



Guide to laying papers

February 2024

Contents

| 1. | Introduction | 4 |
|----|---|-----------|
| 2. | Laying a paper | 6 |
| | Submitting a paper for laying and requirements for all papers | 6 |
| | Laying papers before Parliament or the Commons only | 8 |
| | Times papers can be laid | 9 |
| | Timing of release and publication of papers laid | 10 |
| | Laying papers on non-sitting days and during recesses, prorogation or dissolution | 12 |
| 3. | Types of papers and requirements | 14 |
| | Act Papers | 14 |
| | Command Papers | 17 |
| | Papers laid by Return to an Address (Unopposed Returns) (Commons) | 18 |
| | Statutory instruments | 19 |
| | Format requirements for papers and laying letters | 23 |
| 4. | Sending papers to scrutiny committees | 28 |
| 5. | Making print copies of a paper available to | |
| | members of both Houses | 30 |
| | Using the Command and House Papers supplier | 30 |
| | Providing print copies directly | 31 |
| | Making arrangements with Parliament for internal printing | 31 |
| 6. | Withdrawing or correcting a paper | 34 |
| | Corrections to Command and Act Papers | 34 |
| | Corrections to statutory instruments | 35 |
| | Withdrawing a paper | 36 |
| | Withdrawing a draft SI | 36 |

| 7. Further advice and inform | nation | 38 |
|--------------------------------------|-----------------------|------------|
| Appendix 1: Checklist for lay | ing a paper | 40 |
| Appendix 2: Requirements fo | or preparing a laying | |
| email and sending large f | iles | 41 |
| Laying emails | | 41 |
| Naming of laid papers files | | 42 |
| Large files | | 43 |
| Appendix 3: Summary of wha | at can be laid when | 44 |
| Appendix 4: Sample paper title pages | | 45 |
| Act Paper – ARA | | 45 |
| Command Papers | | 46 |
| Appendix 5: Sample laying le | tters | 47 |
| HC Papers, Act Papers and C | ommand Papers | 47 |
| Statutory instruments | | 49 |
| Appendix 6: Sample letter re | questing a motion to | be |
| tabled (Commons) | | 51 |
| Appendix 7: Sample letter wi | thdrawing a paper | 52 |
| Appendix 8: Sample correction | on slip | 5 3 |

1. Introduction

- 1.1 The purpose of laying a paper before Parliament is to make the information in the paper available to members of both Houses. Many papers are required by law to be laid before Parliament or the House of Commons. All papers that are required to be laid must be accepted for laying before they can be published.
 - Depositing a paper in the Library of either House does not constitute laying.¹
 Papers laid before Parliament are referred to as 'parliamentary papers'.
- 1.2 This guide is aimed at staff in organisations required to lay papers before Parliament. The information provided will help you to determine which type of paper you are laying and what you are required to do at each stage of the laying process. The guide also sets out requirements for formatting and laying papers.
- 1.3 Requirements for laying Act Papers (both those produced as House of Commons (HC) Papers and unnumbered Act Papers) and Command Papers (numbered and unnumbered) are detailed in this guide. Information on the laying of statutory instruments (SIs) is also included. The SI Registration Team at The National Archives (siregistrar@nationalarchives.gov.uk, 020 8392 5361) can provide detailed information on the preparation, registration, and publication of SIs. You can also consult Statutory Instrument Practice (SIP) on the preparation of SIs and parliamentary procedures relating to them.
- 1.4 Papers are laid in the Journal Office in the House of Commons and the Printed Paper Office in the House of Lords. Advice can be sought from the laying offices by emailing journaloffice@parliament.uk (Commons) and laidpaperslords@parliament.uk (Lords).
 - The Clerk of Papers is responsible for the laying process in the Commons and the Head of Parliamentary Papers is responsible for the laying process in the Lords.
- 1.5 Once a paper has been laid before Parliament, it will appear in the Papers

More information on deposited papers can be found at: <u>parliament.uk/about/how/publications/deposited/</u>.

Laid section of the House of Commons *Votes and Proceedings* and the Papers section of the Minutes of Proceedings in *House of Lords Business*. Both documents are a formal legal record of what happens in each House and are published² overnight at the end of each sitting day.

