

A BILL

Intituled

An Act for the better securing for the liberty of the subject.

A.D. 1947

Whereas it is essential for the maintenance and development of free institutions and democratic government that the rights of the subject shall be strictly preserved, and whereas certain encroachments upon and violations of such rights have taken and are taking place, and whereas it is just and expedient that measures shall be taken by Parliament for the prevention of the perpetuation or recurrence of any such encroachment or violation and for the better safeguarding of such rights.

Now therefore be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Provision for amendment of Statutory Instruments

1. Where by any Act any Statutory Instrument is required to be laid before Parliament, either House of Parliament may, within the time specified by the said Act for the approval or annulment of the said Instrument, amend the said Instrument and, if the other House agrees with the amendment, the Instrument shall come into force or shall continue in force subject to such amendment but without prejudice to the validity of anything previously done thereunder.

Validity of Statutory Instruments

2. (1) Notwithstanding anything in any former Act, the validity of any Statutory Instrument made in pursuance of any such Act may be called in question in proceedings duly begun during the period of three months from the day on which notice of the making of the order, rule, regulation or other instrument is first published.

(2) The court before whom any proceedings are duly taken for the purpose of questioning the validity of such a Statutory Instrument as aforesaid may upon application made by any party before the expiration of the said period of three months make an interim order directing that the order in question shall not come into operation before the final determination of the proceedings.

(3) Nothing in this section shall be held to limit or restrict or curtail any right to call in question by legal proceedings the validity of any Statutory Instrument made in pursuance of any Act of Parliament.

Power of Minister to amend or modify Acts

3. Where by any Act any Minister or Department is empowered to amend or modify the provisions of the said Act or of any other Act of Acts, such power shall cease to be exercisable one year from the commencement of this Act.

Appeals

4. (1) Where by any Act any Minister, tribunal or other body or person is authorized to adjudicate and finally to decide upon any claim, dispute or other issue, any question of law arising in connection with the determination of any such claim, dispute or issue as aforesaid may, if the Minister, tribunal, or other body or person thinks fit, be referred for a decision to the High Court of Justice and any person aggrieved by the decision of the Minister, tribunal or other body or person on any such question of law, may appeal therefrom from that decision to the High Court: