



House of Lords
House of Commons
Joint Committee on
Statutory Instruments

Fourteenth Report of Session 2017–19

*Ordered by the House of Lords
to be printed 28 February 2018*

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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, John Crane and Ché Diamond (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 28 February 2018 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. | Electricity Supplier Payments (Amendment) Regulations 2018 |
| Draft S.I. | Greater Manchester Combined Authority (Amendment) Order 2018 |
| Draft S.I. | National Minimum Wage (Amendment) Regulations 2018 |
| Draft S.I. | Insolvency of Registered Providers of Social Housing Regulations 2018 |
| Draft S.I. | Police Powers of Designated Civilian Staff and Volunteers (Excluded Powers and Duties of Constables) Regulations 2018 |
| Draft S.I. | Domestic Renewable Heat Incentive Scheme (Amendment) Regulations 2018 |
| Draft S.I. | Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 |
| Draft S.I. | Employment Rights Act 1996 (Itemised Pay Statement) (Amendment) (No. 2) Order 2018 |
| Draft S.I. | Non-Domestic Rating (Rates Retention and Levy and Safety Net) (Amendment) Regulations 2018 |
| Draft S.I. | Data Protection (Charges and Information) Regulations 2018 |

Instruments subject to annulment

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|----------------------|---|
| S.I. 2018/58 | Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018 |
| S.I. 2018/102 | Waste Electrical and Electronic Equipment (Amendment) Regulations 2018 |
| S.I. 2018/104 | Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Specification) Order 2018 |
| S.I. 2018/108 | Export Control (Venezuela Sanctions) Order 2018 |
| S.I. 2018/119 | Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018 |
| S.I. 2018/120 | Social Security (Contributions) (Amendment) Regulations 2018 |
| S.I. 2018/121 | Ionising Radiation (Medical Exposure) (Amendment) Regulations 2018 |

- S.I. 2018/127** Elections (Policy Development Grants Scheme) (Amendment) Order 2018
- S.I. 2018/130** Alteration of Judicial Titles (Registrar in Bankruptcy of the High Court) Order 2018
- S.I. 2018/132** Criminal Procedure (Amendment) Rules 2018
- S.I. 2018/134** Alternative Investment Fund Managers (Amendment) Regulations 2018
- S.I. 2018/139** Gas Safety (Installation and Use) (Amendment) Regulations 2018

Instruments subject to annulment (Northern Ireland)

- S.R. 2018/24** Crown Court (Amendment) Rules (Northern Ireland) 2018
- S.R. 2018/25** Magistrates' Courts (Amendment) Rules (Northern Ireland) 2018

Instruments not subject to Parliamentary proceedings not laid before Parliament

- S.I. 2018/89** Wireless Telegraphy (Limitation of Number of Licences) Order 2018
- S.I. 2018/90** Wireless Telegraphy (Register) (Amendment) Regulations 2018
- S.I. 2018/138** Welfare Reform Act 2012 (Commencement No. 9, 21 and 23 (Amendment), Commencement No. 11, 13, 17, 19, 22, 23 and 24 (Modification), Transitional and Transitory Provisions) Order 2018