- 1.6 Organisations laying papers are required to ensure that print copies are available to members of both Houses³ at the time of laying. Copies are provided to members by the parliamentary offices responsible for distributing papers: the Vote Office in the Commons and the Printed Paper Office in the Lords. Advice can be sought from these offices by emailing vote_office@parliament.uk.
- 1.7 If your paper is a numbered Command Paper, or House of Commons Paper (an Act Paper that is laid and published as part of the HC reference series), you will need to contact HH Global, the Command and House Papers supplier under the RM6170 Lot 1 Framework unless advised otherwise by The National Archives. HH Global will provide the latest page furniture and ISBN for your paper's copyright page, plus services for producing, printing, and distributing your paper. While you can use other suppliers in addition to HH Global, you will need to use some core HH Global services as a minimum, unless advised otherwise by Official Publishing at The National Archives (official.publishing@nationalarchives.gov.uk).4
- 1.8 Papers which are not numbered Act or Command Papers may be printed by another supplier or by your own department, but you will need to ensure copies are available to members at the time of laying.
- 1.9 An additional option for printing is available in most instances, whereby Parliament prints its own copies of a paper that will be laid, for distribution to members internally. To request this, contact the Vote Office and Printed Paper Office, who can advise on the process. See paragraphs 5.9–5.12 for further information.

² commonsbusiness.parliament.uk and lordsbusiness.parliament.uk.

³ Or the House of Commons, where a paper is being laid before that House only.

The Controller of His Majesty's Stationery Office, the Chief Executive of The National Archives, is responsible for setting the production standards and overseeing the publication of certain government publications, including HC and Command Papers. More information on producing and publishing Command and Act Papers can be found at nationalerchives.gov.uk/information-management/producing-official-publications/parliamentary-papers-guidance/preparing-parliamentary-papers-publication/.

2. Laying a paper

Submitting a paper for laying and requirements for all papers

2.1 To lay a paper, a PDF file of the paper and a PDF of the accompanying laying letter should be sent via email to each laying office (or the Journal Office only, if laying a Commons-only paper),⁵ at laidpaperscommons@parliament.uk (Commons) and laidpaperslords@parliament.uk (Lords).

The following requirements apply:

- departments must lay papers using their generic or named parliamentary team email addresses. Papers sent from a non-generic email address will not be accepted for laying;
- b. emails must include all the necessary information and be in the format specified in Appendix 2;
- c. departments should lay only one paper and its accompanying documents per email;
- d. all papers must be PDF files meeting the format requirements in paragraph 3.48. Papers sent in Microsoft Word or other formats will not be accepted for laying. See Appendix 2 for information on sending large files and guidance on filenames;
- e. departments must attach the paper concerned and all related documents to their email (e.g. the laying letter, accompanying documents, and any approval motion letter);
- f. explanatory memoranda, impact assessments, and any other accompanying documents should be attached to the email as separate PDF files to the main paper and each should be listed on the laying letter; and
- g. if laying a multi-volume paper, each volume should be included as a separate attachment⁶ and listed on the laying letter.

⁵ Laying letters should be addressed to each laying office separately, so you will need to prepare two versions if laying a paper in both Houses. See Appendix 5 for templates of laying letters.

⁶ If the files of a multi-volume paper are too large to attach to a single email, contact the laying offices in advance of laying to give notice of your requirement to send them separately.

- 2.2 Specific requirements apply for each paper type, including on formatting and presentation. These requirements are in section 3, for the following types:
 - a. Act Papers (both House of Commons Papers and unnumbered);
 - b. Command Papers (both numbered and unnumbered);
 - c. papers laid by Return to an Address (in the Commons); and
 - d. statutory instruments.
- 2.3 On receipt, papers, letters, and any accompanying documents are checked for errors (e.g. in formatting) by the laying offices. On submitting a paper, you will receive an automatic reply to your email stating that the Journal Office and Printed Paper Office have received your paper to be laid. That email is only an indicator of receipt, not a confirmation of laying. If there are any issues with the paper that may result in it not being accepted for laying, we will be in touch separately.

For confirmation, you should check the Papers Laid section of the House of Commons <u>Votes and Proceedings</u> and Papers section of <u>House of Lords</u> <u>Business</u>, published overnight, to see if your paper is listed.

If you require confirmation of laying on the date of submission, contact the laying offices.

- 2.4 The paper laid before the House must be the final version. The published version of the paper, which cannot be published before the paper is laid, must be identical to the laid version. See paragraphs 2.14–2.17 for full information on the times papers can be laid and paragraphs 2.18–2.26 for information on the timing of release and publication of laid papers.
- 2.5 If any revision or correction is necessary after laying, please contact the Journal Office to discuss whether the paper can be corrected using a correction slip or if it should be withdrawn and re-laid. Further information is in section 6.

Laying papers before Parliament or the House of Commons only

- 2.6 Command Papers and most statutory instruments⁷ are normally laid before both Houses.
- 2.7 Before laying an Act Paper, you should check whether it needs to be laid before Parliament (i.e. both the House of Commons and the House of Lords) or before the House of Commons only. The Act under which the paper is being laid will specify whether it is to be laid before Parliament or the House of Commons.

The presentation line on the title page of the paper should be worded accordingly (i.e. "Presented to Parliament..." or "Presented to the House of Commons...").

Annual Reports and Accounts

- 2.8 The Treasury may issue an accounts direction under section 7 of the Government Resources and Accounts (GRA) Act 2000. Accounts to which such a direction applies must be prepared and transmitted to the Comptroller and Auditor General, who must certify and report on them to the Treasury. They must then be laid before the House of Commons.
- 2.9 Accounts produced under sections 6 and 7 of the GRA Act should not be laid in the House of Lords unless there is another Act of Parliament stating that an accompanying report must be laid before Parliament.

Where an Act states that an accompanying report must be laid before Parliament, the accounts section of a combined report and accounts paper must be laid in the Lords by Command. This should be specified in the presentation lines on the title page of the paper and on the laying letter:

Report presented to Parliament pursuant to [Act].

Accounts presented to the House of Commons pursuant to [Act].

Accounts presented to the House of Lords by Command of His Majesty.

⁷ Some SIs dealing with financial matters are laid before the House of Commons only.

- 2.10 Trading Funds are subject to an accounts direction provided for by section 4(6)(a) of the Government Trading Funds Act 1973 (as amended by the Government Trading Act 1990). The same procedures for reporting by the Comptroller and Auditor General should be followed, except that reports and accounts under the Government Trading Funds Act 1973 are laid before both Houses.
- 2.11 Reports and accounts papers laid under the Government Resources and Accounts Act 2000 (Audit of Public Bodies) Order 2008 (or 2003), or the Government Resources and Accounts Act 2000 (Audit of Non-profit-making Companies) Order 2009, must also be laid before both Houses.
- 2.12 As stated above, if your paper is laid under a different Act, the Act will specify whether the paper is to be laid before Parliament or before the House of Commons. Your departmental legal team, or that of your parent department, will be able to check this.
- 2.13 Reports and accounts papers are laid by Command where there is no statutory authority for an organisation to lay under an Act.

Times papers can be laid

- 2.14 Papers may be submitted to the laying offices at the following times:
 - a. Sitting days, Monday–Thursday: 9.30am to 5pm or the rise of either House, whichever is earlier.8
 - b. Sitting Fridays: 9.30am to 3pm or the rise of either House, whichever is earlier.⁹
 - c. Non-sitting Fridays, recesses and prorogation: 11am to 3pm.
- 2.15 If you have an urgent paper that may need to be laid after 5pm, you should contact both laying offices before 3pm on the day of laying to request an extension to the deadline, providing a reason for the request.
- 2.16 If one House rises before the deadline listed above, both laying offices will stop accepting papers which are due to be laid before both Houses at that point.

⁸ Information on normal sitting hours can be found at <u>parliament.uk/about/how/occasions/calendar</u>.

⁹ The Houses often rise before 3pm when sitting on Fridays.

Where the laying offices are aware of specific papers due to be laid on a sitting day and either House may rise earlier than expected and a significant impact on the deadline is likely, the offices will endeavour to notify departments in advance. However, it is the responsibility of departments to ensure that papers are submitted in time.

2.17 Only Command Papers and made statutory instruments may be laid on non-sitting days. 10 See paragraphs 2.27–2.36 for further information on laying papers during non-sitting periods.

Timing of release and publication of papers laid

- 2.18 A paper is formally laid before Parliament when a copy of it is accepted by the laying offices (or the Journal Office, where laying before the Commons only).
 If a paper is not accepted by either laying office, you will be notified before the laying deadline.
- 2.19 A paper must not be published online or released in print before it has been laid. Most Act Papers (including HC Papers) and Command Papers are published on gov.uk and not on Parliament's website. Departments should consult their own publishing teams to arrange publication. Publishing a paper prior to laying is seen as discourteous to Parliament and can carry political risks for departments. For example, a House of Commons Paper or Unopposed Return does not attract the protection of parliamentary privilege until it is laid.

Statutory instruments and accompanying documents are published on <u>legislation.gov.uk</u> via The National Archives' legislation.gov.uk Publishing service (<u>publishing.legislation.gov.uk</u>) after they have been accepted for laying (see 3.31).

2.20 Departments are responsible for ensuring that print copies of papers are available to members at the time that a paper is accepted for laying (see section 5). The Vote Office and Printed Paper Office cannot distribute copies of a paper which is due to be laid until it has been formally laid. Only the acceptance of a paper for laying triggers the release of print copies to members; copies cannot be released if a paper has not been accepted for

¹⁰ See Appendix 3 for a summary of what can be laid when.

- laying, even if it has been mistakenly published by the department before laying has been confirmed.
- 2.21 If a paper is required to be published and copies released at a specific time, such as to coincide with a ministerial statement, departments should notify the laying offices as soon as possible on the day of laying. The offices will ensure that the paper is prioritised for processing at the time required.
- 2.22 Once a paper has been accepted for laying it should be available to members immediately. This does not mean that the paper also must be available to the public at that time; however, there should not be a long delay between laying and making the paper publicly available.
- 2.23 If a paper is subject to an embargo, you may lay it before the embargo expires. You should, however, make this clear in the laying email. Members may view papers as soon as they have been laid (i.e. before the embargo expires).
- 2.24 If your paper is subject to a timed release (e.g. to coincide with a statement) and it is not desired that members have copies in advance, you should wait until the time of release to lay the paper.
- 2.25 Departments are responsible for ensuring their Command and Act Papers are published on gov.uk at gov.uk/official-documents promptly after laying. Organisations without gov.uk access rights that are listed at gov. uk/government/organisations should contact their parent departments to arrange publication. Alternatively, organisations that have any queries should email official.publishing@nationalarchives.gov.uk. The NAO, Electoral Commission, Local Government Boundary Commissions, IPSA and professional bodies overseen by the Privy Council Office should publish papers only on their own websites and not on gov.uk.
- 2.26 Statutory instruments published by TSO are deposited in legal deposit libraries in accordance with The National Archives' contractual publishing arrangements. Command and Act Papers are subject to digital legal deposit and the British Library, on behalf of the legal deposit libraries, retrieves PDFs of papers from gov.uk.

Laying papers on non-sitting days and during recesses, prorogation or dissolution

- 2.27 Both Houses do not normally sit on Fridays¹¹ and adjourn periodically for recesses. The parliamentary calendar and lists of recess dates¹² are on the parliamentary website. The laying offices can advise about the days on which the Houses are expected to sit.
- 2.28 Made statutory instruments and Command Papers may be laid on non-sitting days and during prorogation. Such papers can be submitted to the laying offices between 11am and 3pm.
- 2.29 Proposed negative statutory instruments under Schedule 7 to the European Union (Withdrawal) Act 2018 or Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023 may be laid on non-sitting days and during prorogation. However, non-sitting days will not count towards the 10 sitting day period specified for consideration of the documents under the Acts.
- 2.30 The laying offices may close for short periods during longer recesses. For example, the offices currently close for a week in mid-August and for the working days between Christmas Day and New Year's Day. Such closures will be communicated to departments in advance. Made statutory instruments can still be laid during these periods, but departments must copy the SI Registration Team into laying emails to ensure acceptance for laying. Command Papers may also be laid and published during these periods but will not be processed by the laying offices until their return.
- 2.31 If an Act paper or draft SI needs to be laid in both Houses, it will be necessary for both Houses to be sitting. Where only one House is sitting, the same restrictions as for non-sitting days will apply.
- 2.32 HC Papers cannot be submitted for laying when the House of Commons is not sitting. Other Act Papers can be submitted to the laying offices during non-sitting periods but will not be treated as laid until the next sitting day and should not be published, or otherwise released, until that sitting day, as set out

The House of Commons normally sits on 13 Fridays in a parliamentary session. The House of Lords normally sits on one Friday per month (excluding August). Information on upcoming sitting Fridays can be found online: whatson.parliament.uk.

