



HOUSE OF LORDS

Secondary Legislation Scrutiny Committee

12th Report of Session 2019–21

Includes information paragraph on:

Land Registration (Amendment) Rules 2020
Local Government (Coronavirus) (Structural
Changes) (Consequential Amendments)
(England) Regulations 2020

Statutory Sick Pay (General) (Coronavirus
Amendment) (No. 3) Regulations 2020

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Secondary Legislation Scrutiny Committee

The Committee's terms of reference, as amended on 11 July 2018, are set out on the website but are, broadly:

To report on draft instruments and memoranda laid before Parliament under sections 8, 9 and 23(1) of the European Union (Withdrawal) Act 2018.

And, to scrutinise –

- (a) every instrument (whether or not a statutory instrument), or draft of an instrument, which is laid before each House of Parliament and upon which proceedings may be, or might have been, taken in either House of Parliament under an Act of Parliament;
- (b) every proposal which is in the form of a draft of such an instrument and is laid before each House of Parliament under an Act of Parliament,

with a view to determining whether or not the special attention of the House should be drawn to it on any of the grounds specified in the terms of reference.

The Committee may also consider such other general matters relating to the effective scrutiny of secondary legislation as the Committee considers appropriate, except matters within the orders of reference of the Joint Committee on Statutory Instruments.

Members

<u>Baroness Bakewell of Hardington Mandeville</u>	<u>Lord Hodgson of Astley Abbotts</u>	<u>The Earl of Lindsay</u>
<u>Rt Hon. Lord Chartres</u>	(Chair)	<u>Lord Lisvane</u>
<u>Rt Hon. Lord Cunningham of Felling</u>	<u>Lord Kirkwood of Kirkhope</u>	<u>Lord Sherbourne of Didsbury</u>
<u>Viscount Hanworth</u>	<u>Lord Liddle</u>	<u>Baroness Watkins of Tavistock</u>

Registered interests

Information about interests of Committee Members can be found in the last Appendix to this report.

Publications

The Committee's Reports are published on the internet at <http://www.parliament.uk/seclegpublications>

Committee Staff

The staff of the Committee are Christine Salmon Percival (Clerk), Philipp Mende (Adviser), Jane White (Adviser), Louise Andrews (Committee Assistant) and Ben Dunleavy (Committee Assistant).

Further Information

Further information about the Committee is available at <https://www.parliament.uk/business/committees/committees-a-z/lords-select/secondary-legislation-scrutiny-committee/>

The progress of statutory instruments can be followed at <https://statutoryinstruments.parliament.uk/>

The National Archives publish statutory instruments with a plain English explanatory memorandum on the internet at <http://www.legislation.gov.uk/uksi>

Contacts

Any query about the Committee or its work, or opinions on any new item of secondary legislation, should be directed to the Clerk to the Secondary Legislation Scrutiny Committee, Legislation Office, House of Lords, London SW1A 0PW. The telephone number is 020 7219 8821 and the email address is hlseclegscrutiny@parliament.uk.

Twelfth Report

INSTRUMENTS RELATING TO COVID 19

Public Services

Land Registration (Amendment) Rules 2020 (SI 2020/425)

1. This instrument gives HM Land Registry flexibility to extend the 30-day priority period that is provided by an official search.¹ The instrument enables the Chief Land Registrar to certify a day as an “interrupted working day” if there is a temporary disruption to HM Land Registry’s services as a result of the pandemic. HM Land Registry explains that the instrument extends the expiry date of the priority period given by an official search, as well as the date for responses to notices and requisitions, by the number of working days equal to the number of interrupted working days falling within the priority period or within the time given for responding to notices and requisitions. According to HM Land Registry, this is to ensure that official searches in England and Wales would not be negatively affected if HM Land Registry ceases to operate temporarily as a result of the pandemic. **HM Land Registry told the Committee that the power to certify interrupted working days that is introduced by this instrument is not time-limited and will remain in place for possible use in any further crisis.**

Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020 (SI 2020/426)

2. The Coronavirus Act 2020 postponed the local government elections from 7 May 2020 to 6 May 2021. The elections would have elected members for the first time to the newly established unitary council in Buckinghamshire and to new shadow authorities in Northamptonshire. In absence of the May 2020 elections, this instrument makes provision for the membership and governance arrangements for Buckinghamshire Council and the Northamptonshire shadow authorities until 10 May 2021. Amongst other provisions, the instrument ensures that the current members of Buckinghamshire Council who have been serving as members of the shadow authority will be the members of the new Buckinghamshire Council, which took on full local government functions and powers on 1 April 2020, until four days after the local elections in 2021. Following the establishment of two new councils — North Northamptonshire and West Northamptonshire — that will operate in shadow form from 11 May 2020, the instrument also provides that the membership of the two new councils will be the current county and district councillors for the respective areas of the new councils until four days after the May 2021 elections.

¹ A buyer of land will usually apply for an official search with priority, a so-called official search, before exchanging contract, in order to prevent registration of any adverse interest in relation to the land for 30 working days, the so-called priority period.

Changes to benefits

Statutory Sick Pay (General) (Coronavirus Amendment) (No. 3) Regulations 2020 (SI 2020/427)

3. This instrument amends the Statutory Sick Pay (General) Regulations 1982 so that a person with underlying health problems, who cannot work because they have been notified to follow rigorous shielding measures, can be paid sick pay at the standard rate of £95.85 a week. This applies to Great Britain and is intended as a safety net in cases where the person's employer chooses not to furlough them under the Coronavirus Job Retention Scheme and cannot offer other options, such as work from home or special leave.

INSTRUMENTS NOT DRAWN TO THE SPECIAL ATTENTION OF THE HOUSE

Instruments subject to annulment

SI 2020/425	Land Registration (Amendment) Rules 2020
SI 2020/426	Local Government (Coronavirus) (Structural Changes) (Consequential Amendments) (England) Regulations 2020
SI 2020/427	Statutory Sick Pay (General) (Coronavirus Amendment (No. 3) Regulations 2020
SI 2020/430	Civil Aviation (Aerial Advertising) (Amendment) Regulations 2020

APPENDIX 1: INTERESTS AND ATTENDANCE

Committee Members' registered interests may be examined in the online Register of Lords' Interests at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests>. The Register may also be inspected in the Parliamentary Archives.