



House of Lords
House of Commons

Joint Committee on Statutory Instruments

Fourth Report of Session 2026–27

HC 172-iv / HL Paper 17

The Exotic Animal Disease (Amendment) (England) Order 2026

Joint Committee on Statutory Instruments

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.

Current membership

House of Lords

[Lord Brady of Altrincham](#) (Conservative; Life peer)

[Lord Carter of Haslemere](#) (Crossbench; Life peer)

[Baroness Kennedy of Cradley](#) (Labour; Life peer)

[Baroness Miller of Chilthorne Domer](#) (Liberal Democrat; Life peer)

[Lord Stewart of Dirleton](#) (Conservative; Life peer)

[Lord Young of Norwood Green](#) (Labour; Life peer)

House of Commons

[Sir Bernard Jenkin](#) (Conservative; Harwich and North Essex) (Chair)

[Lewis Atkinson](#) (Labour; Sunderland Central)

[Charlotte Cane](#) (Liberal Democrat; Ely and East Cambridgeshire)

[Helena Dollimore](#) (Labour; Hastings and Rye)

[Andrew Pakes](#) (Labour; Peterborough)

[David Pinto-Duschinsky](#) (Labour; Hendon)

[Gareth Snell](#) (Labour; Stoke-on-Trent Central)

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, relating to Public Business.

Publication

This Report, together with formal minutes relating to the report, was Ordered by the House of Commons and by the House of Lords, on 17 June 2026, to be printed.

It was published on 19 June 2026. All publications of the Committee are on the Internet at www.parliament.uk/jcsi.

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Contacts

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Instruments reported

At its meeting on 17 June 2026 the Committee scrutinised a number of instruments in accordance with Standing Orders. It was agreed that the special attention of both Houses should be drawn to one of those considered. The instrument and the ground for reporting are given below. The relevant departmental memorandum is published as an appendix to this report.

1 S.I. 2026/475: Reported for defective drafting

The Exotic Animal Disease (Amendment) (England) Order 2026

Procedure: Not subject to Parliamentary procedure

- 1.1 The Committee draws the special attention of both Houses to this Order on the ground that it is defectively drafted in two respects.
- 1.2 This Order amends the Diseases of Swine Regulations 2014 to introduce new disease control provisions in England to prevent the spread of African swine fever, classical swine fever and swine vesicular disease in pigs. New regulation 39(1A)(y) (inserted by article 3(32)(b) of this instrument) states which paragraphs of Schedule 3A (inserted by Schedule 2 to this instrument) are an offence against the Animal Health Act 1981 if not complied with in England. Noting that this instrument provides that it is an offence not to report the location of a feral pig carcass in a controlled zone or to move meat and meat products obtained from pigs kept on premises in an area which is subsequently declared to be a relevant controlled zone, the Committee asked the Department for Environment, Food and Rural Affairs to explain whether paragraph 46 of Schedule 3A, which provides that a person must not (unless granted a licence to do so) move feral pig carcasses, meat and other by-products within or out of a controlled zone, should also be a designated offence.
- 1.3 In a memorandum printed at Appendix 1, the Department confirms that the intention had been to provide for the prohibited behaviour set out in paragraph 46 of Schedule 3A to be declared a criminal offence and

undertakes to remedy the error at the earliest opportunity. **The Committee accordingly reports article 3(32)(b) of this instrument for defective drafting, acknowledged by the Department.**

- 1.4** Paragraph 25(3)(a) of Schedule 3A (inserted by Schedule 2 to this instrument) sets out the requirements that are to be met where a licensing officer is to license the movement of fresh meat and meat products obtained from pigs kept in certain controlled zones. The first requirement, set out at subparagraph (a) is—

(a) the fresh meat or meat products were obtained from pigs that were moved to a slaughterhouse and slaughtered in accordance with paragraphs 10, 12 and 13 of this Schedule;

The Committee noted that paragraph 10 sets out general requirements for the movement of pigs to a designated slaughterhouse, paragraph 12 details the specific requirements for moving pigs from premises in a restricted zone 1 to a slaughterhouse and paragraph 13 sets out specific requirements for a licence to be issued in circumstances where pigs are to be moved from outside a controlled zone to premises in a controlled zone or a designated slaughterhouse in a controlled zone (other than a restricted zone 1). Given that these circumstances appear to be mutually exclusive, the Committee asked the Department to explain whether it is intended that paragraphs 10, 12 and 13 of the Schedule are intended to apply in every case.

