



House of Lords
House of Commons
Joint Committee on
Statutory Instruments

Second Report of Session 2017–19

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to be printed 15 November 2017*

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Joint Committee on Statutory Instruments

Current membership

House of Lords

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[Lord Lexden](#) (*Conservative*)

[Baroness Meacher](#) (*Crossbench*)

[Lord Morris of Handsworth](#) (*Labour*)

[Lord Rowe-Beddoe](#) (*Crossbench*)

[Lord Rowlands](#) (*Labour*)

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House of Commons

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[Lee Rowley MP](#) (*Conservative, North East Derbyshire*)

[Sir Robert Syms MP](#) (*Conservative, Poole*)

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. 73, 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 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 Mike Winter (Commons Clerk), Jane White (Lords Clerk) and Liz Booth (Committee Assistant). Advisory Counsel: Daniel Greenberg, Peter Brooksbank, Philip Davies and Vanessa MacNair (Commons); James Cooper, Nicholas Beach and John Crane (Lords).

Contacts

All correspondence should be addressed to the Clerk of the Joint Committee on Statutory Instruments, House of Commons, London SW1A 0AA. The telephone number for general inquiries is: 020 7219 2026; the Committee's email address is: jcsi@parliament.uk.

Instruments not reported

At its meeting on 15 November 2017 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

Instruments subject to annulment

S.I. 2017/349	Social Security Benefits Up-rating Regulations 2017
S.I. 2017/376	Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017
S.I. 2017/402	Town and Country Planning (Permission in Principle) Order 2017
S.I. 2017/403	Town and Country Planning (Brownfield Land Register) Regulations 2017
S.I. 2017/426	Oil and Gas Authority (Fees and Petroleum Licensing) (Amendment) Regulations 2017
S.I. 2017/427	Universal Credit (Tenant Incentive Scheme) Amendment Regulations 2017
S.I. 2017/441	Postal Administration (Scotland) (Amendment) Rules 2017
S.I. 2017/444	Scotland Act 2016 (Transitional) Regulations 2017
S.I. 2017/445	National Health Service (Mandate Requirements) Regulations 2017
S.I. 2017/456	Financial Services and Markets Act 2000 and the Financial Services (Banking Reform) Act 2013 (Disclosure of Confidential Information) (Amendment) Regulations 2017
S.I. 2017/461	Childcare (Provision of Information About Young Children) (England) (Amendment) Regulations 2017
S.I. 2017/471	Non-Domestic Rating (Designated Areas etc.) (Amendment) Regulations 2017
S.I. 2017/500	Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No. 2) Order 2017
S.I. 2017/515	Immigration and Nationality (Fees) Regulations 2017
S.I. 2017/516	Statutory Auditors and Third Country Auditors Regulations 2017
S.I. 2017/520	Police and Criminal Evidence Act 1984 (Application to Labour Abuse Prevention Officers) Regulations 2017
S.I. 2017/536	Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2017
S.I. 2017/537	Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) Order 2017

S.I. 2017/543	Merchant Shipping (Light Dues) (Amendment) Regulations 2017
S.I. 2017/554	Road Vehicles (Registration and Licensing) (Amendment) Regulations 2017
S.I. 2017/556	Democratic People’s Republic of Korea (European Union Financial Sanctions) (Amendment) Regulations 2017
S.I. 2017/560	European Union Financial Sanctions (Enhanced Penalties) Regulations 2017
S.I. 2017/568	British Nationality (Maldives) Order 2017
S.I. 2017/571	Town and Country Planning (Environmental Impact Assessment) Regulations 2017
S.I. 2017/573	Sexual Offences Act 2003 (Prescribed Police Stations) Regulations 2017
S.I. 2017/575	Police (Complaints and Misconduct) (Amendment) Regulations 2017
S.I. 2017/576	Prison (Amendment) Rules 2017
S.I. 2017/577	Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2017
S.I. 2017/580	Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017
S.I. 2017/581	Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations 2017
S.I. 2017/583	Water Resources (Environmental Impact Assessment) (England and Wales) (Amendment) Regulations 2017
S.I. 2017/585	Environmental Impact Assessment (Land Drainage Improvement Works) (Amendment) Regulations 2017
S.I. 2017/588	Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017
S.I. 2017/592	Environmental Impact Assessment (Forestry) (England and Wales) (Amendment) Regulations 2017
S.I. 2017/593	Environmental Impact Assessment (Agriculture) (England) (No. 2) (Amendment) Regulations 2017
S.I. 2017/594	Education (Postgraduate Master’s Degree Loans) (Amendment) Regulations 2017
S.I. 2017/595	Marketing of Fruit Plant and Propagating Material (England) Regulations 2017
S.I. 2017/597	Tax Credits (Claims and Notifications) (Amendment) Regulations 2017
S.I. 2017/599	Single Common Market Organisation (Emergency Aid) (England and Northern Ireland) Regulations 2017
S.I. 2017/600	Contracting-out (Transfer and Transfer Payment) (Amendment) Regulations 2017
S.I. 2017/602	Scotland Act 2016 (Consequential and Saving Provisions) Regulations 2017

