters	<b>1 October 2008</b>
Part 5	A company's name	<b>1 October 2008</b>
Part 6	A company's registered office	<b>1 October 2008</b>
Part 7	Re-registration as a means of altering a company's status	<b>1 October 2008</b>
Part 8	A company's members	<b>1 October 2008</b>
Part 9	Exercise of members' rights	<b>1 October 2007</b>
Part 10	A company's directors. But 1 October 2008: provisions relating to directors' conflict of interest duties, directors' residential addresses and underage and natural directors	<b>1 October 2007</b>
Part 10	A company's directors Provisions relating to directors' conflict of interest duties, directors' residential addresses and underage and natural directors	<b>1 October 2008</b>

<b>Part</b>	<b>Description</b>	<b>Coming into force</b>
Part 11	Derivative claims and proceedings by members	<b>1 October 2007</b>
Part 12	Company secretaries	<b>6 April 2008</b>
Part 13	Resolutions and meetings. Related to this, sections 485–488 of Part 16 (Audit)	<b>1 October 2007</b>
Part 14	Control of political donations and expenditure	<b>1 October 2007</b>
Part 15	Accounts and reports Not section 417, 1 October 2007	<b>6 April 2008</b>
Part 15, Section 417	Contents of directors' report: business review	<b>1 October 2007</b>
Part 16	Audit Other than sections 485–488	<b>6 April 2008</b>
Part 17	A company's share capital	<b>1 October 2008</b>
Part 18	Acquisition by limited company of its own shares	<b>1 October 2008</b>
Part 19	Debentures	<b>6 April 2008</b>
Part 20	Private and public companies	<b>6 April 2008</b>
Part 21	Certification and transfer of securities	<b>6 April 2008</b>
Part 23	Distributions	<b>6 April 2008</b>
Part 24	A company's annual return	<b>1 October 2008</b>
Part 25	Company charges	<b>1 October 2008</b>

<b>Part</b>	<b>Description</b>	<b>Coming into force</b>
Part 26	Arrangements and reconstructions	<b>6 April 2008</b>
Part 27	Mergers and divisions of public companies	<b>6 April 2008</b>
*Part 28 – IN FORCE	Implements Takeovers Directive Makes changes to statutory squeeze-out procedure; Protection for members of LLPs who have been granted confidentiality orders from having their details open to inspection on the public register, which was inadvertently removed by the first commencement order.	<b>6 April 2007</b>
Part 29	Fraudulent trading	<b>1 October 2007</b>
Part 30	Protection of members against unfair prejudice	<b>1 October 2007</b>
Part 31	Dissolution and restoration to the register	<b>1 October 2008</b>
Part 32	Company investigations: amendments	<b>1 October 2007</b>
Part 33	UK companies not formed under the Companies Acts	<b>1 October 2008</b>
Part 34	Overseas companies	<b>1 October 2008</b>
Part 35	The registrar of companies	<b>1 October 2008</b>
Part 41	Business names	<b>1 October 2008</b>
Part 42	Statutory auditors	<b>6 April 2008</b>

## Bills (Scotland)

Bill	Description	Stage
<p>There are no Bills currently before the Scottish Parliament.</p> <p>There is an excellent source of information on Scottish Bills at <a href="http://www.scottish.parliament.uk/business/bills/billsInProgress/index.htm">http://www.scottish.parliament.uk/business/bills/billsInProgress/index.htm</a></p>		

## The parliamentary life of a Bill

### The stages as it makes its way through Parliament are:

- First Reading
  - An MP sponsoring the Bill reads out its title and distributes copies.
  - The House will often refuse to send Private Members' Bills to second reading at this stage, but the MP will have drawn public and governmental attention to the matter.
- Second Reading
  - The House debates the general principles contained in the Bill.
  - It is rare for a Public Bill to be denied a second reading. This is the first time that a Public Bill might be defeated.
  - Programme Motions
    - A timetable setting out specific dates for the various stages of the Bill.
  - Guillotine motions
    - Used to limit debate on a Bill so that it can be quickly enacted.
- Committee Stage
  - The Bill passes to a **Standing Committee** created to deal with the particular Bill.
  - The Committee may be the whole House or about 18 cross-party MPs.
  - The Committee subjects the Bill to a line-by-line examination and makes amendments where necessary.
  - **Select Committees** are different. They take evidence rather than just debate issues. Any recommendations or findings emerging from these Committees are then passed to the Commons as command papers.
- Report Stage
  - Here, the Bill that has been amended during the Committee Stage is reviewed. All members of the House have an opportunity to speak and vote at this stage, making it distinct from the Standing Committee Stage, where the scope for debate is rather limited.
  - Known as the Consideration Stage in the Scottish Parliament and Northern Ireland Assembly
- Third Reading
  - The House looks at the final version of the Bill in its entirety.
  - This stage is usually quite brief, as no amendments can be made.

- If substantial amendments are demanded, the Bill has to be sent back to the Standing Committee for further consideration.
- Lords Stages
  - Similar to the various stages of the Commons except that after Second Reading, bills are committed to a Committee of the whole House; debate is unrestricted and amendments can be made at Third Reading.
- Lords Amendments Considered
  - The Commons have to consider, approve or disapprove of any amendments made by the Lords.
  - The Commons accepts around 90% of these Amendments because they are generally not controversial.
  - The Lords may delay a Bill if, for example, it feels that there is no popular mandate for it. An example is the Sexual Offences (Amendment) Bill (now the Sexual Offences (Amendment) Act 2000 Chapter 44).
  - The Parliament Acts of 1911 and 1949 limit the delaying power of the Lords to thirty days in the case of **Money Bills** (contain only provisions relating to taxation or expenditure) and up to one year in the case of other Bills.
  - Unless the House of Commons invokes the Parliament Act, both Houses of Parliament must agree on the final text of the Bill.
- Royal Assent
  - The Crown formally assents to the Bill in order for it to pass into law.
  - The Sovereign, as the third pillar of Parliament's composition, must give consent to a Bill for it formally to become an Act.
  - The last time Royal Assent was given by the Sovereign in person was in 1854.
  - Since the UK is a constitutional Monarchy, the Sovereign is bound to Assent to any Bill, except in extraordinary circumstances. Assent has not been withheld since 1707, when Queen Anne refused a Bill for settling the militia in Scotland.
- Commencement Orders
  - Some Acts are brought into force immediately, others by Commencement Orders.
  - The Orders are statutory instruments, made by a Minister. Parliament is not involved.
- Sessional Cycle

A Public Bill must complete all its stages in one Session of Parliament. If it fails to, it can be re-presented the following Session, but has to begin the cycle again.

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