



Factsheet L7 Legislative Series

Revised January 2007

House of Commons Information Office

Statutory Instruments

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Statutory Instruments (SIs) are a form of legislation which allow the provisions of an Act of Parliament to be subsequently brought into force or altered without Parliament having to pass a new Act. They are also referred to as secondary, delegated or subordinate legislation. This **Factsheet** discusses the background to SIs, the procedural rules they must follow, and their parliamentary scrutiny. It also looks at the other types of delegated legislation.

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Introduction

This Factsheet looks at Statutory Instruments (SIs). In particular, it describes what they are and also the parliamentary procedures related to them. The Factsheet also looks at other delegated legislation including regulatory reform orders, human rights orders and orders in council. The last section of the Factsheet gives guidance on where to find information on SIs.

Statutory Instruments

What is a Statutory Instrument?

Major laws in the UK pass through Parliament in the form of bills. Once bills have progressed through all of their stages they become Acts of Parliament. Acts of Parliament often confer powers on Ministers to make more detailed orders, rules or regulations by means of statutory instruments. The scope of these powers varies greatly, from the technical (e.g. to vary the dates on which different provisions of an Act will come into force, to change the levels of fines or penalties for offences or to make consequential and transitional provisions) to much wider powers such as filling out the broad provisions in Acts. Often, Acts only contain a broad framework and SIs are used to provide the necessary detail that would be considered too complex to include in the body of an Act. Secondary legislation can also be used to amend, update or enforce existing primary legislation.

Statutory Instruments are just as much a part of the law of the land as an Act of Parliament. The Courts can question whether a Minister, when issuing an SI, is using a power he has actually been given by the parent Act but cannot question the validity of the Statutory Instrument for any other reason.

Drafting

Statutory Instruments are usually drafted by the legal office of the Government Department concerned, often following consultations with interested bodies and parties whilst the SI is in draft. They are then "made" in the name of the person (usually a Secretary of State or Minister) authorised by the parent Act. Each is given a number in the SI series, which runs from number 1 each calendar year, and is quoted in the form: SI 2005/1234. There are about three and a half thousand SIs each year, varying in size from a single sheet to several hundreds of pages. Like Acts of Parliament, some SIs apply to the whole of the UK, some to the individual countries only. SIs can also be issued in draft requiring the approval of both Houses of Parliament. These do not have a number until this approval is given (see below, 'Affirmative Procedure').

Preamble

Each Order has a preamble stating the authority or the primary legislation for its production. For example the *Gaming Act (Variation of Monetary Limits) Order 1999* states:

"In exercise of the powers conferred on me by Section 20(3) and (8) and 51(4) of the Gaming Act 1968, I hereby make the following Order ..."

Explanatory Notes

All general Statutory Instruments have an **explanatory note**, which explains their scope and purpose. The Explanatory Note for the Gaming Order simply reads *"This Order increases the monetary limits specified in the Gaming Act 1968 for the prizes, stakes and other matters mentioned ..."*. The explanatory note has no legal force; an SI's legitimacy rests on what is stated in the originating Act of Parliament where the power to make secondary legislation is granted (the citation clause).

Explanatory Memoranda

All Statutory Instruments that are subject to parliamentary procedure must now be accompanied by an **explanatory memorandum** (EM). This is a short document, which should explain in plain English what the SI does and why. Where it is linked to other SIs or fulfils the requirements of an Act the EM should set this out. The EM is made freely available to the public via the HMSO website <http://www.opsi.gov.uk/stat.htm>.

The EM should also include consideration of the costs of the measure and the outcome of the public consultation exercise, although to do this it may simply refer to a **Regulatory Impact Assessment** (RIA) which should also be available to the public. For SIs that implement European legislation a **Transposition Note** may be available, setting out which piece of UK legislation implements each of the provisions of the Directive.

Parliamentary procedure on SIs

Whether an instrument is subject to parliamentary procedure is determined by the parent Act. Some SIs are not laid and as such are not subject to any parliamentary procedure and simply become law on the date stated in them. Such Instruments are, in general, not contentious. Commencement Orders (see below) generally fall into this category, as do Orders in Council.

Frequently used terms

Made - a Statutory Instrument is 'made' when signed by minister (or person with authority under the Act); in other words the instrument is not in draft.

