



House of Lords
House of Commons
Joint Committee on
Statutory Instruments

First Report of Session 2016–17

*Ordered by The House of Lords
to be printed 25th May 2016*

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Joint Committee on Statutory Instruments

Current membership

House of Lords

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

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

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

[Lord Sherbourne of Didsbury](#) (*Conservative*)

House of Commons

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

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

[Stephen Hammond](#) (*Conservative, Wimbledon*)

[Mr Ian Liddell-Grainger](#) (*Conservative, Bridgwater and West Somerset*)

[Victoria Prentis](#) (*Conservative, Banbury*)

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 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 Amelia Aspden (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, 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.

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Instruments not reported

At its meeting on 25 May 2016 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.** Contracts for Difference (Miscellaneous Amendments) Regulations 2016
- Draft S.I.** Electricity Capacity (Amendment) Regulations 2016
- Draft S.I.** Statutory Auditors and Third Country Auditors Regulations 2016

Instruments subject to annulment

- S.I. 2016/519** Social Security Administration Act 1992 (Local Authority Investigations) Regulations 2016
- S.I. 2016/529** Pollution Prevention and Control (Fees) (Miscellaneous Amendments) Regulations 2016
- S.I. 2016/539** Posted Workers (Enforcement of Employment Rights) Regulations 2016
- S.I. 2016/546** Magistrates' Courts (Psychoactive Substances Act 2016) (Transfer of Proceedings) Rules 2016
- S.I. 2016/555** Information as to Provision of Education (England) Regulations 2016
- S.I. 2016/556** Social Security (Disability Living Allowance and Personal Independence Payment) (Amendment) Regulations 2016
- S.I. 2016/564** Town and Country Planning (Operation Stack) Special Development (Amendment) Order 2016
- S.I. 2016/565** Copyright (Free Public Showing or Playing) (Amendment) Regulations 2016
- S.I. 2016/571** Companies (Bodies Concerned with Auditing Standards etc.) (Exemption from Liability) Regulations 2016

Instruments not subject to Parliamentary proceedings not laid before Parliament

- S.I. 2016/532** Small Business, Enterprise and Employment Act 2015 (Commencement No. 5 and Saving Provision) Regulations 2016
- S.I. 2016/550** Third Parties (Rights against Insurers) Act 2010 (Commencement) Order 2016
- S.I. 2016/568** Financial Services (Banking Reform) Act 2013 (Commencement No. 11) Order 2016
- S.I. 2016/569** Bank of England and Financial Services Act 2016 (Commencement No. 1) Regulations 2016