

Guidance to the Public on writing to the House of Lords'

SECONDARY LEGISLATION SCRUTINY COMMITTEE

1. Government Ministers make orders, rules and regulations under powers granted to them by Acts of Parliament, most of these are Statutory Instruments (SIs). They have an impact on us all. The Lords' Secondary Legislation Scrutiny Committee (SLSC) scrutinises all SIs which require parliamentary proceedings before they become law (approximately 1,000 each year).
2. To help in this task, the Government provides an Explanatory Memorandum with each instrument that sets out why it is necessary and what its expected effects will be. **The Committee also welcomes letters from the public, particularly representative organisations, who may want to present a different view on the proposed legislation.** This note explains the role of the SLSC and how to submit your evidence.

What does the Secondary Legislation Scrutiny Committee do?

3. The Committee's task¹ is to draw to the attention of the House the SIs which may:
 - be politically or legally important or give rise to issues of public policy likely to be of interest to the House;
 - be inappropriate in view of changed circumstances since the enactment of the parent Act;
 - inappropriately implement European Union legislation;
 - imperfectly achieve their policy objectives;
 - have inadequate explanatory material; or
 - have had inadequate consultation.
4. There is no equivalent Committee in the House of Commons. The SLSC considers the policy content of regulations – what do they aim to do? Do they seem likely to achieve it? (Concerns about the legal wording or scope of an SI are a matter for the separate Joint Committee on Statutory Instruments.)
5. The SLSC meets every Tuesday when Parliament is sitting. Its reports provide advice to the House and are published on Thursdays.² A report might draw attention to an SI in order to:
 - commend or criticise how the Government's policy is being implemented, the quality of the explanatory information, or the process behind the SI (for example how they consulted, estimates of costs or how clear guidance for users is);
 - provide additional information
 - invite the House to pursue some line of questioning; or
 - draw an important instrument to the attention of the House in neutral terms.

¹ The Committee's full terms of reference are on its website <http://www.parliament.uk/business/committees/committees-a-z/lords-select/secondary-legislation-scrutiny-committee/role/tofref/>

² Published on our website at www.parliament.uk/seclegpublications.

6. When the Committee reports an instrument, it is then for members of the House to engage with that SI as they choose: for example through a debate, or an oral or written question. **The SLSC takes no further action once it has reported on an SI.**

Timing

7. To make sure that members of the House have time to follow up its recommendations the Committee generally considers instruments within 12-15 days of laying. **Evidence from the public needs to be submitted within a week of the instrument being laid before Parliament. Please ring us to agree a deadline, if you can.**

How can you help the Committee?

8. When examining an instrument, the Committee looks at the Government's Explanatory Memorandum, which is published alongside the instrument on the legislation.gov.uk website. We sometimes contact stakeholders for comments on the proposal but we always welcome independent submissions. For example, if you think that the proposed legislation will not be understood by the community that you represent or that some element of it will be ineffective or will result in unintended consequences, then the Committee will be interested to hear from you. We will also be interested to hear from you if you strongly support the proposal or believe that it represents good practice.
9. **Please do not contact us about instruments that are still out for consultation:** it is quite possible that the Government will amend their draft in the light of the comments received. The SLSC can only consider instruments once the Government has laid them before Parliament for approval or rejection. Any comments you send should focus on the strengths or weaknesses of that final version, any omissions or problems it will cause.

What will the Committee do with your submission?

10. Evidence from the public will be submitted to the Committee alongside the information provided by the Government. Where the SLSC thinks it would help the House to understand the SI and the issues it raises, **it may publish the material submitted by the public in its report or on our website.** You should take this into account when preparing your comments for the Committee. The House particularly values examples that illustrate how the policy will work in practice and we find these are often raised in debates on instruments.

How to contact the Committee

11. The Committee's preference is for electronic submissions (a Word file or e-mail is easiest to print). Please submit a concise letter that explains the issue in plain English. It should not be aimed at specialists but written so that people who may know nothing about the subject can quickly gain an understanding of the issues. Acronyms or technical terms should be explained.

12. Please send your contribution to:

Address Secondary Legislation Scrutiny Committee
House of Lords
London SW1A 0PW

Phone 020 7219 8821

Email hlseclegscrutiny@parliament.uk

Letters should be addressed to the Chairman but there is no need to send copies to the individual Committee Members, they will all receive them as part of the paperwork on that instrument.