ADDENDUM
TO THE
STANDING ORDERS
OF THE HOUSE OF COMMONS
RELATING TO PUBLIC BUSINESS

21 March 2012

Amendments to Standing Order No. 15 (Exempted business), Standing Order No. 18 (Consideration of draft legislative reform orders etc.), Standing Order No. 41A (Deferred divisions), Standing Order No. 54 (Consideration of estimates), Standing Order No. 55 (Questions on voting of estimates, &c.), Standing Order No. 77 (Third reading), Standing Order No. 80A (Carry-over of bills), Standing Order No. 122D (Election of chair of Backbench Business Committee), Standing Order No. 141 (Regulatory Reform Committee), Standing Order No. 151 (Statutory Instruments (Joint Committee)), Standing Order No. 152G (Committee on Members’ Expenses), Standing Order No. 152H (Planning: national policy statements), and Standing Order No. 152J (Backbench Business Committee).

New Standing Order No. 80B (Carry-over (bills brought in upon a ways and means resolution))
New Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders)
New Standing Order No. 152K (Public Bodies: draft orders)

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Votes and Proceedings of the House of Commons
The text of the amended Standing Order No. 15 (Exempted business) is as follows.¹

15.—(1) The following business may be proceeded with at any hour though opposed, shall not, save for the purpose of moving a motion pursuant to paragraph (2) of this order, be interrupted at the moment of interruption, and, if under discussion when business is postponed under the provisions of any standing order, may be resumed, though opposed, after the interruption of business:

(a) proceedings on a bill brought in upon a ways and means resolution;

(b) proceedings in pursuance of any standing order of this House which provides that proceedings, though opposed, may be decided after the expiration of the time for opposed business;

(c) proceedings on a motion such as is referred to in paragraph (2) of Standing Order No. 121 (Nomination of select committees) for the nomination or discharge of members of select committees to which that paragraph applies which has been opposed at or after the interruption of business on a preceding day:

Provided that any questions necessary to dispose of the proceedings on such a motion shall be put at eleven o’clock on Monday or Tuesday, eight o’clock on Wednesday or seven o’clock on Thursday or one hour after the commencement of those proceedings, whichever is the later.

(2) If a notice of motion in the name of a Minister of the Crown stands upon the order paper at the commencement of

¹ New text shown in italics.
public business to the effect that any specified business may be proceeded with at this day’s sitting though opposed—

(a) until any hour;

(b) until a specified hour; or

(c) until either a specified hour or the end of a specified period after it has been entered upon, whichever is the later;

or in a form combining any or all of these effects in respect of different items of business, the motion shall stand over and may not be made until after the interruption of business and shall then be proceeded with, though opposed, in accordance with the following paragraphs of this order provided that on any day on which the Speaker is directed to put questions at the moment of interruption pursuant to paragraph (6) of Standing Order No. 54 (Consideration of estimates), any such motion shall stand over until those questions have been decided.

(3) If the business interrupted is included in the business specified in the motion or in paragraph (1) of this order, the Speaker shall, immediately after the interruption of business, or if the House has been in committee, before any day is named for the House again to resolve itself into that committee, call upon the Minister to move his motion and the question thereon shall be put forthwith, and after that question has been decided the consideration of the business interrupted shall be resumed if such business is included in the business specified in paragraph (1) of this order or if the question be resolved in the affirmative.

(4) If the business interrupted is not included in the business specified in the motion or in paragraph (1) of this order, the Speaker shall call upon the Minister to move his motion at the conclusion of any proceedings arising on the interruption of
business under the provisions of Standing Order No. 9 (Sittings of the House) but before the resumption of any proceedings postponed under Standing Order No. 20 (Time for taking private business) or Standing Order No. 24 (Emergency debates).

(5) If a motion made under either of the two preceding paragraphs be agreed to, the business so specified shall be proceeded with as if it were included in the business specified in paragraph (1) of this order, save that—

(a) business which may be proceeded with until a specified hour may not, if opposed, be entered upon or resumed after that hour and the proceedings thereon if not previously concluded shall be interrupted at that hour;

(b) when proceedings on such business have been postponed under the provisions of Standing Order No. 24 (Emergency debates), such business may be proceeded with after the specified hour for a further period of time equal to the duration of the proceedings upon the motion under the said Standing Order No. 24; and

(c) the proceedings upon business which may be proceeded with until either a specified hour or the end of a specified period after it has been entered upon, whichever is the later, shall if not previously concluded be interrupted at that hour or at the end of that period, as the case may be.

(6) Not more than one motion under paragraph (2) of this order may be made at any one sitting and after any business proceeding under the provisions of this order is disposed of after the moment of interruption, the remaining business of the sitting shall be dealt with according to the provisions of
Standing Order No. 9 (Sittings of the House) applicable to business taken after the moment of interruption.

The text of the amended Standing Order No. 18 (Consideration of draft and legislative reform orders etc.) is as follows.¹

18.—(1) If the Regulatory Reform Committee has recommended under paragraph (4) of Standing Order No. 141 (Regulatory Reform Committee) or paragraph (5) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) that a draft order subject to the affirmative procedure should be approved, or has recommended under paragraph (6) of Standing Order No. 141 (Regulatory Reform Committee) or paragraph (7) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) that a draft order should be approved, and a motion is made by a Minister of the Crown to that effect, the question thereon shall—

(a) if the committee’s recommendation was agreed without a division, be put forthwith; and

(b) if the committee’s recommendation was agreed after a division, be put not later than one and a half hours after the commencement of proceedings on the motion.