Laid - the procedure that constitutes the laying of a Statutory Instrument is set out in House of Commons SO 159. Basically for an SI to be laid before the House of Commons a copy of the Instrument must be 'laid on the table of the House'; this actually means placing a copy of the Instrument with the Votes and Proceedings desk in the Journal Office. Most SIs are laid in both Houses and a similar procedure applies in the House of Lords

Coming into force – when the provisions in the Statutory Instrument take effect.

Many SIs are subject to parliamentary control; these SIs will follow one of the procedures laid down in the *Statutory Instruments Act 1946*. The type of parliamentary control will usually be prescribed in the parent Act. An instrument is laid before Parliament either in draft form or after the instrument has been made'. According to the procedure applied to them, most SIs fall into one of the classes shown below:

Instruments subject to negative resolution procedure

Such instruments become law unless there is an objection from the House

- (i) The instrument is laid in draft and cannot be made if the draft is disapproved within 40 days (draft instruments subject to the negative resolution are few and far between).
- (ii) The instrument is laid after making, subject to annulment if a motion to annul (known as a 'prayer') is passed within 40 days.

Instruments subject to affirmative resolution procedure

These instruments cannot become law unless they are approved by both Houses.

- (i) The instrument is laid in draft but cannot be made unless the draft is approved by both

- Houses (the Commons alone for financial SIs).
- (ii) The instrument is laid after making but cannot come into force unless and until it is approved.
- (iii) The instrument is laid after making and will come into effect immediately but cannot remain in force unless approved within a statutory period (usually 28 or 40 days).

Other Procedures

- (i) The instrument is required to be laid before parliament after being made but does not require parliamentary scrutiny.
- (ii) The instrument is not required to be laid (and is therefore not subject to Parliamentary procedure).

Negative Procedure

Some SIs become law on the date stated on them but will be annulled if either House (or the Commons only, in the case of instruments dealing with financial matters) passes a motion calling for their annulment within a certain time. This time period is usually 40 days *including* the day on which it was laid. No account is taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days. A motion calling for annulment is known as a *prayer*, couched in such terms as:

"That an humble address be presented to Her Majesty praying that the Asylum Seekers (Interim Provisions) Regulations 1999 ... be annulled".

In the House of Commons any Member may put down a motion to annul an SI subject to the Negative Procedure. In practice such motions are now generally put down as Early Day Motions (EDMs), which are motions for which no time has been fixed and, in the vast majority of cases, for which no time is likely to be available (see **Factsheet P3**). A motion put down by the Official Opposition will often be accommodated although there is no absolute certainty of this. An annulment motion put down by a backbencher is unlikely to be dealt with but a debate may be arranged if there are a large number of signatories to the EDM. In the House of Lords prayers can be tabled by an individual Member and are usually debated, although rarely put to the vote. A recent example of a successful motion to annul occurred on 22 February 2000, when the House of Lords rejected the *Greater London Authority Elections Rules* (SI 2000/208). The House of Commons last annulled a Statutory Instrument on 24th October 1979 (the *Paraffin (Maximum Retail Prices) (Revocation) Order 1979* (S.I. 1979, No. 797)).

Affirmative Procedure

This is less common than the negative procedure, currently representing about 10% of instruments subject to Parliamentary procedure, but provides more stringent parliamentary control since the instrument must receive Parliament's approval before it can come into force or to remain in force.

Most SIs subject to the affirmative procedure are laid in the form of a draft Order, which is later printed and added to the numerical run of SIs when it has been approved by both Houses. Such orders cannot be **made** unless the draft order is approved by Parliament. To do this, a motion approving it has to be passed by both Houses (or by the Commons alone if deals with financial matters). The responsibility lies with the minister, having laid the Instrument, to move the motion for approval.

Some Instruments are **laid** after making and will come into effect immediately but require

subsequent approval within a statutory period, usually 28 days (or occasionally 40 days) to remain in force. This again excludes periods when Parliament is dissolved, prorogued or adjourned for more than four days. Again, the motion is generally prepared by the relevant minister, who is also responsible for ensuring that the motion is discussed within the necessary time limit.

The last time a draft Statutory Instrument subject to affirmative procedure was not approved by Resolution of the House of Commons was on 12th November 1969 when House agreed to Motions that the draft *Parliamentary Constituencies (England) Order 1969*, the draft *Parliamentary Constituencies (Wales) Order 1969*, the *Parliamentary Constituencies (Scotland) Order 1969* and the *Parliamentary Constituencies (Northern Ireland) Order* 'be not approved'.