¹² Recess dates for the <u>House of Commons</u> and <u>House of Lords</u> can be found online.

- in paragraph 3.10. Therefore, it is recommended that unnumbered Act Papers are submitted for laying only when both Houses are sitting.
- 2.33 Where possible, avoid laying on the last day before a recess; if there is a problem with your paper, you may not be able to resubmit until after the recess and this will significantly delay publication.
- 2.34 You should plan the laying and publication of your paper carefully to avoid being unable to lay it because either House is not sitting. If you anticipate that you will have difficulties in respect of this requirement, you should contact the laying offices as early as possible.
- 2.35 No papers can be laid when Parliament is dissolved. See Appendix 3 for a summary of what can be laid when. SIs do not need to be re-laid after a dissolution but you should consult <u>Statutory Instrument Practice (SIP)</u> for further information on the impact of dissolution on SIs laid before a dissolution takes place.
- 2.36 Any approval motions in the House of Commons that have not been dealt with before the end of a session will disappear from the Future Business section of the Order Paper on prorogation. Therefore, they will need to be re-tabled in the new session. Please make a note of the relevant motions in Future Business and email updated approval motion letters to laidpaperscommons@parliament.uk in the new session.

Only approval motions need to be re-tabled in a new session. The SIs to which such motions relate do not need to be re-laid.

3. Types of papers and requirements

3.1 The information provided in this section will assist you in determining which type of paper you are laying and explain the key requirements for each paper type.

Act Papers

3.2 The term 'Act Papers' encompasses any paper which is laid under statutory authority – pursuant to an Act of Parliament, statutory instrument or Measure. Acts may require a paper to be laid or provide for a paper to be laid. When laying an Act Paper, you should ensure that the conditions outlined in the relevant Act are adhered to, and check whether you are required to lay it before Parliament (both Houses) or the House of Commons only (see paragraphs 2.7–2.12).

A paper cannot be laid by both Act and Command, although in some cases papers laid by Act in the Commons are laid by Command in the Lords (see paragraphs 2.9 and 3.21).

House of Commons (HC) Papers

- 3.3 Many Act Papers are "ordered to be printed by the House of Commons", which means they are laid and published as part of the HC reference series which is administered by the House of Commons Journal Office. Most HC Papers relate to the financial responsibilities of the House.¹³
- 3.4 House of Commons Papers attract the protection of parliamentary privilege under the Parliamentary Papers Act 1840 from the moment they are laid. This ensures that legal proceedings cannot be brought against persons for the publication of the paper. However, papers should not, other than in exceptional circumstances, knowingly make references or comments which are in breach of an injunction or other order of any court, or which might, without the protection of privilege, give rise to an action for defamation. If circumstances arise when parliamentary privilege will be used to protect the content of a sensitive paper, the Journal Office must be consulted

¹³ Erskine May, paragraph 7.30.

- beforehand. Such matters are likely to be dealt with by an Unopposed Return, not an ordinary HC Paper (see paragraphs 3.26–3.28).
- 3.5 If papers in the same sequence as your paper have previously been laid as HC Papers, or your paper has sensitive content, it is likely that it should be an HC Paper. If you are unsure whether a paper should be laid in the HC Paper series or not, please contact the Journal Office.
- 3.6 Many organisations' annual reports and accounts are required by an Act of Parliament to be audited by the Comptroller and Auditor General (i.e. the National Audit Office) before they are laid before Parliament or the House of Commons. 14 Reports so audited should be laid as part of the HC number series.
- 3.7 If your paper is being published as an HC Paper, you will need to contact the Journal Office to be issued with an HC number (see paragraphs 3.11–3.17).
- 3.8 HC Papers must not be published or released in any format before they have been laid before Parliament. To release or publish a paper before it has been laid is considered a discourtesy to Parliament and the paper would not attract the protection of parliamentary privilege before it is laid.
- 3.9 HC Papers must not be reprinted or republished, in full or in part, as separate documents.¹⁵
- 3.10 As HC Papers are ordered to be printed by the House of Commons they can be laid only when that House is sitting. If an HC Paper is being laid before Parliament, both Houses must be sitting on the laying date. Unnumbered Act Papers can be submitted on a non-sitting day but will not be treated as laid until the next sitting day.