(2) If the committee has recommended under paragraph (4) of Standing Order No. 141 (Regulatory Reform Committee) or paragraph (5) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) that a draft order subject to the affirmative procedure be not approved, or has recommended under paragraph (6) of Standing Order No. 141 (Regulatory Reform Committee) or paragraph (7) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) that a draft order should not be approved, and a motion is made by a Minister of the Crown to that effect, the question thereon shall—

(a) if the committee’s recommendation was agreed without a division, be put forthwith; and

(b) if the committee’s recommendation was agreed after a division, be put not later than one and a half hours after the commencement of proceedings on the motion.

¹ New text shown in italics.
141 (Regulatory Reform Committee) or paragraph (7) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) that a draft order be not approved, no motion to approve the draft order shall be made unless the House has previously resolved to disagree with the committee’s report; the questions necessary to dispose of proceedings on the motion for such a resolution shall be put not later than three hours after their commencement; and the question on any motion thereafter made by a Minister of the Crown that the draft order be approved shall be put forthwith.

(3) If the committee has recommended under paragraph (4) of Standing Order No. 141 (Regulatory Reform Committee) or paragraph (5) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) that a draft order subject to the negative resolution procedure should not be made (and that the recommendation is not intended to operate section 16(4) of the Legislative and Regulatory Reform Act 2006), that recommendation shall be deemed to constitute notice of a motion under sub-paragraph (4)(a) of Standing Order No. 118 (Delegated Legislation Committees).

(4) Motions under paragraphs (1) or (2) of this order may be proceeded with, though opposed, until any hour.

The text of the amended Standing Order No. 41A (Deferred divisions) is as follows.¹

41A.—(1) Except as provided in paragraph (2), Standing Order No. 38 (Procedure on divisions) shall not apply if, after the time for the interruption of business, the opinion of the Speaker as to the decision on a question is challenged in respect of any question.

¹. New text shown in italics.
(2) Standing Order No. 38 (Procedure on divisions) shall apply (and this order shall not apply) to questions—

(a) on motions or amendments in the course of proceedings on bills or allocating time to or programming such proceedings;

(b) on motions which may be made without notice;

(c) on motions to be disposed of immediately following the disposal of amendments proposed thereto, and on such amendments;

(d) on motions made under—

   (i) paragraph (2) of Standing Order No. 15 (Exempted business);

   (ii) paragraph (3) of Standing Order No. 51 (Ways and means motions);

   (iii) sub-paragraph (1)(a) of Standing Order No. 52 (Money resolutions and ways and means resolutions in connection with bills);

   (iv) paragraph (6) of Standing Order No. 54 (Consideration of estimates); and

   (v) paragraph (1) of Standing Order No. 55 (Questions on voting of estimates, &c); and

(e) on motions made under paragraph (3) below or to which an order made under that paragraph applies.

(3) After the moment of interruption and the conclusion of proceedings under any other Standing Order which fall to be taken immediately after it, a Minister of the Crown may make
a motion to the effect that this order shall not apply to questions on any specified motions; such motion may be proceeded with, though opposed, and the question thereon shall be put forthwith.

(4) If the opinion of the Speaker is challenged under paragraph (1) of this order, he shall defer the division until half-past eleven o’clock on the next Wednesday on which the House shall sit.

(5) On any Wednesday to which a division has been deferred under paragraph (4) above—

(a) Members may record their votes on the question under arrangements made by the Speaker;

(b) votes may be recorded for two and a half hours after half-past eleven o’clock, no account being taken of any period during which the House or committee proceeds to a division; and

(c) the Speaker, or the chair, shall announce the result of the deferred division as soon as may be after the expiry of the period mentioned in sub-paragraph (b) above.

The text of the amended Standing Order No. 54 (Consideration of estimates) is as follows:

54.—(1) Three days, other than Fridays, shall be allotted in each session for the consideration of estimates set down under the provisions of paragraph (3) of Standing Order No. 145.

1. New text shown in italics.

2. This Standing Order will apply for the remainder of this Session as if, for the word ‘Three’ in line 1, there were substituted the word ‘Five’ (Order of 14 December 2011).
(Liaison Committee); and not more than one day so allotted may be taken in the form of two half days, not being Fridays.

(2) On any such day—

(a) consideration of estimates or reports of the Liaison Committee relating thereto shall stand as first business; and

(b) other business may be taken before the moment of interruption only if the consideration of estimates has been concluded.

Provided that the foregoing provisions of this paragraph shall not apply on any day on which time has been allocated pursuant to paragraph (2)(b) of Standing Order No. 24 (Emergency debates).

