

JOINT COMMITTEE ON STATUTORY INSTRUMENTS

Guidance to Departments: Timetable information for the consideration of affirmative instruments

Any reference in this document to an affirmative instrument includes one laid in draft. Any reference in this document to sitting days (or weeks) means a day (or week) when both Houses are sitting.

1. An affirmative instrument will normally be considered at a Wednesday Joint Committee meeting only if it has been laid before Parliament, and delivered to the Committee's office, by **5.45pm on the Wednesday two sitting weeks previously**.

But—

(a) if the Committee's legal adviser has had a sufficient opportunity to see in advance, and comment on, an earlier draft (in substantially the same form as laid), and

(b) any points raised by the legal adviser have been satisfactorily addressed in the instrument as laid,

the instrument can normally be considered at the Committee's Wednesday meeting if it has been laid before Parliament, and delivered to the Committee's office, **by 5.45pm on the Monday of the preceding sitting week**. This relaxation does not, however, apply to instruments containing non-affirmative material that has not received informal pre-laying scrutiny.

The references above to "sitting" weeks are significant, because the JCSI does not normally consider an affirmative instrument unless **at least five clear sitting days** have elapsed since the day on which it was laid, so as to afford Members of either House and others an adequate opportunity to make representations to the Joint Committee about the instrument.

2. For further information on informal pre-laying scrutiny of affirmative instruments please see the 'Guidance to Departments: informal pre-laying scrutiny of affirmative instruments' on the Joint Committee's website.

Exceptional arrangements for urgent consideration by Committee

3. If, in exceptional circumstances, a Department wishes an affirmative instrument which has been laid and supplied to the Committee's office later than the applicable deadline to be considered at a particular meeting, a letter from the relevant Minister to the Chairman of the JCSI (copied electronically to the Committee's office at jcsi@parliament.uk) will be required setting out the reasons why expedited consideration is thought necessary and why the instrument was not laid sooner. The general approach of the Committee is to allow such expedited consideration only where compelling reasons have been shown.