

[AS INTRODUCED]

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# BILL

TO

Amend the Statutory Instruments Act 1946; to make provision for the conditional amendment of statutory instruments; and for connected purposes.

**B**E IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## 1 Conditional amendments

After section 6 of the Statutory Instruments Act 1946, insert—

### “6A Conditional Amendments

- (1) The House of Lords may by motion determine that approval of a draft statutory instrument be withheld pending the resolution of its concerns as communicated to the House of Commons. 5
- (2) On receipt of a communication under subsection (1), a Minister must table a motion for resolution in the House of Commons regarding the concerns expressed, allowing that House to—
  - (a) reject the concerns, or 10
  - (b) request the Minister to make amendments to the draft instrument.
- (3) Where the concerns expressed are rejected under subsection (2)(a), the House of Lords may proceed to approve or disapprove the draft instrument. 15
- (4) Where a request is received under subsection (2)(b), the Minister must within 40 days of its receipt—
  - (a) withdraw the draft instrument, or
  - (b) withdraw the draft instrument and lay a further copy of the draft instrument, as amended or as unamended, before each House of Parliament in accordance with the provisions of section 6. 20
- (5) The House of Lords may consider a draft instrument as relaid under subsection (4)(b); however, the provisions in subsections (1) to (4) do not apply to the relaid instrument.” 25

## 2 Corrections of statutory instruments

After section 7 of the Statutory Instruments Act 1946, insert—

### “7A Corrections of statutory instruments

- (1) A Minister of the Crown or any person having power to make, confirm or approve statutory instruments may, within forty days of final approval of a draft instrument promoted by them, correct any errors in the instrument that do not change the meaning of the legislation, where such a correction would avoid the instrument being misleading; such corrections cannot be used to correct substantive errors or to correct an instrument that fails to secure its intended effect because circumstances have changed. 5  
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- (2) Copies of the amended statutory instrument must be printed and published under the provisions of section 2 in like manner.”

## 3 Consequential provisions

- (1) In subsection 7(1) of the Statutory Instruments Act 1946, for “two” substitute “three”. 15
- (2) In subsection 7(2) of the Statutory Instruments Act 1946, for “three” substitute “four”.

## 4 Extent, commencement and short title

- (1) Any amendment made by this Act has the same extent as the provision amended. 20
- (2) The provisions of this Act come into force six months after the day of Royal Assent.
- (3) This Act may be cited as the Statutory Instruments (Amendment) Act 2024.



# Statutory Instruments (Amendment) Bill [HL]

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*Lord Thomas of Gresford*

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Ordered to be Printed, 2nd September 2024.

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