You should plan the laying date and publication of your paper carefully to avoid being unable to lay it because either is not sitting. Further information on the timing of the release and publication of papers is in paragraphs 2.18–2.25.

Organisations whose accounts are audited by the NAO usually fall into one of the following categories: a) the Treasury has issued an accounts direction in relation to the report and accounts under the Government Resources and Accounts Act 2000; b) the accounts are those of a trading fund under the Government Trading Funds Act 1973; or c) the organisation is a Non-Departmental Public Body (NDPB)/Arm's-Length Body (ALB).

For example, accounts which have been printed as part of a combined annual report and accounts should not be reprinted or republished as a separate document.

HC numbers

- 3.11 The HC number series is administered by the Journal Office. Please contact the office if you are unsure whether your paper should be an HC Paper, to obtain an HC number (sometimes called a printing number) or to let the Journal Office know if a number is no longer required.
- 3.12 The HC number series is sessional and restarts at the beginning of each session rather than at the start of the calendar year.
- 3.13 The Journal Office will not allocate HC numbers more than one month in advance of laying.
- 3.14 To request an HC number, email journaloffice@parliament.uk with the words "HC Number Request from" followed by the name of the organisation in the subject header. You should indicate in the body of the email the date on which you intend to lay the paper. If your request is urgent, please contact the Journal Office on 020 7219 3361. If the expected date for laying changes you should inform the Journal Office.
- 3.15 An HC number will remain valid until the end of the session. You will need a new HC number if the paper is laid in a different parliamentary session from the one originally planned. A new HC number is required for each year's report and accounts.
- 3.16 HC numbers cannot be issued when Parliament is prorogued. HC numbers for a new session will not be issued until that session has started.
- 3.17 If the same HC number is being used for a multi-volume paper, the volumes should be numbered using uppercase roman numerals (for example, HC 123–I, HC 123–II). Each volume should be included on the laying email as a separate attachment and listed on the laying letter.

Unnumbered Act Papers

3.18 Papers laid under an Act but which aren't ordered to be printed by the House of Commons are laid as unnumbered Act Papers. Unnumbered Act Papers do not attract the protection of parliamentary privilege under the Parliamentary Papers Act 1840. If papers in the same sequence as your paper have previously been laid as unnumbered Act Papers and your paper doesn't contain sensitive content, it is likely it should be laid as an unnumbered Act Paper.

If you are unsure whether a paper should be laid as an unnumbered Act Paper, please contact the Journal Office.

Command Papers

- 3.19 If there is no statutory authority for laying a paper but its content will be of interest to Parliament, it can be laid "by Command of His Majesty" under the royal prerogative. Command Papers are normally laid before both Houses and can be laid on any working day during the existence of a Parliament.
- 3.20 Most Command Papers form part of a continuous numbered series administered by The National Archives, which allocates the numbers required and sets common standards on appearance and format. The title page of each Command Paper should state that the paper is "Presented to Parliament by the Secretary of State/Minister for [name of department/position] by Command of His Majesty" and be followed by the month and year in which it will be laid.

To request a Command Paper (CP) number, email official.publishing@nationalarchives.gov.uk. You should indicate in the body of the email the title of the paper (this can be provisional or redacted) and the date on which you intend to lay the paper. Official Publishing will not allocate CP numbers more than one month in advance of laying. Guidance on producing Command Papers can be found online.¹⁶

3.21 A paper cannot be laid by both Act and Command, although in some cases papers laid by Act in the Commons are laid by Command in the Lords. This usually occurs where an Act only requires a paper, or part of a paper, to be laid in the Commons but a department, by convention, also lays it in the Lords. In such cases, a paper may be laid as an HC Paper in the Commons and as an unnumbered Command Paper in the Lords. Although the document submitted to each laying office will be identical, the laying letter submitted to the Lords must state that the paper is being laid as an unnumbered Command Paper.