(3) On any such half day—

(a) proceedings on consideration of estimates or reports of the Liaison Committee relating thereto, standing as first business, shall be interrupted at seven o’clock on Monday or Tuesday, four o’clock on Wednesday or three o’clock on Thursday; or

(b) notwithstanding the provisions of paragraph (2) of this order, consideration of estimates or reports of the Liaison Committee relating thereto may be set down for consideration at the hour specified in sub-paragraph (a) above and shall be entered upon at that time:

Provided that on days on which time has been allocated pursuant to paragraph (2)(b) of Standing Order No. 24 (Emergency debates) or the Chairman of Ways and Means has set down opposed private business under paragraph (5) of Standing Order No. 20.
(Time for taking private business), proceedings under this sub-paragraph shall not be entered upon until the business in question has been disposed of and may then be proceeded with for three hours, notwithstanding the provisions of Standing Order No. 9 (Sittings of the House).

(4) On any day or half day allotted under this order, questions necessary to dispose of proceedings (other than a dilatory motion) on the estimates on which debate has been concluded shall be deferred until the day and hour prescribed under paragraph (6) of this order.

(5) Any estimates on which questions have been deferred to another day in accordance with the provisions of paragraphs (4) and (6) of this order, together with any questions so deferred, and all other estimates appointed for consideration on any previous day or half day allotted under this order shall be set down for consideration on the day to which the questions have been deferred.

(6) On the day to which the provisions of paragraph (2) or (3) of Standing Order No. 55 (Questions on voting of estimates, &c) apply which falls after or on any day or half-day allotted under this order, the Speaker shall, at the time prescribed in paragraph (1) of that order, put, successively, any questions deferred under paragraph (4) of this order on any previous day or half day allotted under this order, any questions deferred under paragraph (4) of this order on the day and any questions necessary to dispose of proceedings on all other estimates appointed for consideration on any day or half day allotted under this order.
The text of the amended Standing Order No. 55 (Questions on voting of estimates, &c.) is as follows.¹

55.—(1) On any day to which the provisions of paragraph (2) or (3) of this order apply, at the moment of interruption or as soon thereafter as proceedings under the proviso to paragraph (3)(b) of Standing Order No. 54 (Consideration of estimates) have been disposed of, the Speaker shall (after putting any questions required to be put under paragraph (6) of Standing Order No. 54) put the questions on—

(a) any outstanding vote relating to numbers for defence services;

(b) any motion authorising amounts and limits on appropriations in aid, set out in outstanding estimates.

(2) The provisions of paragraph (1) of this order shall apply on a day not later than 18 March, if any of the following total amounts have been put down for consideration:

(a) votes on account for the coming financial year;

(b) supplementary and new estimates for the current financial year which have been presented at least fourteen days previously.

(c) votes relating to numbers for defence services;

(d) excess votes, provided that the Committee of Public Accounts has reported that it sees no objection to the amounts and modifications to limits on appropriations in aid necessary being authorised by excess vote.

¹ New text shown in italics. These changes have effect for the remainder of this Session. Further changes will take effect at the beginning of the next Session.
(3) The provisions of paragraph (1) of this order shall apply on a day not later than 5 August in respect of any motion authorising amounts, and limits on appropriations in aid, set out in outstanding estimates.

(4) At least two days’ notice shall be given of the motions which are to be put down for consideration under paragraphs (2) or (3) of this order.

(5) The provisions of this order shall not apply to any vote of credit or votes for supplementary or additional estimates for war expenditure.

The text of the amended Standing Order No. 77
(Third reading) is as follows.¹

77.—(1) No amendments, not being merely verbal, shall be made to any bill on the third reading.

(2) The third reading of a bill brought in upon a ways and means resolution may be taken at the same sitting of the House as its consideration on report.

The text of the amended Standing Order No. 80A
(Carry-over of bills) is as follows.¹

80A.—(1) Subject to the following provisions of this order, a Minister of the Crown may give notice of a motion (a ‘carry-over motion’) that proceedings on a public bill not completed before the end of the Session shall be resumed in the next Session of Parliament; and the Speaker shall put any question necessary to dispose of proceedings on such a motion.

¹. New text shown in italics.
(other than a motion relating to a bill brought in upon a ways and means resolution)—

(a) forthwith if the motion is made on the day the bill is read a second time; or

(b) not more than one and a half hours after the commencement of proceedings on the motion if the motion is made at any other time.

(2) A carry-over motion may be proceeded with, though opposed, after the moment of interruption.

(3) A carry-over motion shall not be made in respect of more than one bill.

(4) A carry-over motion shall not be made in respect of a bill carried over from a previous Session of Parliament.

(5) A carry-over motion may be made only in respect of a bill presented by a Minister of the Crown.

(6) The provisions of this order shall not apply to a carry-over motion made in respect of a bill brought from the Lords.

(7) Paragraphs (8) to (11) of this order shall apply to any bill (other than a bill brought in upon a ways and means resolution) ordered to be carried over to the next Session of Parliament in pursuance of a carry-over motion.

(8) If proceedings in committee on the bill are begun but not completed before the end of the first Session, the chair shall report the bill to the House as so far amended and the bill and any evidence received by the committee shall be ordered to lie upon the Table.
(9) In any other case, proceedings on the bill shall be suspended at the conclusion of the Session in which the bill was first introduced.

