



House of Commons
Select Committee on
Statutory Instruments

**Third Report
of Session 2009–10**

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Current membership

David Maclean MP (*Conservative, Penrith and The Border*) (Chairman)

Dr Roberta Blackman-Woods MP (*Labour, City of Durham*)

Mr Peter Bone MP (*Conservative, Wellingborough*)

Mr Nigel Dodds MP (*Democratic Unionist, Belfast North*)

Jeff Ennis MP (*Labour, Barnsley East and Mexborough*)

Judy Mallaber MP (*Labour, Amber Valley*)

Chris Ruane MP (*Labour, Vale of Clwyd*)

Powers

The full constitution and powers of the Committee are set out in House of Commons Standing Order No. 151, available on the Internet via www.parliament.uk/scsi.

The Select Committee on Statutory Instruments (SCSI) is appointed to consider statutory instruments made in exercise of powers granted by Act of Parliament. It carries out the same duties as the Joint Committee on Statutory Instruments in respect of those instruments laid before and subject to proceedings in the House of Commons only.

The role of the SCSI, whose membership is drawn from the House of Commons, is to assess the technical qualities of each instrument that falls within its remit and to decide whether to draw the special attention of the 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. or on 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 The Stationery Office by Order of the House. All publications of the Committee are available on the Internet from www.parliament.uk/scsi.

Committee staff

The current staff of the Committee are John Whatley (*Commons Clerk*) and Jennifer Steele (*Committee Secretary*). Advisory Counsel: Peter Davis, Peter Brooksbank and Christine Cogger.

Contacts

All correspondence should be addressed to the Clerk of the Select Committee on Statutory Instruments, Delegated Legislation Office, 7 Millbank, London SW1P 3JA. The telephone number for general inquiries is: 020 7219 2830; the Committee's email address is: jcsi@parliament.uk.

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Instruments not reported

The Committee has considered the instruments set out in the Annex to this Report, none of which were required to be reported.

Annex

Instruments to which the Committee does not draw the special attention of the House.

Instruments requiring affirmative approval

H.C. 278	Police Grant Report (England and Wales) for 2010–11
H.C. 280	Local Government Finance Report (England) 2010–11
H.C. 306	Local Government Finance (England) Special Grant Report (No. 130) on the grant to be paid towards the cost of implementing the new statutory minimum bus travel concession in England

Draft Instruments requiring affirmative approval

Draft S.I.	Council Tax Limitation (Maximum Amounts) (England) Order 2010
Draft S.I.	Field Allowance for New Oil Fields Order 2010
Draft S.I.	Special Annual Allowance Charge (Variation of Rate) Order 2010

Instruments subject to annulment

S.I. 2009/3164	Customs (Contravention of a Relevant Rule) (Amendment) Regulations 2009
S.I. 2009/3166	Value Added Tax (Tour Operators) (Amendment) Order 2009
S.I. 2009/3172	Travellers' Allowances (Amendment) Order 2009
S.I. 2009/3173	Corporation Tax (Financing Costs and Income) Regulations 2009
S.I. 2009/3217	Corporation Tax (Tax Treatment of Financing Costs and Income) (Acceptable Financial Statements) Regulations 2009
S.I. 2009/3218	Income and Corporation Taxes (Electronic Communications) (Amendment) Regulations 2009
S.I. 2009/3227	Northern Rock plc (Tax Consequences) Regulations 2009
S.I. 2009/3241	Value Added Tax (Amendment) (No. 5) Regulations 2009
S.I. 2010/51	Inheritance Tax (Qualifying Non-UK Pension Schemes) Regulations 2010