It is important to note that SIs cannot, except in extremely rare instances where the parent Act provides otherwise, be amended or adapted by either House. Each House simply expresses its wish for them to be annulled or passed into law, as the case may be.

The parent Act (sometimes referred to as enabling Act) indicates which of the above procedures will apply to an SI. An appendix to the Votes and Proceedings of the House (see **Factsheet P16**) records the day on which an Instrument is laid.

Joint Committee on Statutory Instruments

To aid parliamentary examination of SIs there is a Joint Committee of both Houses on Statutory Instruments (sometimes called the Scrutiny Committee). The Commons Members of this committee sometimes sit separately. They have the services of Counsel to the Speaker and the Lord Chairman of Committees available to them during their deliberations. They may, like other Select Committees, take oral or written evidence from the responsible Government Department on instruments they are considering. Some Statutory Instruments (e.g. local orders not laid before Parliament) are not scrutinised by the Committee. Other instruments, which are not technically Statutory Instruments but which may need an affirmative resolution, such as reports on local government finance special grants, draft codes of practice which have legislative effect and orders subject to special parliamentary procedure under the *Statutory Orders (Special Procedure) Acts of 1945 and 1946* (see **Factsheet L9**) are looked at.

These Committees do not consider the merits of any SI. They are responsible for ensuring that a Minister's powers are being carried out in accordance with the provisions of the enabling Act. They report to the House any instance where the authority of the Act has been exceeded, or any which reveal an "unusual or unexpected" use of the powers, or have been drafted defectively, or where the instrument might require further explanation. These Reports are printed as House of Commons and House of Lords papers and their publication is noted in the Weekly Information Bulletin (see **Factsheet P17**).

The Lords Committee on the Merits of Statutory Instruments.

This Committee was first appointed on 17 December 2003 and has eleven members. Its work complements that of the Joint Committee on Statutory Instruments. Whereas the JCSI considers technical matters about the legality of proposals, the Merits Committee's task is to consider the policy implications of Statutory Instruments.

The Merits Committee's terms of reference are wide-ranging. Its remit is to consider whether the special attention of the House should be drawn to a Statutory Instrument on any of the following grounds:

- (a) that it is politically or legally important or gives rise to issues of public policy likely to be of interest to the House;
- (b) that it is inappropriate in view of the changed circumstances since the passage of the parent Act;
- (c) that it inappropriately implements EU legislation;
- (d) that it imperfectly achieves its policy objectives.

Like the JCSI, the Committee meets weekly, both to ensure that consideration of negative instruments is undertaken within the 40 day “praying time” and to enable the Committee to keep pace with the volume of documents it is required to consider. The Committee is advisory and does not have a scrutiny reserve. The full text of all reports is placed on the website: http://www.parliament.uk/parliamentary_committees/merits.cfm The Committee meets on a Tuesday and its reports are generally published two days later. As well as alerting the House to any interesting instruments or instruments on which there may be concerns, the Merits Committee’s reports often publish additional information presented in response to the Committee’s questions, which may be of wider interest in the House.

The creation of the Merits Committee is part of the reform of the House and, on a recommendation of the Procedure Committee, its terms of reference will be reviewed in due course.

Debates on SIs in the House of Commons

In recent decades, the number of SIs considered in some form by the House of Commons has risen considerably. As a result the House has found it difficult to make enough time available for the debate of SIs. Debates, normally on Motions to approve or annul instruments, may take place on the floor of the House (usually late in the parliamentary day), or in Delegated Legislation Committees. These were first set up as Standing Committees on Statutory Instruments in the 1973-74 session in order to relieve pressure of time in the House itself. Their title was changed at the beginning of the 1995-96 session to Standing Committees on Delegated Legislation, and again in 2006-07 to Delegated Legislation Committees. Debates on the floor of the House on Statutory Instruments constitute exempted business under Standing Order No 15, and if taken after the **moment of interruption**¹ may generally be debated for an hour and a half. Prayers (see above) cannot be debated beyond an hour and a half after this time.

In the House of Lords the length of debate is dictated by the number of speakers putting their name down and discussions by “the usual channels”

Delegated Legislation Committees

Delegated Legislation Committees (DLCs) are commonly composed of 17 members, though any Member may attend and speak (but only the original members of the Committee are entitled to vote).

