



Primary Authority changes: Action needed by businesses

Primary Authority is expanding from 1 October 2017 to enable more businesses to participate. All businesses will need to take action to ensure that their partnerships continue from 1 October 2017. This guide explains what you need to do.

Regulatory Delivery is committed to supporting primary authorities and businesses with this task to make transition as simple as possible.

What must I do?

You need to familiarise yourself with the changes to Primary Authority and discuss these with your primary authority. The [draft Primary Authority Statutory Guidance](#) contains the relevant information.

You will need to take the action outlined below by 14 September to ensure continuity from 1 October 2017.

1. Discuss and agree a [Summary of Direct Partnership Arrangements](#) with your primary authority. A new template is available for the purpose of recording the agreed arrangements.
Note you do not need to do this if you have already agreed a document with your primary authority that sets out how your partnership will operate, however you may wish to consider the new template to ensure all pertinent matters have been covered.
2. From mid August your primary authority will access the new Primary Authority Register and review your partnership information. You will then receive an email from the Register with log in instructions, so you can confirm that you want the partnership to continue.
3. After logging into the Register, you will need to:
 - a. Confirm acceptance of the new [Primary Authority Terms and Conditions](#).
 - b. Review the information about your business.
 - c. Review the information provided by the Primary Authority.

Once steps 1-3 have been completed, the partnership will continue from 1 October 2017 and Regulatory Delivery will transition the information you have provided to the new Primary Authority Register.



Summary of changes relevant to existing direct partnerships

Primary Authority categories will no longer exist, so primary authorities will be able to provide Primary Authority services to businesses for all the regulatory functions within their remit that are not already covered by another primary authority. The Primary Authority Statutory Guidance, which will be published on 1st October, will provide information on how this will work for businesses with more than one primary authority. A draft of this Guidance is expected to be published in July.

Primary authorities will need to publish the regulatory questions, topics or issues in relation to which Primary Authority Advice has been issued in the secure area of the Primary Authority Register to aid transparency for enforcing authorities.

Primary Authority Advice to Local Authorities will need to be submitted to the Secretary of State for consent in order to be effective. This includes existing Primary Authority Advice to Local Authorities, if it is to continue from 1 October 2017.

Summary of additional changes which you may wish to consider from 1 October 2017

Businesses that trade in both England and Wales may need to have partnerships in both nations to ensure Primary Authority coverage across devolved policy areas (including agriculture, food, environmental protection, pollution control, housing and public health). If your business trades in both England and Wales, we recommend that you speak to your primary authority about this.

Primary Authority partnerships will be able to request support from certain national regulators, that are specified as 'supporting regulators', in relation to the development of Primary Authority Advice and inspection plans. The supporting regulators are: the Health and Safety Executive; the Food Standards Agency; the Gambling Commission; the Competition and Markets Authority; and the BEIS Secretary of State in relation to regulatory functions concerning weights and measures and product safety regulation.

If your business is a member of a trade association or franchise chain which has a coordinated partnership you will also be able to benefit from membership of a regulated group (as part of a co-ordinated arrangement). For example a business which is a member of a trade association that has a co-ordinated partnership may choose to implement Primary Authority Advice produced by that partnership if this is an area of law where their direct primary authority has not issued Primary Authority Advice.