(10) If a bill is presented in the next Session in the same terms as the bill reported to the House under paragraph (8) or as it stood when proceedings were suspended under paragraph (9), the bill shall be read the first and second time without question put, shall be ordered to be printed, and—

(a) in the case of a bill reported from a public bill committee under paragraph (8), shall stand committed to a public bill committee in respect of those clauses and schedules not ordered to stand part of the bill in the first Session;

(b) in the case of a bill reported from a committee of the whole House under paragraph (8), shall stand committed to a committee of the whole House in respect of those clauses and schedules not ordered to stand part of the bill in the first Session;

(c) in the case of a bill committed to a public bill committee but on which proceedings on the bill were not begun, shall again stand committed to a public bill committee;

(d) otherwise shall be set down as an order of the day for (as the case may be) committee, consideration, further consideration or third reading.

(11) Notices of amendments, new clauses and new schedules given in respect of parts of a bill not disposed of in the first Session shall be reprinted as notices in respect of the bill as presented and proceeded with under paragraph (10).
(12) A programme order relating to a bill which is carried over to the next session of Parliament shall continue to apply in the next Session.

(13) Proceedings on a bill ordered to be carried over to the next Session of Parliament shall lapse on the expiry of the period of twelve months from the date of its first reading in this House and the bill shall be laid aside unless the House shall order, in pursuance of a motion under paragraph (14), that proceedings on the bill be extended for a specified period.

(14) A motion may be made by a Minister of the Crown to extend for a specified period proceedings on a bill which would otherwise lapse under paragraph (13), and any such motion—

(a) may contain provisions amending or supplementing a programme order in respect of the bill;

(b) may be proceeded with, though opposed, after the moment of interruption;

and the Speaker shall put any question necessary to dispose of proceedings on any such motion not later than one and a half hours after the commencement of those proceedings.

The text of new Standing Order No. 80B (Carry-over (bills brought in upon a ways and means resolution)) is as follows.

80B.—(1) The Speaker shall put any question necessary to dispose of proceedings on a carry-over motion of which a Minister of the Crown has given notice under Standing Order No. 80A (Carry-over of bills) relating to a bill brought in upon a ways and means resolution—
(a) forthwith if the motion is made on any day before the bill is read a second time, or on the day the bill is read a second time; or

(b) not more than one and a half hours after the commencement of proceedings on the motion if the motion is made at any other time.

(2) The following paragraphs of this order shall apply to any bill ordered to be carried over to the next Session of Parliament in pursuance of a carry-over motion to which paragraph (1) applies.

(3) If proceedings in committee on the bill are begun but not completed before the end of the first Session, the chair shall report the bill to the House as so far amended and the bill and any evidence received by the committee shall be ordered to lie upon the Table.

(4) In any other case, proceedings on the bill shall be suspended at the conclusion of the Session in which the bill was first introduced.

(5) In the next Session of Parliament, a Minister of the Crown may, after notice, present a bill in the same terms as the bill reported to the House under paragraph (3) of this order or as it stood when proceedings were suspended under paragraph (4) of this order; the bill shall be read the first time without question put and shall be ordered to be printed; and paragraphs (6) to (13) shall apply to the bill.

(6) In respect of all proceedings on the bill, any resolution which the bill was brought in upon in the first Session shall be treated as if it were such a resolution of the House in the next Session and any reference in any resolution upon which the bill was brought in to a Bill or Act of the present Session shall be
treated in the next Session as a reference to a Bill or Act of that Session.

(7) In respect of all proceedings on the bill, the bill shall be treated as a bill brought in upon ways and means resolutions.

(8) If the bill was read a second time in the first Session, it shall be read a second time without question put.

(9) If the bill was not set down for consideration at any time in the first Session, any committal order in respect of the bill shall apply to proceedings on the bill in the next Session (subject to paragraphs (10) and (11)).

(10) If the bill was reported from a public bill committee under paragraph (3), it shall stand committed to a public bill committee in respect of those clauses and schedules which were committed to a public bill committee in the first Session and not ordered to stand part of the bill in that Session.

(11) If the bill was reported from a committee of the whole House under paragraph (3), it shall stand committed to a committee of the whole House in respect of those clauses and schedules which were committed to a committee of the whole House in the first Session and not ordered to stand part of the bill in that Session.

(12) If the bill was read a second time in the first Session and was not set down for consideration at any time in that Session, any order of the House giving leave for a committee on the bill to sit twice on the first day on which it meets in the first Session shall apply to the first day on which the committee meets in the next Session.

(13) If the bill was set down for consideration at any time in the first Session, the bill shall be set down as an order of the day
for (as the case may be) consideration, further consideration or third reading.

(14) Notices of amendments, new clauses and new schedules given in respect of parts of the bill not disposed of in the first Session shall be reprinted as notices in respect of the bill as presented and proceeded with under paragraph (5).

The text of the amended Standing Order No. 122D (Election of chair of Backbench Business Committee) is as follows.¹

122D.—(1) (a) The election of the chair of the Backbench Business Committee shall take place at the start of each session on a day to be determined by the Speaker.

(b) Nominations of candidates shall be in writing and shall be received by the Clerk of the House between 10.00 am and 5.00 pm on the day before the day appointed for election.

(c) No member may be a candidate for the chair of the committee if that Member’s party is represented in Her Majesty’s Government.

(d) Each nomination shall consist of a signed statement made by the candidate declaring their willingness to stand for election, accompanied by the signatures of not fewer than twenty nor more than twenty-five Members, of whom no fewer than ten shall be members of a party represented in Her Majesty’s Government and no fewer than ten shall be members of a party not so represented or of no party.

