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Dear Scott,

Revocation of the Enterprise and Regulatory Reform Act 2013 (Commencement No.8 and Saving Provisions) Order 2015

As you will recall, in March 2015 the Government implemented this commencement Order which would commence the repeal of section 52 of the CDPA on 6 April 2020. Following the introduction of the Order, the Government received a claim for judicial review challenging its compatibility with EU law.

I am writing to inform you that, having considered the matter carefully, the Government has revoked the Commencement Order and will not continue with the current transitional arrangements. The Government will be launching a fresh consultation on these matters, including the date for implementing the repeal.

I understand that this may be unexpected news for you given the consultation that has already taken place, and we realise this may cause disruption for your business. But this is a highly complex matter that has been hotly debated for some years now, and is important that the Government adopts the correct approach.

We will keep you informed of developments and advise you when the new consultation starts. If you have any questions or wish to speak to someone directly, the best way to contact my officials is to email them directly at section52CDPA@ipo.gov.uk. I have asked them to respond swiftly to emails sent to this address and if need be to set up a telephone call, to discuss this further.

*Kind regards
Lucy Neville-Rolfe*

BARONESS NEVILLE-ROLFE DBE CMG