



House of Lords
House of Commons
Joint Committee on
Statutory Instruments

Twenty-fourth Report of Session 2014-15

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4 March 2015*

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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.

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.

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.

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Instruments not reported

At its meeting on 4 March 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

Instrument requiring affirmative approval

S.I. 2015/217 Counter-Terrorism and Security Act 2015 (Code of Practice for Officers exercising functions under Schedule 1) Regulations 2015

Draft Instruments requiring affirmative approval

Draft S.I. Companies, Partnerships and Groups (Accounts and Reports) Regulations 2015

Draft S.I. Health Care and Associated Professions (Knowledge of English) Order 2015

Draft S.I. Children and Young People (Scotland) Act 2014 (Consequential and Saving Provisions) Order 2015

Draft S.I. General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015

Draft S.I. False or Misleading Information (Specified Care Providers and Specified Information) Regulations 2015

Draft S.I. Counter-Terrorism and Security Act 2015 (Authority to Carry) Regulations 2015

Draft S.I. Passenger, Crew and Service Information (Civil Penalties) Regulations 2015

Draft S.I. Aviation Security Act 1982 (Civil Penalties) Regulations 2015

Draft S.I. Terrorism Act 2000 (Code of Practice for Examining Officer and Review Officers Order 2015

Draft S.I. Standardised Packaging of Tobacco Products Regulations 2015

Draft S.I. Mortgage Credit Directive Order 2015

Instruments subject to annulment

S.I. 2015/61 Financial Services and Markets Act 2000 (Regulation of Auditors and Actuaries) (PRA Specified Powers) Order 2015

S.I. 2015/68 Merchant Shipping (Miscellaneous Safety) (Revocations) Regulations 2015

S.I. 2015/84 Occupational Pension Schemes (Levies) (Amendment) Regulations 2015

S.I. 2015/96 National Health Service Pension Scheme, Injury Benefits and Additional Voluntary Contributions (Amendment) Regulations 2015

S.I. 2015/100	Electricity (Exemption from the Requirement for a Generation Licence) (Ferrybridge MFE) (England and Wales) Order 2015
S.I. 2015/106	Non-Domestic Rating (Small Business Rate Relief) (England) (Amendment) Order 2015
S.I. 2015/137	Care Act 2014 (Health Education England and the Health Research Authority) (Consequential Amendments and Revocations) Order 2015
S.I. 2015/139	National Health Service (Cross-Border Healthcare) (Amendment) Regulations 2015
S.I. 2015/162	Social Security (Invalid Care Allowance) (Amendment) Regulations 2015
S.I. 2015/168	Ozone-Depleting Substances Regulations 2015
S.I. 2015/170	Education (School Inspection) (England) (Amendment) Regulations 2015
S.I. 2015/180	Companies (Cross-Border Mergers) (Amendment) Regulations 2015
S.I. 2015/183	Social Fund Cold Weather Payments (General) Amendment Regulations 2015
S.I. 2015/189	Statutory Shared Parental Pay (General) (Amendment) Regulations 2015
S.I. 2015/190	National Health Service (Licence Exemptions, etc.) Amendment Regulations 2015

Instruments not subject to Parliamentary proceedings not laid before Parliament

S.I. 2015/134	Pensions Act 2014 (Commencement No.4) Order 2015
S.I. 2015/159	Proposed Marriages and Civil Partnerships (Waiting Period) Regulations 2015