



House of Lords  
House of Commons  
Joint Committee on  
Statutory Instruments

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# Twenty-second Report of Session 2014-15

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# Joint Committee on Statutory Instruments

## Current membership

### House of Lords

Baroness Humphreys (*Liberal Democrat*)  
Lord Kennedy (*Labour*)  
Lord Lyell (*Conservative*)  
Baroness Mallalieu (*Labour*)  
Lord Selkirk (*Conservative*)  
Baroness Stern (*Crossbench*)  
Lord Walpole (*Crossbench*)

### House of Commons

Mr George Mudie MP (*Labour, Leeds East*) (Chairman)  
Michael Ellis MP (*Conservative, Northampton North*)  
John Hemming MP (*Liberal Democrat, Birmingham, Yardley*)  
Mr Ian Liddell-Grainger MP (*Conservative, Bridgwater and West Somerset*)  
Toby Perkins MP (*Labour, Chesterfield*)  
Rt Hon Andrew Robathan MP (*Conservative, South Leicestershire*)

## Powers

The full constitution and powers of the Committee are set out in House of Commons Standing Order No. 151 and House of Lords Standing Order No. 74, available on the Internet via [www.parliament.uk/jcsi](http://www.parliament.uk/jcsi).

## Remit

The Joint Committee on Statutory Instruments (JCSI) is appointed to consider statutory instruments made in exercise of powers granted by Act of Parliament. Instruments not laid before Parliament are included within the Committee's remit; but local instruments and instruments made by devolved administrations are not considered by JCSI unless they are required to be laid before Parliament.

The role of the JCSI, whose membership is drawn from both Houses of Parliament, is to assess the technical qualities of each instrument that falls within its remit and to decide whether to draw the special attention of each House to any instrument on one or more of the following grounds:

- i. that it imposes, or sets the amount of, a charge on public revenue or that it requires payment for a licence, consent or service to be made to the Exchequer, a government department or a public or local authority, or sets the amount of the payment;
- ii. that its parent legislation says that it cannot be challenged in the courts;
- iii. that it appears to have retrospective effect without the express authority of the parent legislation;
- iv. that there appears to have been unjustifiable delay in publishing it or laying 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 the instrument has come into force before it has been laid;
- vi. that there appears to be doubt about whether there is power to make it or that it appears to make an unusual or unexpected use of the power to make;
- vii. that its form or meaning needs to be explained;
- viii. that its drafting appears to be defective;
- ix. any other ground which does not go to its merits or the policy behind it.

The Committee usually meets weekly when Parliament is sitting.

## Publications

The reports of the Committee are published by The Stationery Office by Order of both Houses. All publications of the Committee are on the Internet at [www.parliament.uk/jcsi](http://www.parliament.uk/jcsi).

## Committee staff

The current staff of the Committee are Joanna Welham (*Commons Clerk*), Jane White (*Lords Clerk*) and Liz Booth (*Committee Assistant*). Advisory Counsel: Peter Davis, Peter Brooksbank, Philip Davies and Daniel Greenberg (*Commons*); Nicholas Beach, Peter Milledge and John Crane (*Lords*).

## Contacts

All correspondence should be addressed to the Clerk of the Joint Committee on Statutory Instruments, 7 Millbank, London SW1P 3JA. The telephone number for general inquiries is: 020 7219 2026; the Committee's email address is: [jcsi@parliament.uk](mailto:jcsi@parliament.uk).

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## Instruments not reported

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At its meeting on 11 February 2015 the Committee considered the Instruments set out in the Annex to this Report, none of which were required to be reported to both Houses.

## Annex

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### Draft Instruments requiring affirmative approval

<b>Draft S.I.</b>	Legal Services Act 2007 (Warrant) (Approved Regulator) Regulations 2015
<b>Draft S.I.</b>	Legal Services Act 2007 (Warrant) (Licensing Authority) Regulations 2015
<b>Draft S.I.</b>	Groceries Code Adjudicator (Permitted Maximum Financial Penalty) Order 2015
<b>Draft S.I.</b>	Protection of Freedoms Act 2012 (Northern Ireland) (Biometric data) Order 2015
<b>Draft S.I.</b>	Scotland Act (Modification of Schedule 5) Order 2015
<b>Draft S.I.</b>	Restraint Orders (Legal Aid Exception and Relevant Legal Aid Payments) Regulations 2015
<b>Draft S.I.</b>	Emissions Performance Standard Regulations 2015
<b>Draft S.I.</b>	Immigration (Health Charge) Order 2015
<b>Draft S.I.</b>	Immigration and Nationality (Fees) Order 2015
<b>Draft S.I.</b>	Local Audit and Accountability Act 2014 (Special Trustees) Amendment Regulations 2015
<b>Draft S.I.</b>	Financial Services and Markets Act 2000 (Miscellaneous Provisions) Order 2015
<b>Draft S.I.</b>	Occupational Pension Schemes (Charges and Governance) Regulations 2015
<b>Draft S.I.</b>	Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2015
<b>Draft S.I.</b>	Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015

### Instruments subject to annulment

<b>S.I. 2015/43</b>	City of Birmingham (Scheme of Elections) Order 2015
<b>S.I. 2015/46</b>	Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015
<b>S.I. 2015/63</b>	Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2015

**Instruments not subject to Parliamentary proceedings not laid before Parliament**

- S.I. 2014/3493** Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2014
- S.I. 2015/30** Welfare Benefits Up-rating Order 2015
- S.I. 2015/32** Welfare Reform Act 2012 (Commencement No. 9, 11, 13, 14, 16, 17 and 19 and Transitional and Transitory Provisions (Amendment)) Order 2015
- S.I. 2015/33** Welfare Reform Act 2012 (Commencement No. 21 and Transitional and Transitory Provisions) Order 2015
- S.I. 2015/40** Offender Rehabilitation Act 2014 (Commencement No. 2) Order 2015
- S.I. 2015/50** Gender Recognition Register (Marriage and Civil Partnership) Regulations 2015