¹ New text shown in italics.
(e) No Member may sign the statement of more than one candidate.

(f) As soon as practicable following the close of nominations, a list of the candidates and their accompanying signatories shall be published.

(g) Arrangements for the election shall follow those set out in paragraphs (9) to (14) of Standing Order No. 122B (Election of select committee chairs), save that in sub-paragraph (11)(e) the opening hours of the ballot shall be between 11.00 am and 1.00 pm and in paragraph (12) reference to variation of timings shall be read as applying also to the timings in sub-paragraph (b) and (g) of this paragraph.

(2) Standing Order No. 122C (Resignation or removal of chairs of select committees) shall apply to the chair of the Backbench Business Committee, save for paragraph (2) of that Order; and any election following a vacancy in the chair shall be held under the provisions of paragraph (1)(b) to (g) above.

The text of the amended Standing Order No. 141 (Regulatory Reform Committee) is as follows.¹

141.—(1) There shall be a select committee, called the Regulatory Reform Committee, to examine and report on—

(i) every draft order laid before the House under sections 14 or 18 of the Legislative and Regulatory Reform Act 2006 (‘the Act’), other than one laid under section 18 of the Act as applied by section 7 of the Localism Act

¹. New text shown in italics.
2011 or by section 5E of the Fire and Rescue Services Act 2004;

(ii) any subordinate provisions order or draft of such an order made or proposed to be made under sections 1 and 4 of the Regulatory Reform Act 2001 (except those not made by a Minister of the Crown);

(iii) any matter arising from its consideration of such orders or draft orders; and

(iv) matters relating to regulatory reform;

and to carry out its functions under Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders).

(2) In the case of every draft order referred to in paragraph (1)(i) above the committee shall consider the Minister’s recommendation under section 15(1) of the Act as to the procedure which should apply to it and shall report to the House any recommendation under the Act that a different procedure should apply.

(3) In its consideration of draft orders under Part 1 of the Act the committee shall include in each case, in addition to such other matters as it deems appropriate, whether provision in the draft order—

(a) appears to make an inappropriate use of delegated legislation;

(b) serves the purpose of removing or reducing a burden, or the overall burdens, resulting directly or indirectly for any person from any legislation (in respect of a draft order under section 1 of the Act);
(c) serves the purpose of securing that regulatory functions are exercised so as to comply with the regulatory principles, as set out in section 2(3) of the Act (in respect of a draft order under section 2 of the Act);

(d) secures a policy objective which could not be satisfactorily secured by non-legislative means;

(e) has an effect which is proportionate to the policy objective;

(f) strikes a fair balance between the public interest and the interests of any person adversely affected by it;

(g) does not remove any necessary protection;

(h) does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;

(i) is not of constitutional significance;

(j) makes the law more accessible or more easily understood (in the case of provisions restating enactments);

(k) has been the subject of, and takes appropriate account of, adequate consultation;

(l) gives rise to an issue under such criteria for consideration of statutory instruments laid down in paragraph (1) of Standing Order No. 151 (Statutory Instruments (Joint Committee)) as are relevant;

(m) appears to be incompatible with any obligation resulting from membership of the European Union:
Provided that in the case of draft orders under section 20 of the Act, those criteria which are not relevant to provisions made pursuant to section 2(2) of the European Communities Act 1972 need not be taken into consideration in relation to those provisions.

(4) In relation to every draft order laid under section 14 of the Act subject to the negative or affirmative procedure under sections 16 or 17 of the Act, the committee shall report its recommendation whether the draft order should be made (in the case of the negative procedure) or approved (in the case of the affirmative procedure), indicating in the case of the latter whether the recommendation was agreed without a division.

(5) In relation to every draft order laid under section 14 of the Act subject to the super-affirmative procedure under section 18 of the Act, the committee shall report its recommendation as to whether—

(a) the draft order should be proceeded with unamended under section 18(3) of the Act; or

(b) a revised draft order should be laid under section 18(7) of the Act; or

(c) no statement under section 18(3) or revised draft order under section 18(7) should be laid.

(6) In relation to every draft order or revised draft order referred to in paragraph (1)(i) of this order that is subject to the super-affirmative procedure and is being proceeded with under section 18(3) or 18(7) of the Act, the committee shall report its recommendation whether the draft order or revised draft order should be approved, indicating in the case of draft orders which it recommends should be approved whether its recommendation was agreed without a division; and in respect of such draft orders or revised draft orders the committee shall
consider in each case all such matters set out in paragraph (3) of this order as are relevant and the extent to which the Minister concerned has had regard to any resolution or report of the committee or to any other representations made during the period for parliamentary consideration.

(7) It shall be an instruction to the committee considering draft orders referred to in paragraph (1)(i) of this order and being proceeded with under section 18(3) or 18(7) that it report not more than fifteen sitting days (in the case of an order under section 18(3)) or twenty-five sitting days (in the case of an order under section 18(7)) after the relevant statement is laid.

(8) In relation to every draft order or revised draft order referred to in paragraph (1)(i) of this order, the committee shall report any recommendation under section 16(4) of the Act that the draft order be not made, or under sections 17(3), 18(5) or 18(9) of the Act that no further proceedings be taken in relation to the draft order.

