



House of Lords
House of Commons
Joint Committee
on Statutory Instruments

**Ninth Report
of Session 2019–21**

*Ordered by the House of Lords
to be printed 29 April 2020*

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Joint Committee on Statutory Instruments

Current membership

House of Lords

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

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

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

[Baroness Newlove](#) (*Conservative*)

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

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

[Lord Stirrup](#) (*Crossbench*)

House of Commons

[Jessica Morden MP](#) (*Labour, Newport East*) (Chair)

[Dr James Davies MP](#) (*Conservative, Vale of Clwyd*)

[Paul Holmes MP](#) (*Conservative, Eastleigh*)

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

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

[Owen Thompson MP](#) (*Scottish National Party, Midlothian*)

[Liz Twist MP](#) (*Labour, Blaydon*)

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](#), relating to Public Business.

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

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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 Liz Booth (Committee Assistant), Luanne Middleton (Commons Clerk), Christine Salmon Percival (Lords Clerk). Advisory Counsel: Klara Banaszak, Daniel Greenberg, and Vanessa MacNair (Commons); Nicholas Beach, James Cooper, 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 29 April 2020 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.	Immigration (Health Charge) (Amendment) Order 2020
Draft S.I.	Over the Counter Derivatives, Central Counterparties and Trade Repositories (Amendment, etc., and Transitional Provision) (EU Exit) Regulations 2020
Draft S.I.	Victims and Witnesses (Scotland) Act 2014 (Consequential Modification) Order 2020

Instrument requiring affirmative approval

S.I. 2020/350	Health Protection (Coronavirus, Restrictions) (England) Regulations 2020
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Instruments subject to annulment

S.I. 2020/297	Tax Credits, Child Benefit, Guardian's Allowance and Childcare Payments (Miscellaneous Amendments) Regulations 2020
S.I. 2020/302	Guardian's Allowance Up-rating Regulations 2020
S.I. 2020/318	Railways (Interoperability) (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2020
S.I. 2020/362	Merchant Shipping (Tonnage) (Amendment) Regulations 2020
S.I. 2020/392	Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020
S.I. 2020/395	Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020
S.I. 2020/401	Offender Management Act 2007 (Coronavirus) (Approved Premises) (Amendment) Regulations 2020
S.I. 2020/404	Accounts and Audit (Coronavirus) (Amendment) Regulations 2020
S.I. 2020/405	Social Fund Funeral Expenses Payment (Coronavirus) (Amendment) Regulations 2020
S.I. 2020/409	Social Security (Coronavirus) (Prisoners) Regulations 2020
S.I. 2020/411	National Health Service (Performers Lists) (England) (Coronavirus) (Amendment) Regulations 2020

- S.I. 2020/412** Town and Country Planning (General Permitted Development) (Coronavirus) (England) (Amendment) Order 2020
- S.I. 2020/415** Employment Appeal Tribunal (Coronavirus) (Amendment) Rules 2020
- S.I. 2020/418** Electronic Monitoring (Responsible Persons) (Coronavirus) (Amendment) Order 2020
- S.I. 2020/425** Land Registration (Amendment) Rules 2020

Instrument subject to annulment (Northern Ireland)

- S.R 2020/63** Social Security (Coronavirus) (Prisoners) Regulations (Northern Ireland) 2020

Instrument not subject to parliamentary proceedings laid before Parliament

- S.I 2020/380** District Probate Registries (Amendment) Order 2020