



House of Lords
House of Commons
Joint Committee on
Statutory Instruments

Second Report of Session 2006–07

*Ordered by The House of Lords to be printed
29 November 2006*

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Joint Committee on Statutory Instruments

Current membership

House of Lords

Lord Brougham and Vaux CBE (*Conservative*)
Lord Dykes (*Liberal Democrat*)
Baroness Gale (*Labour*)
Lord Gould of Brookwood (*Labour*)
Lord Greenway (*Cross Bench*)
Lord Howard of Rising (*Conservative*)
Lord Mancroft (*Conservative*)

House of Commons

David Maclean MP (*Conservative, Penrith and The Border*)
(Chairman)
Dr Roberta Blackman-Woods MP (*Labour, City of Durham*)
Mr Peter Bone MP (*Conservative, Wellingborough*)
Michael Jabez Foster MP (*Labour, Hastings and Rye*)
Mr David Kidney MP (*Labour, Stafford*)
Mr John MacDougall MP (*Labour, Central Fife*)
David Simpson MP (*Democratic Unionist, Upper Bann*)

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, available on the Internet via www.parliament.uk/jcsi.

Remit

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. 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 both Houses. All publications of the Committee are available on the Internet from www.parliament.uk/jcsi.

Committee staff

The current staff of the Committee are Mick Hillyard (*Commons Clerk*), Kath Kavanagh (*Lords Clerk*) and Jacqueline Cooksey (*Committee Secretary*).

Contacts

All correspondence should be addressed to the Clerk of the Joint 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 e-mail address is: jcsi@parliament.uk.

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Instruments not reported

The Committee considered the instruments set out in the Annex to this Report at its meeting on 29 November 2006 and determined that the special attention of both Houses does not require to be drawn to any of them.

Annex

Instruments to which the Committee does not draw the special attention of both Houses

- denotes that the written evidence submitted in connection with the instrument is printed with this Report
- denotes written evidence has been submitted but not printed

Draft instruments requiring affirmative approval

Draft S.I.	Accession (Immigration and Worker Authorisation) Regulations 2006
Draft S.I.	Asylum (First List of Safe Countries) (Amendment) Order 2006
Draft S.I.	Employment Act 2002 (Amendment of Schedules 3, 4 and 5) Order 2006
Draft S.I.	Personal Injuries (NHS Charges) (Amounts) Regulations 2006
Draft S.I.	Petroleum Act 1998 (Third Party Access) Order 2007
Draft S.I.	Science and Technology Facilities Council Order 2007
Draft S.I.	Technology Strategy Board Order 2007

Instruments subject to annulment

S.I. 2006/2806	Medicines (Administration of Radioactive Substances) Amendment Regulations 2006
S.I. 2006/2807	Medicines for Human Use (Administration and Sale or Supply) (Miscellaneous Amendments) Order 2006
S.I. 2006/2808	Feeding Stuffs (England) (Amendment) Regulations 2006
S.I. 2006/2810	Mental Capacity Act 2005 (Appropriate Body) (England) Regulations 2006
S.I. 2006/2813	Housing Benefit and Council Tax Benefit (Amendment) Regulations 2006
S.I. 2006/2815	Nuclear Industries Security (Amendment) Regulations 2006
S.I. 2006/2816	Motor Vehicles (EC Type Approval) (Amendment No. 4) Regulations 2006
S.I. 2006/2818	Healthy Start Scheme and Welfare Food (Amendment No. 2) Regulations 2006
S.I. 2006/2819	Road Traffic (Permitted Parking Area and Special Parking Area) (County of Shropshire) Order 2006
S.I. 2006/2820	Bus Lane Contraventions (Approved Local Authorities) (England) (Amendment) (No. 5) Order 2006
S.I. 2006/2821	Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006
S.I. 2006/2829	Social Security (Contributions) (Amendment No. 5) Regulations 2006
S.I. 2006/2836	Closures Guidance (Railway Services in England and Wales) Order 2006
S.I. 2006/2837	Closures Guidance (Railway Services in Scotland and England) Order 2006
S.I. 2006/2841	Products of Animal Origin (Third Country Imports) (England) Regulations 2006
S.I. 2006/2896	Education (School Performance Information) (England) (Amendment) Regulations 2006
S.I. 2006/2897	Social Security (National Insurance Numbers) Amendment Regulations 2006
S.I. 2006/2899	Immigration (Leave to Remain) (Prescribed Forms and Procedures) (Amendment No.2) Regulations 2006

S.I. 2006/2901	General Optical Council (Continuing Education and Training) (Amendment No 2) Rules Order of Council 2006
S.I. 2006/2907	Cosmetic Products (Safety) (Amendment) (No. 3) Regulations 2006
S.I. 2006/2909	Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Amendment) Order 2006
S.I. 2006/2911	Railways Act 2005 (Commencement No. 7, Transitional and Saving Provisions) Order 2006
S.I. 2006/2912	M53 Motorway (Bidston Moss Viaduct)(50 Miles per Hour Speed Limit) Regulations 2006
S.I. 2006/2914	Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
S.I. 2006/2915	National Lottery Distributors Dissolution Order 2006
S.I. 2006/2919	National Health Service (Pension Scheme and Compensation for Premature Retirement) Amendment Regulations 2006
S.I. 2006/2920	Civil Courts (Amendment No.2) Order 2006
S.I. 2006/2921	Rice Products (Restriction on First Placing on the Market) (England) Regulations 2006
S.I. 2006/2922	Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No. 3) Regulations 2006
S.I. 2006/2924	Social Security (Contributions) (Amendment No. 6) Regulations 2006
S.I. 2006/2930	Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006
S.I. 2006/2931	Employment Equality (Age) (Amendment No.2) Regulations 2006
S.I. 2006/2933	Plant Protection Products (Amendment) (No. 2) Regulations 2006
S.I. 2006/2935	Motor Cycles Etc. (EC Type Approval) (Amendment) Regulations 2006

Instruments not subject to Parliamentary proceedings not laid before Parliament

S.I. 2006/1921	Films Co-Production Agreements (Amendment) Order 2006
S.I. 2006/1951	Railways Act 2005 (Commencement No. 6) Order 2006
S.I. 2006/1954	Transport and Works (Model Clauses for Railways and Tramways) Order 2006
S.I. 2006/2177	National Lottery Act 2006 (Commencement No. 1) Order 2006
S.I. 2006/2317	Education (Inspectors of Schools in England) (No.3) Order 2006
S.I. 2006/2563	Housing (Right to Buy)(Priority of Charges) (England) (No.2) Order 2006
S.I. 2006/2630	National Lottery Act 2006 (Commencement No. 2 and Transitional Provisions) Order 2006
S.I. 2006/2656	European Convention on Cinematographic Co-production Order 2006
S.I. 2006/2794	Offshore Installations (Safety Zones) (No.4) Order 2006
S.I. 2006/2814	Mental Capacity Act 2005 (Commencement No.1) Order 2006
S.I. 2006/2817	Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 10) Order 2006
S.I. 2006/2827	Registration of Births and Deaths (Amendment) Regulations 2006
S.I. 2006/2838	Immigration, Asylum and Nationality Act 2006 (Commencement No. 3) Order 2006
S.I. 2006/2895	Education Act 2002 (Commencement No.9 and Savings) Order 2006