

EXPLANATORY MEMORANDUM TO
THE HOME INFORMATION PACK (REVOCATION) REGULATIONS

2007 No. 1525

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Description**

These Regulations (“the Regulations”) revoke the Home Information Pack Regulations 2006, S.I. 2006/1503 (“the 2006 Regulations”) and the Home Information Pack Regulations 2007, S.I. 2007/992 (“the 2007 Regulations”) with effect from 31st May 2007.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

The Regulations are laid before Parliament less than 21 days before they come into force. This urgent measure is required so that various matters can be resolved as regards the 2007 Regulations, which would otherwise come into force on 1st June 2007.

4. **Legislative Background**

The 2007 Regulations were intended to revoke and replace the 2006 Regulations. If the 2007 Regulations are revoked before they come into force then the 2006 Regulations would come into force on 1 June. The Regulations accordingly revoke both the 2006 and the 2007 Regulations.

5. **Territorial Extent and Application**

This instrument applies in England and Wales. Under section 250(3) of the 2004 Act, the Secretary of State must consult the National Assembly for Wales before making any regulations under Part 5 which relate to residential properties in Wales. Ministers have consulted officials in the Welsh Assembly Government and they have raised no objection to the Regulations being made.

6. **European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The Secretary of State for Communities and Local Government announced on 22 May 2007 that the introduction of Home Information Packs (“HIPs”) was to be delayed until 1 August 2007. She also announced that the Government was to carry out a full consultation on the appropriate age of the Energy Performance Certificate that was required to be included in a Home Information Pack and a modification of the requirement which is contained in the 2007 Regulations for the responsible person to have in their possession a Home Information Pack on the first day of marketing. Implementing these changes would require modifications to be made to the 2007 Regulations and the Secretary of State has decided that the most appropriate course of action is to revoke the 2007 and 2006 Regulations before they come into force and replace them with amended regulations in due course.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it is not expected to impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is nil.

9. Contact

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