- 1.5** In a memorandum printed at Appendix 1, the Department confirms that it is not intended that these paragraphs should apply in every case but rather that their provisions apply only as relevant to the particular situation. The Department acknowledges that it would be more appropriate to have used the wording “in accordance with paragraphs 10, 12 or 13” here. The Committee agrees that this drafting would achieve the policy intention and welcomes the Department’s undertaking to also remedy this error as soon as possible. **The Committee accordingly reports paragraph 25(3)(a) of Schedule 3A, inserted by Schedule 2 to this Order, for defective drafting, acknowledged by the Department.**

Instruments not reported

At its meeting on 17 June 2026 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

S.I. Numbers	S.I. Title
Draft	Carbon Budget Order 2026
Draft	Registration of Births and Deaths (England and Wales) (Specified Requirements) Regulations 2026
Draft	Justification Decision (Generation of Power by the RR SMR) Regulations 2026
Draft	Batteries (Placing on the Market) (Northern Ireland) Regulations 2026
Draft	Trade (Mobile Roaming) (Amendment) Regulations 2026
Draft	Energy Prices Act 2022 (Extension of Time Limit) (No. 2) Regulations 2026

Instruments subject to annulment

S.I. Numbers	S.I. Title
S.I. 2026/450	The Greater London Authority Elections (Amendment) Rules 2026
S.I. 2026/456	The Private Security Industry Act 2001 (Licences and Fees) (Amendment) Regulations 2026

S.I. Numbers	S.I. Title
S.I. 2026/470	The Erasmus+ Programme (Data Processing) Regulations 2026
S.I. 2026/473	The Employee Study and Training (Procedural Requirements) (Amendment) Regulations 2026
S.I. 2026/493	The Charges for Residues Surveillance (Amendment) (England) Regulations 2026
S.I. 2026/514	The Firearms (Variation of Fees) Order 2026
S.I. 2026/517	The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) (Amendment) Order 2026
S.I. 2026/519	The English Devolution and Community Empowerment Act 2026 (Consequential Amendments and Revocations) (England) Regulations 2026
S.I. 2026/529	The Regulated Electronic Programme Guide (Prescribed Description and Transitional Arrangements) Regulations 2026
S.I. 2026/531	The Television Selection Services (Designation) Regulations 2026
S.I. 2026/536	The National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2026
S.I. 2026/554	The National Health Service (Primary Dental Services and Dental Charges) (Amendment) (No. 2) Regulations 2026
S.I. 2026/566	The Greenhouse Gas Emissions Trading Scheme (Lime Benchmark) (England) Order 2026
S.I. 2026/571	The Housing Health and Safety Rating System (England) (Amendment) Regulations 2026

Instruments not subject to Parliamentary proceedings not laid before Parliament

S.I. Numbers	S.I. Title
S.I. 2026/477	The Football Governance Act 2025 (Commencement No. 3) Regulations 2025 ¹
S.I. 2026/492	The Environment Act 2021 (Commencement No. 11) Regulations 2026

¹ The Committee asked a question on this instrument and a satisfactory response was received. The Department's memorandum is printed at Appendix 2.

