



**LORD PRESIDENT OF THE COUNCIL
LEADER OF THE HOUSE OF COMMONS
THE RT. HON. JACOB REES-MOGG M.P.**



Andrew Jones Esq. M.P.,
Chairman, European Statutory Instruments Committee
House of Commons
London
SW1A 0AA

Our ref: JRM/SC403
27 July 2020

Dear Andrew,

The Government is keen to assist your Committee in its scrutiny function. I am therefore writing to you regarding the upcoming programme of Transition Period statutory instruments (SIs) between September and December 2020.

The Parliamentary Business and Legislation (PBL) Committee works with all departments to prepare the Government's legislative programme. We expect to lay between 250-300 Brexit-related SIs before the end of the year to ensure readiness for the end of the Transition Period. Of these, we expect approximately 55% will be subject to the affirmative procedure and 45% subject to the negative procedure.

As negotiations continue and policy positions become clearer, departments are working to finalise their programmes and the required procedures. Currently the biggest departmental programmes are likely to be HMRC and the Department for Environment and Rural Affairs. You will understand that it is difficult to provide precise details at this stage but I hope that the indicative figures below provide assurances to the Committee and assist in your planning. The laying of draft affirmative instruments is likely to be concentrated in September and October due to the policy content of the majority of SIs being dependent on the outcome of negotiations. It is therefore not possible to lay these earlier than in Autumn.

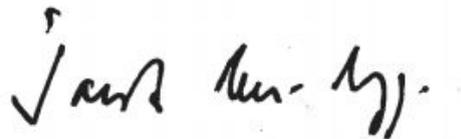
The current breakdown is as follows:

- 40-50 SIs in September
- 80-100 SIs in October
- 30-40 SIs in November
- 50-60 SIs in December

The PBL Committee continues to work closely with departments to ensure that they only prioritise critical legislation between September and December. However, it is not possible to provide an indicative figure of the number of non-Brexit-related SIs we expect to lay at this time. Not least because further secondary legislation will be needed as the Government continues to respond to the Coronavirus pandemic on which we continue to provide regular updates.

I am copying this letter to the Leader of the House of Lords. I have written in similar terms to the Chairman of the Secondary Legislation Scrutiny Committee which was copied to the Chairman of the Joint Committee on Statutory Instruments.

With every good wish,

A handwritten signature in black ink, appearing to read "James Spence". The signature is written in a cursive style with a small flourish at the end.