S.I. 2017/607	Child Benefit (General) (Amendment) Regulations 2017
S.I. 2017/615	Proscribed Organisations (Name Change) Order 2017
S.I. 2017/619	Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017
S.I. 2017/620	Town and Country Planning (Compensation) (England) (Amendment) (No. 2) Regulations 2017
S.I. 2017/631	Misuse of Drugs (Amendment) (England, Wales and Scotland) Regulations 2017
S.I. 2017/632	Misuse of Drugs (Designation) (Amendment) (England, Wales and Scotland) Order 2017
S.I. 2017/655	Common Agricultural Policy (Control and Enforcement, Cross-Compliance, Scrutiny of Transactions and Appeals) (Amendment) (England) Regulations 2017
S.I. 2017/689	Social Security (Emergency Funds) (Amendment) Regulations 2017
S.I. 2017/690	Inspectors of Education, Children's Services and Skills (No. 2) Order 2017
S.I. 2017/692	Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
S.I. 2017/693	Information about People with Significant Control (Amendment) Regulations 2017
S.I. 2017/694	Scottish Partnerships (Register of People with Significant Control) Regulations 2017
S.I. 2017/697	Export Control (Amendment) (No. 3) Order 2017
S.I. 2017/699	Data Reporting Services Regulations 2017
S.I. 2017/703	Nursing and Midwifery Order (Legal Assessors) (Amendment) and the Nursing and Midwifery Council (Fitness to Practise) (Amendment) Rules Order of Council 2017
S.I. 2017/705	Equality Act 2010 (General Qualifications Bodies) (Appropriate Regulator and Relevant Qualifications) (Amendment) (England) Regulations 2017
S.I. 2017/709	National Health Service (Pharmaceutical and Local Pharmaceutical Services) (Amendment) Regulations 2017
S.I. 2017/715	Human Medicines (Amendment) Regulations 2017
S.I. 2017/717	Pension Schemes Act 2015 (Transitional Provisions and Appropriate Independent Advice) (Amendment) Regulations 2017
S.I. 2017/718	South Tees Development Corporation (Establishment) Order 2017
S.I. 2017/722	First-tier Tribunal and Upper Tribunal (Chambers) (Amendment) Order 2017
S.I. 2017/723	Tribunal Procedure (Amendment) Rules 2017

