

APPENDIX "A"

(See p. 3718)

REGULATIONS AND OTHER STATUTORY INSTRUMENTS

ELEVENTH REPORT OF STANDING JOINT COMMITTEE

Tuesday, March 2, 1982

The Standing Joint Committee on Regulations and Other Statutory Instruments has the honour to present its Eleventh Report as follows:

(Statutory Instruments No. 16)

1. In relation to its permanent reference, section 26 of the Statutory Instruments Act, S.C. 1970-71-72, c. 38, your Committee wishes to record certain long-outstanding undertakings of Ministers and heads of agencies in response to your Committee's objections to statutory instruments. It also wishes to note those instances in which Ministers have failed to answer correspondence on statutory instruments.

2. When your Committee objects to or questions some provision in a statutory instrument it takes the matter up through its counsel with the Designated Instruments Officer for the Department or Agency responsible for the instrument. That Officer's response, whether by way of explanation, clarification, justification or promise of remedial action, may satisfy the Committee. If it does not, and further attempts to press the Committee's point with the Designated Instruments Officer are fruitless, or if the promised action is not taken within a reasonable time, the Joint Chairmen and the Vice Chairman take the matter up with the responsible Minister or with the head of the relevant agency. Your Committee may, after

hearing, or hearing from, the Minister or the head of the agency, be satisfied. If it is not, and the Minister or the head of the agency declines to take action, your Committee reports the statutory instrument to both Houses. Often, however, Ministers or heads of agencies undertake to take some remedial action, whether by amending or revoking objectionable provisions, or by introducing statutory changes. This has been your Committee's manner of proceeding in this Parliament. Previous Committees did not include reference of outstanding objections to Ministers as part of a settled routine.

3. Your Committee monitors all undertakings received and has decided to draw to the special attention of the Houses in Schedule I those instances in which undertakings are long outstanding, recording also for fairness and comparison in Schedule III the outcome of all matters raised with Ministers and heads of agencies by the Committee to date.

4. Your Committee also wishes to record in Schedule II instances of ministerial failure to respond to correspondence from the Joint Chairmen and the Vice Chairman within a reasonable time.

5. Schedules I, II and III reflect the position on the adoption of this Report by your Committee on 25th February 1982.

Respectfully submitted,

JOHN M. GODFREY,
Joint Chairman.