(9) In its consideration of any subordinate provisions order under paragraph (1)(ii) of this order, the committee shall in each case consider whether the special attention of the House should be drawn to it on any of the grounds laid down in paragraph (1) of Standing Order No. 151 (Statutory Instruments (Joint Committee)); and if the committee is of the opinion that any such order or draft order should be annulled, or, as the case may be, should not be approved, they shall report that opinion to the House.

(10) The committee shall consist of fourteen members; and, unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament.

(11) The committee shall have power—
(a) to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report from time to time;

(b) to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee’s order of reference; and

(c) to appoint a sub-committee, of which the quorum shall be two, which shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, and to adjourn from place to place.

(12) The committee and the sub-committee shall have the assistance of the Counsel to the Speaker.

(13) The committee and the sub-committee shall have power to invite Members of the House who are not members of the committee to attend meetings at which witnesses are being examined in relation to matters within paragraphs (1)(i) to (iii) or within paragraph (1) of Standing Order No. 142 (Localism Act 2011, etc.: scrutiny of certain orders and draft orders) and such Members may, at the discretion of the chair, ask questions of those witnesses; but no Member not being a member of the committee shall otherwise take part in the proceedings of the committee or sub-committee, or be counted in the quorum.

(14) It shall be an instruction to the committee that before reporting on a draft order it shall afford to any government department concerned an opportunity of furnishing orally or in writing to it or to the sub-committee appointed by it such explanations as the department thinks fit, except to the extent that the committee considers that it is not reasonably practicable to do so without risking the opportunity for
The text of new Standing Order No. 142
(Localism Act 2011, etc.: scrutiny of certain orders and draft orders) is as follows.

142.—(1) The Regulatory Reform Committee shall examine and report on—

(i) every draft order laid before the House under or by virtue of section 7 of the Localism Act 2011 or section 5E of the Fire and Rescue Services Act 2004;

(ii) every draft order laid before the House under section 19 of the Localism Act 2011.

(2) In the case of every draft order referred to in paragraph (1)(i) the committee shall consider the Minister’s recommendation under section 15(1) of the Legislative and Regulatory Reform Act 2006 (‘the 2006 Act’) as to the procedure which should apply to it and shall report to the House any recommendation under that Act that a different procedure should apply.

(3) In its consideration of a draft order referred to in paragraph (1)(i) the committee shall include, in addition to such other matters as it deems appropriate, whether provision in the draft order—

(a) appears to make an inappropriate use of delegated legislation;

(b) has an effect which is proportionate to the policy objective intended to be secured;
(c) strikes a fair balance between the public interest and the interests of any person adversely affected by it;

(d) does not remove any necessary protection;

(e) does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;

(f) is not of constitutional significance;

(g) has been the subject of, and takes appropriate account of, adequate consultation;

(h) gives rise to an issue under such criteria for consideration of statutory instruments laid down in paragraph (1) of Standing Order No. 151 (Statutory Instruments (Joint Committee)) as are relevant.

(4) In its consideration of a draft order referred to in paragraph (1)(ii) the committee shall include, in addition to such other matters as it deems appropriate, whether provision in the draft order—

(a) appears to make an inappropriate use of delegated legislation;

(b) gives rise to an issue under such criteria for consideration of statutory instruments laid down in paragraph (1) of Standing Order No. 151 (Statutory Instruments (Joint Committee)) as are relevant.

(5) In relation to every draft order laid under section 7(2) of the Localism Act 2011 or section 5E(2) of the Fire and Rescue Services Act 2004 subject to the negative or affirmative procedure under section 16 or 17 of the 2006 Act, the committee shall report its recommendation whether the draft
order should be made (in the case of the negative procedure) or approved (in the case of the affirmative procedure), indicating in the case of the latter whether the recommendation was agreed without a division.

(6) In relation to every draft order laid under section 7(2) of the Localism Act 2011 or section 5E(2) of the Fire and Rescue Services Act 2004 subject to the super-affirmative procedure under section 18 of the 2006 Act, the committee shall report its recommendation as to whether—

(a) the draft order should be proceeded with unamended under section 18(3) of the 2006 Act; or

(b) a revised draft order should be laid under section 18(7) of the 2006 Act; or

(c) no statement under section 18(3) of the 2006 Act or revised draft order under section 18(7) of the 2006 Act should be laid.

(7) In relation to every draft order or revised draft order referred to in paragraph (1)(i) of this order that is subject to the super-affirmative procedure and is being proceeded with under section 18(3) or 18(7) of the 2006 Act, the committee shall report its recommendation whether the draft order or revised draft order should be approved, indicating in the case of draft orders which it recommends should be approved whether its recommendation was agreed without a division; and in respect of such draft orders or revised draft orders the committee shall consider in each case all such matters set out in paragraph (3) of this order as are relevant and the extent to which the Minister concerned has had regard to any resolution or report of the committee or to any other representations made during the period for parliamentary consideration.
(8) It shall be an instruction to the committee considering draft orders referred to in paragraph (1)(i) of this order and being proceeded with under section 18(3) or 18(7) of the 2006 Act that it report not more than fifteen sitting days (in the case of an order under section 18(3) of the 2006 Act) or twenty-five sitting days (in the case of an order under section 18(7) of the 2006 Act) after the relevant statement is laid.

