

Statutory Instrument Practice

Circular No.2 (03)

Date of Issue: 28 August 2003

STATUTORY INSTRUMENT PRACTICE – 3rd EDITION

Purpose

1. This Circular advises of changes which have been incorporated in the 3rd edition of Statutory Instrument Practice which was released in June 2003.

The 3rd edition of Statutory Instrument Practice

2. The 3rd edition of Statutory Instrument Practice (SIP) replaced the edition published by the Cabinet Office in January 1987. The full text is available on the HMSO website (www.hmso.gov.uk/services/si_practice.htm) and on LION (the Legal Information Online Network). Printed copies are not generally being provided though, where departments do not have access to the internet or LION, alternative arrangements can be made with the SI Registrar at HMSO for provision of copies.

3. The new edition incorporates the substance of the many changes which have been previously announced within the SIP circulars produced by HMSO and previously by the Office of Public Service, its predecessors and by the Treasury. Revisions to the manual will be notified in future SIP circulars and incorporated into the versions published on LION and the HMSO website.

4. Because of the length of time between publication of 2nd and 3rd editions it is likely that some errors or omissions may be present in the new edition. For this reason HMSO will be pleased to receive any suggestions for improvement and to have any errors or other defects pointed out. These should be sent to:

The Statutory Instruments Registrar
Her Majesty's Stationery Office
Cabinet Office
Admiralty Arch (North Side)
The Mall
London
SW1A 2WH

or e-mail: siregistrar@cabinet-office.x.gsi.gov.uk

Changes promulgated by the new edition

5. The new edition incorporates a number of new statements of practice and updated information, some of which may have been published by other means, including:

- changes resulting from the devolution of powers to the Scottish Parliament, the Northern Ireland Assembly and the National Assembly for Wales, including the impact on Headings, the use of territorial suffixes within titles and Commencement Orders (Section 2.3)
- up to date information with cross–references to further guidance about the provision of Regulatory Impact Assessments (Para 2.13.8)
- up to date information about instruments resulting from membership of the European Union and the need to produce Transposition Notes (Sections 2.17 and 4.10)
- the new arrangements for registration, printing, publication and sale of instruments (Part 3 and Appendices E, F and G)
- the revised arrangements and times for laying of instruments before both Houses of Parliament (Section 4.2)
- the revised requirements for the deposit of maps and plans in the House of Lords (Para 4.2.12)
- the need to produce Explanatory Memoranda for all affirmative resolution instruments (Para 4.5.12 and Appendix H)
- up to date information about Parliamentary Committees (Part 5)
- information to be provided to Parliamentary scrutiny committees regarding compatibility with the Human Rights Convention (Paras 5.4.10 and 5.4.11)
- the Parliamentary scrutiny arrangements for Regulatory Reform Orders (Section 5.6)
- the introduction of revised texts for letters to the SI Registrar/HMSO incorporating certificates of classification, a revised letter to TSO accompanying an SI for printing and a TSO Order Form (Part 6 –Forms and Precedents FP7-FP14)
- additional full texts of legislation (Part 9).

Corrections and amendments to the 3rd edition

6. Since the new edition was released two errors have been advised: These are:
- Para 2.4.5, in line 2 of the formula after “and now vested in” insert “him”.
 - In Para 5.4.12 and Part 7 – Tables of Procedure – Table 4, references to the number of copies required to be provided to the Joint Committee on Statutory Instruments should read 25 copies.
 - These corrections will be incorporated in an updated text which will shortly be made available on the HMSO website and LION. This updated text will also include the addition of an Index.

Enquiries

7. Any enquiries regarding the content of this circular should be addressed to:

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