S.I. 2017/725	Loans for Mortgage Interest Regulations 2017
S.I. 2017/727	Renewable Heat Incentive Scheme and Domestic Renewable Heat Incentive Scheme (Amendment) Regulations 2017
S.I. 2017/728	Coroners and Justice Act 2009 (Alteration of Coroner Areas) Order 2017
S.I. 2017/731	Electricity (Exemptions from the Requirement for a Generation Licence) Order 2017
S.I. 2017/734	Milk and Milk Products (Pupils in Educational Establishments) (England and Northern Ireland) Regulations 2017
S.I. 2017/736	Police and Criminal Evidence Act 1984 (Application to Revenue and Customs) (Amendment) Order 2017
S.I. 2017/741	Family Procedure (Amendment No. 2) Rules 2017
S.I. 2017/742	Justices' Clerks and Assistants (Amendment) Rules 2017
S.I. 2017/744	National Health Service (Quality Accounts) (Amendment) Regulations 2017
S.I. 2017/745	Civil Legal Aid (Financial Resources and Payment for Services) (Amendment) Regulations 2017
S.I. 2017/748	Child Trust Funds (Amendment No. 2) Regulations 2017
S.I. 2017/751	Criminal Justice Act 1988 (Reviews of Sentencing) (Amendment) Order 2017
S.I. 2017/752	Payment Services Regulations 2017
S.I. 2017/753	Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017
S.I. 2017/755	Criminal Procedure (Amendment No. 3) Rules 2017
S.I. 2017/773	Protection of Wrecks (Designation) (England) Order 2017
S.I. 2017/779	Antarctic Act 1994 (Overseas Territories) (Amendment) Order 2017
S.I. 2017/787	National Savings (Amendment) Regulations 2017
S.I. 2017/793	M60 Motorway (Junctions 8 to 18) and the M62 Motorway (Junctions 18 to 20) (Variable Speed Limits) Regulations 2017
S.I. 2017/794	Apprenticeships (Modifications to the Specification of Apprenticeship Standards for England) Order 2017
S.I. 2017/807	Education (Information About Children in Alternative Provision) (England) (Amendment) Regulations 2017
S.I. 2017/811	School Teachers' Pay and Conditions Order 2017
S.I. 2017/825	Merchant Shipping (Monitoring, Reporting and Verification of Carbon Dioxide Emissions) and the Port State Control (Amendment) Regulations 2017

S.I. 2017/831	Repayment of Student Loans and Postgraduate Master's Degree Loans (Amendment) Regulations 2017
S.I. 2017/837	Merchant Shipping (Ship-to-Ship Transfers) (Amendment) Regulations 2017
S.I. 2017/841	Water Infrastructure Adoption (Prescribed Water Fittings Requirements) (England) Regulations 2017
S.I. 2017/845	Investigatory Powers Act 2016 (Consequential Amendments and Saving Provisions) Regulations 2017
S.I. 2017/847	Warm Home Discount (Reconciliation) (Amendment) Regulations 2017
S.I. 2017/848	Caseins and Caseinates (England) Regulations 2017
S.I. 2017/849	Goods Vehicles (Plating and Testing) (Miscellaneous Amendments) Regulations 2017
S.I. 2017/850	Motor Vehicles (Tests) (Amendment) Regulations 2017
S.I. 2017/851	Road Vehicles (Construction and Use) (Amendment) Regulations 2017
S.I. 2017/852	Road Vehicles Lighting (Amendment) Regulations 2017
S.I. 2017/863	Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017
S.I. 2017/864	Police, Fire and Crime Commissioner for Essex (Fire and Rescue Authority) Order 2017
S.I. 2017/868	Employers' Duties (Miscellaneous Amendments) Regulations 2017
S.I. 2017/870	Social Security (Infected Blood and Thalidomide) Regulations 2017
S.I. 2017/871	Valuation of Minor Intermediate Leasehold Interests (England) Regulations 2017
S.I. 2017/872	Protection of Wrecks (Designation) (England) (No. 2) Order 2017
S.I. 2017/873	Operation of Public Service Vehicles (Partnership) (Amendment) Regulations 2017
S.I. 2017/874	Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2017
S.I. 2017/876	Facilitation of Tax Evasion Offences (Guidance About Prevention) Regulations 2017
S.I. 2017/877	Trade Union Ballots and Elections (Independent Scrutineer Qualifications) (Amendment) Order 2017
S.I. 2017/878	Recognition and Derecognition Ballots (Qualified Persons) (Amendment) Order 2017
S.I. 2017/879	Merchant Shipping (Registration of Ships) (Amendment) Regulations 2017
S.I. 2017/880	Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2017