(9) In relation to every draft order or revised draft order referred to in paragraph (1)(i) of this order, the committee shall report any recommendation under section 16(4) of the 2006 Act that the draft order be not made, or under section 17(3), 18(5) or 18(9) of the 2006 Act that no further proceedings be taken in relation to the draft order.

(10) In relation to every draft order laid under section 19 of the Localism Act 2011, the committee shall report its recommendation as to whether—

(a) the draft order should be proceeded with unamended under section 19(3) of that Act; or

(b) a revised draft order should be laid under section 19(7) of that Act; or

(c) no statement under section 19(3) of that Act or revised draft order under section 19(7) of that Act should be laid.

(11) In relation to every draft order or revised draft order being proceeded with under section 19(3) or 19(7) of the Localism Act 2011, the committee shall report its recommendation whether the draft order or revised draft order should be approved, indicating in the case of draft orders which it recommends should be approved whether its recommendation was agreed without a division; and in respect of such draft orders or revised draft orders the committee shall
consider in each case all such matters set out in paragraph (4) of this order as are relevant and the extent to which the Minister concerned has had regard to any resolution or report of the committee or to any other representations made during the period for parliamentary consideration.

(12) It shall be an instruction to the committee considering draft orders being proceeded with under section 19(3) or 19(7) of the Localism Act 2011 that it report not more than fifteen sitting days (in the case of an order under section 19(3) of that Act) or twenty-five sitting days (in the case of an order under section 19(7) of that Act) after the relevant statement is laid.

(13) In relation to every draft order or revised draft order referred to in paragraph (1)(ii) of this order, the committee shall report any recommendation under section 19(5) or 19(9) of the Localism Act 2011 that no further proceedings be taken in relation to the draft order.

The text of the amended Standing Order No. 151 (Statutory Instruments (Joint Committee)) is as follows.¹

1. New text shown in italics.
(b) a scheme, or an amendment of a scheme, or a draft thereof, requiring approval by statutory instrument;

(c) any other instrument (whether or not in draft), where the proceedings in pursuance of an Act of Parliament are proceedings by way of an affirmative resolution; or

(d) an order subject to special parliamentary procedure;

but excluding any remedial order or draft remedial order under Schedule 2 to the Human Rights Act 1998, any draft order proposed to be made under Part 1 of the Legislative and Regulatory Reform Act 2006, any draft order laid before the House under or by virtue of section 7 or 19 of the Localism Act 2011 or section 5E of the Fire and Rescue Services Act 2004 and any subordinate provisions order made or proposed to be made under the Regulatory Reform Act 2001;

(B) every general statutory instrument not within the foregoing classes, and not within paragraph (10) of this order, but not including any Scottish statutory instrument or any statutory instrument made by the Welsh Ministers unless it is required to be laid before Parliament or either House of Parliament and not including measures under the Church of England Assembly (Powers) Act 1919 and instruments made under such measures:

with a view to determining whether the special attention of the House should be drawn to it on any of the following grounds—

(i) that it imposes a charge on the public revenues or contains provisions requiring payments to be made to
the Exchequer or any government department or to any
local or public authority in consideration of any licence
or consent or of any services to be rendered, or
prescribes the amount of any such charge or payment;

(ii) that it is made in pursuance of any enactment
containing specific provisions excluding it from
challenge in the courts, either at all times or after the
expiration of a specific period;

(iii) that it purports to have retrospective effect where the
parent statute confers no express authority so to
provide;

(iv) that there appears to have been unjustifiable delay in
the publication or in the laying of it before Parliament;

(v) that there appears to have been unjustifiable delay in
sending a notification under the proviso to section 4(1)
of the Statutory Instruments Act 1946, where an
instrument has come into operation before it has been
laid before Parliament;

(vi) that there appears to be a doubt whether it is intra
vires or that it appears to make some unusual or
unexpected use of the powers conferred by the statute
under which it is made;

(vii) that for any special reason its form or purport calls
for elucidation;

(viii) that its drafting appears to be defective;

or on any other ground which does not impinge on its merits or
on the policy behind it; and to report its decision with the
reasons thereof in any particular case.
(2) The quorum of the committee shall be two.

(3) The committee shall have power to appoint one or more sub-committees severally to join with any sub-committee or sub-committees appointed by the committee appointed by the Lords; and to refer to such sub-committee or sub-committees any of the matters referred to the committee.

(4) The committee and any sub-committee appointed by it shall have the assistance of the Counsel to the Speaker and, if their Lordships think fit, of the Counsel to the Lord Chairman of Committees.

(5) The committee shall have power to sit notwithstanding any adjournment of the House and to report from time to time, and any sub-committee appointed by it shall have power to sit notwithstanding any adjournment of the House.

(6) The committee and any sub-committee appointed by it shall have power to require any government department concerned to submit a memorandum explaining any instrument which may be under its consideration or to depute a representative to appear before it as a witness for the purpose of explaining any such instrument.

(7) The committee and any sub-committee appointed by it shall have power to take evidence, written or oral, from Her Majesty’s Stationery Office, relating to the printing and publication of any instrument.

(8) The committee shall have power to report to the House from time to time any memorandum submitted to it or other evidence taken before it or any sub-committee appointed by it from any government department in explanation of any instruments.
(9) It shall be an instruction to the committee that before reporting that the special attention of the House be drawn to any instrument the committee do afford to any government department concerned therewith an opportunity of furnishing orally or in writing to it or to any sub-committee appointed by it such explanations as the department think fit.