SIs under the affirmative procedure are automatically referred to DLC. SIs under the negative procedure are only referred to a DLC if a Minister puts a Motion to the House of Commons in the form:

"That the Education (Budget Statements and Supplementary Provisions) Regulations 1999 be referred to a Delegated Legislation Committee"

¹ 10.00pm on Monday and Tuesdays; 7.00pm on Wednesdays; 6.00pm Thursdays

If more than 20 Members object to the Motion, then the SI cannot go to a DLC. In such circumstances, the government business managers have to decide how to proceed with the SI.

A Delegated Legislation Committee can only consider an SI on the motion "That the Committee has considered the instrument". The debate can take up to 1½ hours, or 2½ hours if the instrument relates exclusively to Northern Ireland. Reports of the debates are published by the Stationery Office, normally the following day.

Appendix A shows the number of times each procedure was used in the most recent complete session.

Other types of delegated legislation

In addition to the general procedure described above, Statutory Instruments are created in a variety of other forms, of which the more common are discussed below. The list below is not comprehensive; there are various types of Instrument outside the scope of these notes. These include those by which most primary legislation for Northern Ireland has of late been embodied (see **Factsheet L8**), and those subject to the *Statutory Orders (Special Procedure) Act 1945* (see **Factsheet L9**). The Northern Ireland equivalent of an SI is called a Statutory Rule (SR).

Regulatory Reform Orders

The *Regulatory Reform Act 2001* enables the Government to make an order, known as a regulatory reform order, to amend or repeal a provision in primary legislation which is considered to impose a burden on business or others, as long as it can be reduced or removed without removing necessary protection. This Act extended the provisions of the *Deregulation and Contracting Out Act 1994* under which the orders were known as deregulation orders. The relevant Government Department must first draft a proposal for the order and consult representatives of those who are substantially affected and anyone else the Government consider appropriate. After considering the results of the consultation, the Government may decide to change all or part of the proposal, or even withdraw it completely. The parliamentary scrutiny of these orders is explained below.

The exacting procedure for Parliament's examination of regulatory reform proposals and draft orders was introduced in response to concern that the sweeping powers given to Ministers in the original Act should be properly accountable.

When the Government are satisfied with the proposal, it is laid before Parliament, with a detailed explanatory statement describing the proposal and the form and results of the consultation. During a period of 60 days (excluding dissolution, prorogation or periods when **either** House is adjourned for more than four days),² select committees in both Houses scrutinise the proposal (the Regulatory Reform Committee in the Commons and the Delegated Powers and Regulatory Reform Committee in the Lords). In the Commons, the Committee (consisting of eighteen members) must examine each proposal against fourteen criteria (which are set out in full in Standing Order No. 141 (6)). These include the maintenance of "necessary protection" for those who may be affected, the adequacy of public consultation, the extent of the burden to be lifted, financial implications and compliance with European law. In the Lords, the Committee examines a proposal's compliance with the 2001 Act. Each Committee may examine witnesses (who are not confined to those already consulted), call for evidence from the relevant Department and consider other representations.

The Committees report to their respective House and they may recommend that the proposal should proceed, not proceed, or proceed only in an amended version. The Government must take account of the Committees' reports and any other representations made before finalising the draft Order.

After the 60 days have elapsed, a draft order may be laid, with a statement detailing any changes made to it since parliamentary consideration of the proposal. The Commons Committee is required to report on the draft Order within 15 sitting days of being laid, recommending whether the draft Order should or should not be approved. The Lords Committee does not have the same time constraint but will aim to report within the same period.

² This differs from SIs where the clock is stopped when both Houses are in recess for a period of more than four days

Debates on Regulatory Reform Orders

The Government can then bring forward the draft order for approval by a resolution of each House. The Lords generally debate all such Orders but procedure in the Commons varies according to the report of the Regulatory Reform Committee:

- if the recommendation of the Committee was for approval, without a division in committee, then the Question for approval by the House must be put forthwith (i.e. without debate);
- if the recommendation of the Committee was for approval, but the Committee divided on the recommendation, then the Motion to approve the Order may be debated by the House for up to one and a half hours;
- if the recommendation of the Committee was that the draft Order should not be approved, but the Government wish to proceed, then: the Government have to table a Motion to disagree with the Committee's report, which may be debated for up to 3 hours. If that Motion is approved by the House, then the Question on the draft order is put forthwith.

Once the draft orders are approved by both Houses, they are made by the Minister responsible and are then printed and published as Statutory Instruments by the Stationery Office.