S.I. 2017/881	Road Vehicles (Authorised Weight) and (Construction and Use) (Amendment) Regulations 2017
S.I. 2017/883	Democratic People’s Republic of Korea (European Union Financial Sanctions) (Amendment) (No. 2) Regulations 2017
S.I. 2017/885	Immigration and Nationality (Fees) (Amendment) Regulations 2017
S.I. 2017/888	Firefighters’ Pension Scheme (England) (Amendment) Regulations 2017
S.I. 2017/889	Civil Procedure (Amendment No. 2) Rules 2017
S.I. 2017/892	Firefighters’ Pension Schemes and Compensation Scheme (Amendment) (England) Order 2017
S.I. 2017/895	Civil Enforcement of Parking Contraventions (Wokingham Borough Council) Designation Order 2017
S.I. 2017/896	United Nations and European Union Financial Sanctions (Linking) (Amendment) Regulations 2017
S.I. 2017/897	Alternative Fuels Infrastructure Regulations 2017
S.I. 2017/899	Lobsters and Crawfish (Prohibition of Fishing and Landing) (Amendment) (England) Order 2017
S.I. 2017/900	Income-related Benefits (Subsidy to Authorities) Amendment Order 2017
S.I. 2017/901	Social Services and Well-being (Wales) Act 2014 and the Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Order 2017
S.I. 2017/906	Friendly Societies Act 1992 (Modification of Part 2) (Northern Ireland) Order 2017
S.I. 2017/908	National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) Regulations 2017
S.I. 2017/914	Care Quality Commission (Reviews and Performance Assessments) (Amendment) Regulations 2017
S.I. 2017/915	Criminal Procedure (Amendment No. 4) Rules 2017
S.I. 2017/920	Nuclear Installations (Excepted Matter) Regulations 2017
S.I. 2017/922	Nuclear Installations (Insurance Certificate) Regulations 2017
S.I. 2017/928	Democratic People’s Republic of Korea (European Union Financial Sanctions) (Amendment) (No. 3) Regulations 2017

Instruments subject to annulment (Northern Ireland)

S.R. 2017/79	Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) (Amendment) Regulations (Northern Ireland) 2017
S.R. 2017/116	Social Security (Miscellaneous Amendments) Regulations (Northern Ireland) 2017
S.R. 2017/142	Universal Credit (Housing Costs Element for claimants aged 18 to 21) (Amendment) Regulations (Northern Ireland) 2017
S.R. 2017/143	Discretionary Financial Assistance (Amendment) Regulations (Northern Ireland) 2017
S.R. 2017/144	Universal Credit Housing Costs (Executive Determinations) (Amendment) Regulations (Northern Ireland) 2017
S.R. 2017/145	Universal Credit (Benefit Cap Earnings Exception) (Amendment) Regulations (Northern Ireland) 2017
S.R. 2017/146	Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017
S.R. 2017/147	Universal Credit (Reduction of the Earnings Taper Rate) (Amendment) Regulations (Northern Ireland) 2017
S.R. 2017/148	Employment and Support Allowance (Miscellaneous Amendments and Transitional and Savings Provision) Regulations (Northern Ireland) 2017
S.R. 2017/185	Jobseeker’s Allowance (Hardship) (Amendment) Regulations (Northern Ireland) 2017

Draft Instruments subject to negative procedure

Draft. S.I.	Allerdale (Electoral Changes) Order 2017
Draft. S.I.	Ashford (Electoral Changes) Order 2017
Draft. S.I.	East Devon (Electoral Changes) Order 2017
Draft. S.I.	Harborough (Electoral Changes) Order 2017
Draft. S.I.	Horsham (Electoral Changes) Order 2017
Draft. S.I.	Leeds (Electoral Changes) Order 2017
Draft. S.I.	London Borough of Croydon (Electoral Changes) Order 2017
Draft. S.I.	Manchester (Electoral Changes) Order 2017
Draft. S.I.	Newcastle-under-Lyme (Electoral Changes) Order 2017
Draft. S.I.	Newcastle upon Tyne (Electoral Changes) Order 2017
Draft. S.I.	North Norfolk (Electoral Changes) Order 2017
Draft. S.I.	South Lakeland (Electoral Changes) Order 2017