(10) It shall be an instruction to the committee that it shall consider any instrument which is directed by Act of Parliament to be laid before and to be subject to proceedings in this House only, being—

(a) a statutory instrument, or a draft of a statutory instrument;

(b) a scheme, or an amendment to a scheme, or a draft thereof, requiring approval by statutory instrument; or

(c) any other instrument (whether or not in draft), where the proceedings in pursuance of an Act of Parliament are proceedings by way of an affirmative resolution;

and that it have power to draw such instruments to the special attention of the House on any of the grounds on which the Joint Committee is empowered so to draw the special attention of the House; and that in considering any such instrument the committee do not join with the committee appointed by the Lords.

(11) Unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament.
The text of the amended Standing Order No. 152G (Committee on Members’ Expenses) is as follows.¹

Committee on Members’ Expenses

152G.—(1) There shall be a select committee, called the Committee on Members’ Expenses to consider such matters relating to Members’ expenses as may be referred to it by the House;

(2) The committee shall consist of eight members;

(3) Unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament;

(4) The committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to appoint specialist advisers and to report from time to time.

The text of the amended Standing Order No. 152H (Planning: national policy statements) is as follows.²

152H.—(1) Whenever a proposal for a national policy statement is laid before this House under section 9(2) of the Planning Act 2008 (‘the Act’), the Liaison Committee shall report either—

¹. New text shown in italics. Title changed from Committee on Members’ Allowances.
². New text shown in italics.
(a) that it has designated a select committee appointed
under Standing Order No. 152, or

(b) that it recommends the appointment of a National
Policy Statement Committee
to consider the proposal.

(2) A National Policy Statement Committee—

(a) shall be composed of not fewer than seven nor more
than fourteen members, all of whom shall be, at the
time of nomination, members of one or more of the
following select committees—

- Communities and Local Government
- Energy and Climate Change
- Environment, Food and Rural Affairs
- Transport
- Welsh Affairs;

(b) shall have power—

(i) to send for persons, papers and records, to sit
notwithstanding any adjournment of the House, to
adjourn from place to place within the UK; and

(ii) to appoint specialist advisers either to supply
information which is not readily available or to
elucidate matters of complexity within the
committee’s order of reference; and
(c) may report from time to time and shall cease to exist when the relevant national policy statement is designated.

(3) A committee designated or appointed to consider a proposal for a national policy statement shall have power, in the course of its proceedings under this order, to invite Members of the House who are not members of the committee to attend, and, at the discretion of the chair, take part in, its proceedings, but such Members may not move any motion or amendment to any motion or draft report, nor vote nor be counted in the quorum of the committee.

The text of the amended Standing Order No. 152J (Backbench Business Committee) is as follows: 1

152J.—(1) There shall be a select committee, called the Backbench Business Committee, to determine the backbench business to be taken in the House and in Westminster Hall on days, or parts of days, allotted for backbench business.

(2) The committee shall consist of a chair and seven other Members, of whom four shall be a quorum.

(3) The chair of the committee shall continue as chair for the remainder of the Session in which that person is elected as chair unless the chair is declared vacant by the Speaker under the provisions of Standing Order No. 122C (Resignation or removal of chairs of select committees) as applied by paragraph (3) of Standing Order No. 122D (Election of Backbench Business Committee).

1 New text shown in italics.
(4) The chair of the committee shall be elected in accordance with the provisions of Standing Order No. 122D (Election of chair of Backbench Business Committee).

(5) No Member who is a Minister of the Crown or parliamentary private secretary or a principal opposition frontbench spokesperson shall be eligible to be the chair or a member of the committee: the Speaker’s decision shall be final on such matters.

(6) The committee shall have power to invite Government officials to attend all or part of any of its meetings.

(7) The Committee shall have power to invite Members of the House who are not members of the Committee and who are of a party not represented on the Committee or of no party to attend its meetings and, at the discretion of the chair, take part in its proceedings, but—

(a) no more than one Member may be so invited to attend in respect of the same meeting;

(b) a Member so invited shall not move any motion or amendment to any motion, vote or be counted in the quorum.

(8) The committee shall determine the backbench business to be taken—

(a) in the House on any day, or any part of any day, allotted under paragraph (3A) of Standing Order No. 14 (Arrangement of public business), and
and shall report its determinations to the House.

The text of the new Standing Order No. 152K
(Public Bodies: draft orders) is as follows.

152K.—(1) Subject to paragraph (2), the select committee charged with reporting on a draft order for the purposes of section 11(5) and (6) of the Public Bodies Act 2011 shall be—

(a) the select committee appointed under Standing Order No. 152 (Select committees related to government departments) appointed to examine the expenditure, administration and policy of the department of the Minister who has laid the draft order; or

(b) in respect of a draft order laid by a Minister in the Cabinet Office, the Select Committee on Public Administration.

(2) The Liaison Committee may report that it has designated a select committee appointed under Standing Order No. 152 (Select committees related to government departments) or the Select Committee on Public Administration as the select committee charged with reporting on a specified draft order for the purposes of section 11(5) and (6) of the Public Bodies Act 2011 in place of the select committee to which paragraph (1) applies.