



House of Commons
Select Committee on
Statutory Instruments

**Fourth Report
of Session 2009–10**

*Ordered by The House of Commons
to be printed 30 March 2010*

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 2026; the Committee's email address is: jcsi@parliament.uk.

Contents

Report	<i>Page</i>
Instruments not reported	3
Annex	3

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

Draft instruments requiring affirmative approval

Draft S.I. Community Infrastructure Levy Regulations 2010

Instruments subject to annulment

S.I. 2010/270 Poultry Compartments (Fees) (England) Order 2010

S.I. 2010/294 Authorised Investment Funds (Tax) (Amendment) Regulations 2010

S.I. 2010/406 Car and Van Fuel Benefit Order 2010

S.I. 2010/407 Stamp Duty Land Tax Avoidance Schemes (Prescribed Descriptions of Arrangements) (Amendment) Regulations 2010

S.I. 2010/410 Tax Avoidance Schemes (Information) (Amendment) Regulations 2010

S.I. 2010/415 Taxes (Interest Rate) (Amendment) Regulations 2010

S.I. 2010/429 Special Annual Allowance Charge (Protected Pension Input Amounts) Order 2010

S.I. 2010/485 Value Added Tax (Buildings and Land) Order 2010

S.I. 2010/486 Value Added Tax (Construction of Buildings) Order 2010

S.I. 2010/529 Pension Schemes (Transfers, Reorganisations and Winding Up) (Transitional Provisions) (Amendment) Order 2010

S.I. 2010/530 Finance Act 2008 (Penalties for Errors and Failure to Notify etc) (Consequential Amendments) Order 2010

S.I. 2010/536 Taxation of Pensions Schemes (Rates, etc) Order 2010

S.I. 2010/559 Value Added Tax (Amendment) Regulations 2010

S.I. 2010/570 Whole of Government Accounts (Specified Dates) Order 2010

S.I. 2010/581 Registered Pension Schemes (Provision of Information) (Amendment) Regulations 2010

S.I. 2010/588 Income Tax Act 2007 (Amendment) Order 2010

S.I. 2010/608 Value Added Tax (Refund of Tax to Museums and Galleries) (Amendment) Order 2010

S.I. 2010/614 Corporation Tax Act 2009 (Amendment) Order 2010

S.I. 2010/642	Aggregates Levy (General) (Amendment) Regulations 2010
S.I. 2010/643	Climate Change Levy (General) (Amendment) Regulations 2010
S.I. 2010/650	Registered Pension Schemes etc (Information) (Prescribed Descriptions of Persons) Regulations 2010
S.I. 2010/651	Registered Pension Schemes (Enhanced Lifetime Allowance) (Amendment) Regulations 2010
S.I. 2010/652	Registered Pension Schemes and Overseas Pension Schemes (Electronic Communication of Returns and Information) (Amendment) Regulations 2010
S.I. 2010/664	Stamp Duty Reserve Tax (Amendment) Regulations 2010
S.I. 2010/668	Income Tax (Pay As You Earn) (Amendment) Regulations 2010
S.I. 2010/669	Corporation Tax (Treatment of Unrelieved Surplus Advance Corporation Tax) (Amendment) Regulations 2010
S.I. 2010/673	MFET Limited (Application of Sections 731, 733 and 734 of the Income Tax (Trading and Other Income) Act 2005) Order 2010
S.I. 2010/695	Income Tax (Car Benefits) (Reduction of Value of Appropriate Percentage) (Revocation) Regulations 2010
S.I. 2010/717	Income Tax (Construction Industry Scheme) (Amendment) Regulations 2010
S.I. 2010/739	Diseases of Animals (Approved Disinfectants) (Fees) (England) Order 2010