S.I. Numbers	S.I. Title
S.I. 2026/524	The Power to Award Degrees etc. (Richmond, The American International University in London, Inc.) Order 2026
S.I. 2026/549	The Planning and Infrastructure Act 2025 (Commencement No. 3 and Transitional Provisions) Regulations 2026
S.I. 2026/552	The Finance Act 2009, Sections 101 and 102 (Penalties for Non-disclosure and Promotion of Tax Avoidance Schemes) (Appointed Day) Order 2026
S.I. 2026/559	The Employment Rights Act 2025 (Commencement No. 4 and Transitional and Saving Provisions) Regulations 2026

Appendix 1: Memorandum from the Department for Environment, Food and Rural Affairs

S.I. 2026/475

The Exotic Animal Disease (Amendment) (England) Order 2026

1. The Committee has asked the Department for Environment, Food and Rural Affairs for a memorandum on the following points:
 1. *Explain whether paragraph 46 of Schedule 3A should also have been included in regulation 39(1A)(y) to be inserted into the Diseases of Swine Regulations 2014 pursuant to article 3(32)(b) of this Order.*
 2. *In relation to the requirement set out in paragraph 25(3)(a) of Schedule 3A, inserted by Schedule 2 to this Order, explain whether it is intended that paragraphs 10, 12 and 13 of the Schedule are intended to apply in every case.*
2. In respect of point 1, the Department confirms that the intention in relation to paragraph 46 was to provide for the prohibited behaviour to be declared a criminal offence and accepts that reference to that paragraph should have been included as described by the Committee.
3. In respect of point 2, the Department confirms that it is not intended that paragraphs 10, 12 and 13 should apply in every case, but rather that their provisions apply only as relevant to the case in question. The Department therefore considers that it would be more appropriate to have used the wording “*in accordance with paragraphs 10, 12 or 13*” in paragraph 25(3)(a).

4. The Department sincerely regrets the errors discussed in paragraphs 2 and 3 above and is grateful to the Committee for bringing them to its attention. The Department intends to remedy these errors at the earliest opportunity.

Department for Environment, Food and Rural Affairs

8 June 2026

Appendix 2: Memorandum from the Department for Culture, Media and Sport

S.I. 2026/477

The Football Governance Act 2025 (Commencement No. 3) Regulations 2026

1. The Committee has asked the Department for Culture, Media and Sport for a memorandum on the following point:

In relation to regulation 2(1)(b)(ii), explain why section 46(2) has been commenced given that it does not appear to have any effect on its own.

2. The Department for Culture, Media and Sport accepts the JCSI's position that section 46(2) of the Football Governance Act 2025 ("the Act") does not appear to have any legal effect on its own.
3. However, in this instrument, regulation 2(b)(ii) commenced section 47 (duty not to appoint administrator without approval) of the Act. Subsections (1) and (2) of section 47 both include reference to "a body to which section 46(2) applies". The Department's approach to this instrument was to commence section 46(2) to ensure section 47 has legal effect.
4. The Department is intending to make the next commencement order for the Act at the end of June which will bring into force section 46, so far as not already in force, on the 1st July 2026.

Department for Culture, Media and Sport

9 June 2026

Formal Minutes

Wednesday 17 June 2026

Members present

Sir Bernard Jenkin, in the Chair

Lord Brady of Altrincham

Baroness Kennedy of Cradley

Baroness Miller of Chilthorne Domer

Gareth Snell

Lord Stewart of Dirleton KC

Report consideration

Draft Report (*Fourth Report*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1.1 to 1.5 read and agreed to.

Annex agreed to.

Papers were appended to the Report as Appendices 1 to 2.

Resolved, That the Report be the Fourth Report of the Committee to both Houses.

Ordered, That the Chair make the Report to the House of Commons and that the Report be made to the House of Lords.

Adjournment

Adjourned till Wednesday 24 June at 3.50 p.m.

