

Statutory Instrument Practice

Circular No.3 (09)

Date of Issue: 8 December 2009

CHANGES TO THE COMBINED LETTER TO THE SI REGISTRAR / CERTIFICATE OF CLASSIFICATION

Background and Purpose

1. Departments have requested some refinement of the information which is supplied by HMSO in the Quarterly 21 Day Rule reports which are produced to show departmental compliance with the Rule. In order to do this HMSO will require departments to provide some additional information regarding the Parliamentary procedure which applies to any instrument laid before Parliament. This circular sets out the additional information which should be provided as part of the Combined letter to the SI Registrar / Certificate of Classification which accompany an instrument when it is sent for registration, and also reminds departments of earlier requested changes to the letter which are generally currently not being complied with.
2. The additional information required is a statement as to whether the Statutory Instrument is subject to or not subject to Parliamentary procedure, as shown in the example of a combined letter/certificate which is attached as an Annex to this circular. This information should be provided for all instruments sent for registration after 1 January 2010, and can also be provided from now for any instrument being registered and coming into effect next year.

Security Classifications

3. Departments are also reminded of the requirement to include information about Security Classifications in their covering letters as set out in SIP Circular No. 2 (09). This is a requirement following recommendations arising from the Data Handling Review and must be implemented by all departments.

SI Template Usage Information

4. Some departments are also not providing information in their covering letters to indicate whether the instrument has been drafted using the SI Template. This information is used for a variety of purposes including in the Monthly Legislation Statistics produced and circulated by OPSI.

Combined letter to SI Registrar / Certificate of Classification

5. Departments are also reminded that they should be combining the Certificate of Classification with the letter to the SI Registrar and providing this as a single document. Continuing to supply separate documents only adds time and delay to the Registration process and all departments are therefore requested to provide a combined document in future.

Enquiries

6. Any enquiries regarding this circular should be addressed to the Statutory Instruments Registrar (SIRegistrar@opsi.x.gsi.gov.uk).

FP 7 - Combined letter to SI Registrar/ certificate of classification for an SI which is to be printed and sold

The Statutory Instruments Registrar
Legislation and Publishing Services Department
Her Majesty's Stationery Office

Date

Dear Sir

1. The [title of responsible authority] has made a statutory instrument,
or
An Order in Council has been made*,

of which a copy is attached, entitled [title of instrument]. You are requested to number it in accordance with regulation 3 of the Statutory Instruments Regulations 1947, and to insert the number in the copy of the instrument and at paragraph 4.1 of the letter to TSO.
2. The [title of responsible authority] hereby certifies under regulation 4 of the Statutory Instruments Regulations 1947 that the [title of instrument] is a local/general* instrument.
3. The Protective Marking of the instrument is [UNCLASSIFIED/RESTRICTED/CONFIDENTIAL][NO DESCRIPTOR/BUDGET/POLICY etc] The Protective Marking for the instrument will expire on [Date and time] when information regarding the instrument may be released.
4. Copies of the instrument are to be available in the Vote Office and the Printed Papers Office and available for sale at [insert time] on [insert date].
5. This Statutory Instrument is / is not* subject to Parliamentary Procedure.
6. The Statutory Instrument has /has not* been drafted using the SI Template.
7. You are requested to complete Part 1 of the Receipt Sheet.

Yours faithfully

for [title of responsible authority]
or
Clerk of the Privy Council*

* Delete word(s) not required