The dates of all stages in both Houses and publication of the reports by the Committees are noted in the Weekly Information Bulletin (see **Factsheet P17**).

Remedial Orders

Under the *Human Rights Act 1998*, if a court makes a declaration of incompatibility with the European Convention on Human Rights in relation to a statute, the Government is able to propose draft Orders or make Orders to amend primary legislation in order to remove any incompatibility. The procedure followed is similar to that for regulatory reform orders.

First, a Minister must lay a proposal for a draft remedial order before Parliament. The proposal must be accompanied by an explanation of the circumstances that led to the need for the proposal. The same 60 day period as for regulatory reform orders applies during which representations may be made on the order. Also, during this period, the Joint Committee on Human Rights must report on whether an order in the same terms as the proposal should be laid.

At the end of this first sixty day period, the Minister may lay a draft remedial order. This must be accompanied by a statement on representations received and any changes made to the proposal following these representations. There is then a further 60 days period (calculated in the same way) after which a motion may be moved to approve the draft order. Again, the Joint Committee must report on whether the draft order should be approved.

Once this order is approved by both Houses the Order may be made and brought into effect.

There is also an urgent procedure for remedial orders where the order is made at the same time as it is laid before Parliament. There then follows a 60-day period where representations including any report from the Joint Committee may be submitted. After this period, the Minister must report any representations to both Houses and may choose to make and lay a replacement order.

The original order or the replacement order must then be approved by motions of both Houses within 120 days of the making of the original order (including usual adjustments) otherwise it will cease to have effect. If the Joint Committee reported that the original order should be replaced by a new one, it is expected to report on the replacement order as well.

Commencement orders

Commencement orders (or appointed day orders) are a form of Statutory Instrument designed to bring into force the whole or part of an Act of Parliament which for some reason it is not desired to put into effect immediately upon Royal Assent (see **Factsheet L1**). There may be more than one per Act (the *Town and Country Planning Act 1971* had 75 such Orders) and there is in general no requirement as to the time after Royal Assent in which such an order must be brought in - e.g. the *Easter Act 1928* (which stipulates a fixed date for Easter) has not yet had a commencement order made, though it is open to the Home Secretary to make one if general agreement on fixing a date is reached. These are generally not subject to Parliamentary procedure and are simply laid.

Orders in Council

Orders in Council are issued "by and with the advice of Her Majesty's Privy Council", and are usually classified as secondary legislation (although some can be primary legislation), and are made under powers given in a parent Act. They can be used for a wide variety of purposes but most frequently when an ordinary Statutory Instrument would be inappropriate such as transferring responsibilities between Government Departments or where it effects the constitution by extending legislation to the Channel Islands, for example. An example of the former is the *Transfer of Function (International Development) Order 1997*, which transferred responsibility for international development from the Foreign and Commonwealth Office to the Department of International Development (SI 1997/1749). An example of the latter is the *Afghanistan (United Nations Sanctions) (Channel Islands) Order 1999* (SI 1999/8134), which gave the Channel Islands legal authority to implement sanctions on Afghanistan.

Orders in Council were also used to transfer powers from Ministers of the UK government to those of the devolved assemblies. Examples of these are the *Scotland Act 1998 (Transfer of Functions to the Scottish Ministers Etc) Order 1999* (SI 1999/1750) and the *National Assembly of Wales (Transfer of Functions) Order 1999* (SI 1999/672).

Orders of Council

Orders of Council are made by the Privy Council in exercise of powers conferred upon them alone and usually relate to the regulation of professions or professional bodies. An example of this type of SI is the *General Optical Council (Maximum Penalty) Order 1994* (SI 1994/3327) which increased the maximum penalty that could be made by the GCOs Disciplinary Committee from £1,000 to £1,600.

Local SIs

Some SIs are local in character and are classified as such if its provisions are in the nature of a local and personal or private Act (see **Factsheet L4**). Very few are subject to Parliamentary procedure but this does not mean that a local SI is only issued under the authority of a local and personal or private Act; many public and general Acts have provisions which result in a local SI. This has had major implications with respect to publishing and distribution of the SI (see below).

Finding out about SIs

The issue of an SI is noted on the day following its publication in the Stationery Office Daily List. SIs subject to parliamentary approval appear in an Appendix to the daily Votes and Proceedings and a list of them, compiled by the Journal Office, with number of 'praying' days remaining, is issued each week. Both of these are available on the Parliament Internet site or the House of Commons Information Office can make information available from them on request.

