



House of Lords
House of Commons
Joint Committee on
Statutory Instruments

**Sixth Report
of Session 2017–19**

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Joint Committee on Statutory Instruments

Current membership

House of Lords

[Baroness Bloomfield of Hinton Waldrist](#) (*Conservative*)

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

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

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

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

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

[Baroness Scott of Needham Market](#) (*Liberal Democrat*)

House of Commons

[Derek Twigg MP](#) (*Labour, Halton*) (Chair)

[Dan Carden MP](#) (*Labour, Liverpool, Walton*)

[Vicky Foxcroft MP](#) (*Labour, Lewisham, Deptford*)

[Patrick Grady MP](#) (*Scottish National Party, Glasgow North*)

[John Lamont MP](#) (*Conservative, Berwickshire, Roxburgh and Selkirk*)

[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 13 December 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

Draft instruments requiring affirmative approval

Draft S.I.	Sub-national Transport Body (Transport for the North) Regulations 2017
Draft S.I.	Armed Forces Act 2006 (Amendment of Schedule 2) Order 2017
Draft S.I.	Housing and Planning Act 2016 (Banning Order Offences) Regulations 2017
Draft S.I.	Co-operative and Community Benefit Societies Act 2014 (Amendments to Audit Requirements) Order 2017
Draft S.I.	Higher Education (Access and Participation Plans) (England) Regulations 2018
Draft S.I.	Judicial Pensions (Fee-Paid Judges) (Amendment) Regulations 2017

Instruments subject to annulment

S.I. 2017/1096	Childcare Payments (Amendment) Regulations 2017
S.I. 2017/1115	Insolvency (England and Wales) and Insolvency (Scotland) (Miscellaneous and Consequential Amendments) Rules 2017
S.I. 2017/1117	Misuse of Drugs (Amendment) (No. 2) (England, Wales and Scotland) Regulations 2017
S.I. 2017/1118	Misuse of Drugs (Designation) (Amendment) (No. 2) (England, Wales and Scotland) Order 2017
S.I. 2017/1132	Non-Domestic Rating (Renewable Energy Projects) (Amendment) Regulations 2017
S.I. 2017/1133	War Pensions Committees (Amendment) Regulations 2017
S.I. 2017/1134	Police (Conduct, Complaints and Misconduct and Appeal Tribunal) (Amendment) Regulations 2017
S.I. 2017/1135	Police Barred List and Police Advisory List Regulations 2017
S.I. 2017/1143	Ecodesign for Energy-Related Products (Amendment) Regulations 2017

Draft instruments subject to negative procedure

Draft S.I. Test Valley (Electoral Changes) Order 2017

Draft S.I. Tewkesbury (Electoral Changes) Order 2017

Instrument not subject to Parliamentary proceedings laid before Parliament

S.I. 2017/1107 Mali (Sanctions) (Overseas Territories) Order 2017

Instruments not subject to Parliamentary proceedings not laid before Parliament

S.I. 2017/1111 Inspectors of Education, Children’s Services and Skills (No. 4) Order 2017

S.I. 2017/1136 Digital Economy Act 2017 (Commencement No. 2) Regulations 2017

S.I. 2017/1139 Policing and Crime Act 2017 (Commencement No. 5 and Transitional Provisions) Regulations 2017