Draft. S.I.	South Norfolk (Electoral Changes) Order 2017
Draft. S.I.	Teignbridge (Electoral Changes) Order 2017
Draft. S.I.	Tendring (Electoral Changes) Order 2017
Draft. S.I.	Torrige (Electoral Changes) Order 2017

Instruments not subject to Parliamentary proceedings laid before Parliament

S.I. 2017/574	Civil Courts (Amendment) Order 2017
S.I. 2017/777	Falkland Islands Courts (Overseas Jurisdiction) (Amendment) Order 2017
S.I. 2017/780	Democratic People's Republic of Korea (Sanctions) (Overseas Territories) (Amendment) (No. 2) Order 2017

Instruments not subject to Parliamentary proceedings not laid before Parliament

S.I. 2017/424	National Health Service Trusts (Trust Funds: Appointment of Trustees) (Revocation) and the NHS Foundation Trusts (Trust Funds: Appointment of Trustees) (Amendment) Order 2017
S.I. 2017/451	Serious Crime Act 2015 (Commencement No. 6) Regulations 2017
S.I. 2017/462	Water Act 2014 (Commencement No. 9 and Transitional Provisions) Order 2017
S.I. 2017/483	Welfare Reform Act 2012 (Commencement No. 9 and 21 and Transitional and Transitory Provisions (Amendment)) Order 2017
S.I. 2017/511	Serious Crime Act 2015 (Commencement No. 7) Regulations 2017
S.I. 2017/525	Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Alcohol Abstinence and Monitoring Requirements) Piloting Order 2017
S.I. 2017/578	Childcare Payments Act 2014 (Commencement No. 3 and Transitional Provisions) Regulations 2017
S.I. 2017/584	Welfare Reform Act 2012 (Commencement No. 19, 22, 23 and 24 and Transitional and Transitory Provisions (Modification)) Order 2017
S.I. 2017/720	Offshore Installations (Safety Zones) (No. 3) Order 2017
S.I. 2017/726	Policing and Crime Act 2017 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2017
S.I. 2017/743	Wireless Telegraphy (Mobile Communication Services on Ships) (Exemption) Regulations 2017
S.I. 2017/746	Wireless Telegraphy (Exemption and Amendment) (Amendment) Regulations 2017
S.I. 2017/750	Childcare Payments Act 2014 (Commencement No. 4) Regulations 2017

S.I. 2017/765	Digital Economy Act 2017 (Commencement No. 1) Regulations 2017
S.I. 2017/767	Neighbourhood Planning Act 2017 (Commencement No. 1) Regulations 2017
S.I. 2017/775	Child Abduction and Custody (Parties to Conventions) (Amendment) Order 2017
S.I. 2017/776	Fire and Rescue Services (Appointment of Inspector) (England) (Revocation) Order 2017
S.I. 2017/785	Childcare Act 2016 (Commencement No. 2) Regulations 2017
S.I. 2017/788	Higher Education and Research Act 2017 (Commencement No. 1) Regulations 2017
S.I. 2017/799	Immigration Act 2016 (Commencement No. 4) Regulations 2017
S.I. 2017/802	Welfare Reform and Work Act 2016 (Commencement No. 5) Regulations 2017
S.I. 2017/809	Health Service Medical Supplies (Costs) Act 2017 (Commencement No. 1 and Saving Provision) Regulations 2017
S.I. 2017/810	Health Act 1999 (Commencement No. 17) Order 2017
S.I. 2017/842	Enterprise Act 2016 (Commencement No. 5) Regulations 2017
S.I. 2017/844	Technical and Further Education Act 2017 (Commencement No. 1 and Transitional Provision) Regulations 2017
S.I. 2017/859	Investigatory Powers Act 2016 (Commencement No. 3 and Transitory, Transitional and Saving Provisions) Regulations 2017
S.I. 2017/916	Pensions Act 2014 (Commencement No. 11) and the Pension Schemes Act 2015 (Commencement No. 2) Regulations 2017