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2026–27

Number	Title	Reference
3rd	4 Statutory Instruments Reported	HC 172-iii
2nd	4 Statutory Instruments Reported	HC 172-ii
1st	4 Statutory Instruments Reported	HC 172-i

Session 2024–26

Number	Title	Reference
55th	2 Statutory Instruments Reported	HC 291-lv
54th	2 Statutory Instruments Reported	HC 291-liv
53rd	2 Statutory Instruments Reported	HC 291-liii
52nd	2 Statutory Instruments Reported	HC 291-lii
51st	2 Statutory Instruments Reported	HC 291-li
50th	No Statutory Instruments Reported	HC 291-l
49th	3 Statutory Instruments Reported	HC 291-xlix
48th	1 Statutory Instrument Reported	HC 291-xlviii
47th	5 Statutory Instruments Reported	HC 291-xlvii
46th	3 Statutory Instruments Reported	HC 291-xlvi
45th	4 Statutory Instruments Reported	HC 291-xlv
44th	No Statutory Instruments Reported	HC 291-xliv

Number	Title	Reference
43rd	3 Statutory Instruments Reported	HC 291-xliii
42nd	1 Statutory Instrument Reported	HC 291-xlii
41st	1 Statutory Instrument Reported	HC 291-xli
40th	2 Statutory Instruments Reported	HC 291-xl
39th	1 Statutory Instrument Reported	HC 291-xxxix
38th	5 Statutory Instruments Reported	HC 291-xxxviii
37th	8 Statutory Instruments Reported	HC 291-xxxvii
36th	2 Statutory Instruments Reported	HC 291-xxxvi
35th	8 Statutory Instruments Reported	HC 291- xxxv
34th	2 Statutory Instruments Reported	HC 291-xxxiv
33rd	1 Statutory Instrument Reported	HC 291-xxxiii
32nd	No Statutory Instruments Reported	HC 291-xxxii
31st	2 Statutory Instruments Reported	HC 291- xxxi
30th	2 Statutory Instruments Reported	HC 291- xxx
29th	2 Statutory Instruments Reported	HC 291- xxix
28th	1 Statutory Instrument Reported	HC 291-xxviii
27th	3 Statutory Instruments Reported	HC 291-xxvii
26th	3 Statutory Instruments Reported	HC 291- xxvi
25th	2 Statutory Instruments Reported	HC 291- xxv
24th	2 Statutory Instruments Reported	HC 291- xxiv
23rd	2 Statutory Instruments Reported	HC 291-xxiii

Number	Title	Reference
22nd	3 Statutory Instruments Reported	HC 291-xxii
21st	2 Statutory Instruments Reported	HC 291-xxi
20th	5 Statutory Instruments Reported	HC 291-xx
19th	No Statutory Instruments Reported	HC 291-xix
18th	2 Statutory Instruments Reported	HC 291-xviii
17th	No Statutory Instruments Reported	HC 291-xvii
16th	1 Statutory Instrument Reported	HC 291-xvi
15th	1 Statutory Instrument Reported	HC 291-xv
14th	No Statutory Instruments Reported	HC 291-xiv
13th	8 Statutory Instruments Reported	HC 291-xiii
12th	2 Statutory Instruments Reported	HC 291-xii
11th	2 Statutory Instruments Reported	HC 291-xi
10th	2 Statutory Instruments Reported	HC 291-x
9th	2 Statutory Instruments Reported	HC 291-ix
8th	4 Statutory Instruments Reported	HC 291-viii
7th	1 Statutory Instrument Reported	HC 291-vii
6th	4 Statutory Instruments Reported	HC 291-vi
5th	5 Statutory Instruments Reported	HC 291-v
4th	2 Statutory Instruments Reported	HC 291-iv
3rd	10 Statutory Instruments Reported	HC 291-iii
2nd	No Statutory Instruments Reported	HC 291-ii
1st	2 Statutory Instruments Reported	HC 291-i
3rd Special	Scrutinising Statutory Instruments: Departmental Returns, Session 2024–26	HC 1851
2nd Special	Scrutinising Statutory Instruments: Departmental Returns, October 2024 – September 2025: Government response	HC 1501
1st Special	Scrutinising Statutory Instruments: Departmental Returns, October 2024 – September 2025	HC 1342