Debates on SIs to be held in the following week are noted with other business in the appropriate sections of the Weekly Information Bulletin, depending on whether the debate is to be taken on the floor of the House or in Standing Committee.

Publication and Bibliographic Control

Until 1891, there was no formal arrangement for the printing and publication of delegated legislation. In 1891, an official volume was produced that contained all the public and general rules and regulations made in 1890 under the title Statutory Rules and Orders (SR & O). This was the first of an annual series that is still in production today which, since 1948, is published under the title Statutory Instruments.

Generally, all Instruments other than local Instruments, are required to be printed and put on sale by the Stationery Office. Some local SIs are, however, sold by the Stationery Office. Drafts of Statutory Instruments laid under the affirmative procedure are also usually on sale at the Stationery Office but these are not included in the numbered series until after approval by Parliament. The Statutory Publications Office produces a numerical Table to Statutory Instruments together with an Index to those in force in three volumes, approximately every two years, and the general Statutory Instruments for each year are issued in a number of volumes for permanent record purposes. The Table indicates whether an Order is still in force and how it was amended or revoked. Local SIs are excluded from these volumes and as a result discovering whether a local SI is in force is extremely difficult (as is the case with a Local Act - see Factsheet L12). However, since January 2003 the numerical lists of SIs have included every number in the series. Where instruments are locals, and the text is unavailable, there will be a link to whoever can supply the copy. Where an SI is withdrawn, that fact will be noted against the number.

The Stationery Office also issues monthly and annual Lists of Statutory Instruments, available on subscription. These include publishing details, the effect of each instrument on other legislation, details on its commencement and comprehensive subject indexing.

The full texts of all Statutory Instruments from 1987 are now available at the web address:
<http://www.opsi.gov.uk/stat.htm>

All those instruments laid since June 2004 which are subject to Parliamentary procedure appear on the HMSO website next to an Explanatory Memorandum that explains in plain English more about what the instrument does and why .

Appendix A

Statistics on delegated legislation and deregulation orders

Session 2005-06

A. Instruments laid before the House

Instruments subject to different forms of parliamentary procedure

<i>Procedure applicable to Instruments</i>	<i>Laid before the House</i>
Instruments subject to affirmative procedure:-	
Made	6
Draft	228 ¹
Northern Ireland	37
Instruments subject to negative procedure:-	
Made	1494
Draft	1
Northern Ireland	88
Number prayed against	38
Instruments subject in part to affirmative and in part to negative procedure	0
Instruments not subject to parliamentary proceedings laid before Parliament:-	
Made	31
Special Procedure Orders	0
Bills or Acts of the Northern Ireland Assembly	0
TOTAL	1885

1. of which 27 were withdrawn

B. Instruments considered by the Joint and Select Committees on Statutory Instruments

Instruments subject to different forms of parliamentary procedure

<i>Procedure applicable to Instruments</i>	<i>Joint Committee</i>	<i>Select Committee</i>
Instruments subject to affirmative procedure:-		
Made	3	11
Draft	187	27
Instruments subject to negative procedure:-		
Made	1441	160
Draft	1	0
Northern Ireland	97	0
Instruments not subject to parliamentary proceedings laid before Parliament:-		
Made	41	0
Instruments not laid before Parliament	369	0
Order subject to special Parliamentary Procedure.	1	0
TOTAL	2139¹	198²

1. of which 260 were identified as having derived from EU obligations

2. of which one was identified as having derived from EU obligations

2. *Special attention of the House*

<i>Ground upon which special attention was invited*</i>	<i>Joint Committee</i>	<i>Select Committee</i>
Drafting appears to be defective	71	0
Form or purport calls for elucidation	5	0
Doubtful vires	3	8
Unusual or unexpected use of powers	5	0
Failure to comply with proper drafting practice	24	0
TOTAL	125	

* An instrument may be reported on more than one ground.

Source: Sessional Returns 2005-06 HC 1

<http://www.publications.parliament.uk/pa/cm200506/csession/1/101.htm>

Further Reading

Procedure Select Committee, 4th report,
1995-96. Delegated Legislation (HC 152
1995-96)

Procedure Select Committee, 1st report
1999-2000. Delegated Legislation (HC 48
1999-2000)

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Factsheet L7 Statutory Instruments

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| 3. Clear | <input type="checkbox"/> | Not always clear | <input type="checkbox"/> | Rather unclear | <input type="checkbox"/> |

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