For further information on laying annual reports and accounts under different

¹⁶ <u>nationalarchives.gov.uk/information-management/producing-official-publications/parliamentary-papers-guidance/command-paper-requirements.</u>

- authorities, see paragraph 2.9. If you are likely to present annual accounts for laying as a Command Paper, you should consult your parent department well in advance. You should not request or use an HC number.
- 3.22 Departments should be aware of other proceedings that run alongside the laying of a paper. For example, when a minister lays a departmental minute on a contingent liability they also need to make a written ministerial statement, for which notice should be given to the Commons Table Office.¹⁷
- 3.23 In some cases, papers (e.g. departmental minutes) are laid before Parliament "by Command" but are not printed or published in the CP numbered series. Such papers tend to have limited distribution. Guidance on unnumbered Command Papers is online¹⁸ and can be sought from The National Archives Official Publishing team.
- 3.24 Associated documents laid alongside statutory instruments, such as explanatory memoranda, are normally laid by Command. These are unnumbered.
- 3.25 Some Command Papers, such as supply estimates and specific annual reports and accounts, are laid before the House of Commons only and by order of that House. Such papers are not published in the CP numbered series but are numbered in the sessional House of Commons Paper series instead. See paragraphs 3.11–3.17 for advice on HC Paper numbers. As these papers are ordered to be printed by the House, they can only be laid when the House is sitting.

Papers laid by Return to an Address (Unopposed Returns) (Commons)

3.26 In some cases, the Government may wish to lay a particularly sensitive paper for which there is no statutory requirement or authority to lay, but for which the protection of parliamentary privilege is needed (the Report of the Independent Review of Prevent, published in February 2023, is a recent example). You should contact the Journal Office as soon as possible if you

¹⁷ The Table Office can be contacted at tableoffice@parliament.uk or 020 7219 3302.

¹⁸ <u>nationalarchives.gov.uk/information-management/producing-official-publications/parliamentary-papers-guidance/types parliamentary-paper</u>.

- are preparing a paper which falls into this category. The Journal Office can advise, and you should note that the advance agreement of the Clerk of the Journals is required. The motion for such a Return is not debated but must be tabled the day before it is taken (at the commencement of business) to allow the laying of a Return to an Address.¹⁹
- 3.27 If the House requires papers to be laid before it as a result of debates on Opposed Returns, those papers will also be HC Papers.²⁰
- 3.28 The process of laying a Return applies only to the House of Commons and the paper will be assigned an HC number. If you are laying the same paper in the House of Lords, the letter to the Printed Paper Office should state that the paper is an unnumbered Command Paper.

Statutory instruments

- 3.29 The process of preparing, registering, and publishing statutory instruments is overseen by the SI Registration Team at The National Archives (siregistrar@ nationalarchives.gov.uk, 020 8392 5361). The SI Registration Team are responsible for revising legislation and the legislation.gov.uk website, including the legislation.gov.uk Publishing service that facilitates the preparation, making, registration and publication of SIs. The National Archives produce Statutory Instrument Practice (SIP), a comprehensive guide to this process. You should consult this guide, and the SI Registration Team, for information on the preparation and making of SIs, and related queries.
- 3.30 Most statutory instruments are required to be laid before Parliament.²¹ Most SIs are required to be laid by Act, although some are required to be laid by statutory instrument (for example, many statutory rules of Northern Ireland) or Measure.
- 3.31 Once an SI has been registered using the legislation.gov.uk Publishing service, its title will be listed on an online dashboard that is accessible to both laying offices. An SI must be submitted to the laying offices by email (see paragraph 2.1) on the date on which it is to be laid. Once received and checks have been completed, each laying office will confirm acceptance for laying via

¹⁹ For more information on Unopposed Returns see Erskine May, <u>paragraph 7.32</u>.

²⁰ For more information on Opposed Returns, see Erskine May, <u>paragraph 7.31</u>.

²¹ Some SIs dealing with financial matters are laid before the House of Commons only.

- their legislation.gov.uk Publishing dashboard. Publication to the legislation. gov.uk website is automatically triggered once both offices have confirmed acceptance in this way.
- 3.32 All instruments must be imprinted with The National Archives' certification at the top of each page ("Certified copy from legislation.gov.uk Publishing") to be accepted for laying.
- 3.33 Proposed negative SIs laid under Schedule 7 to the European Union (Withdrawal) Act 2018 or Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023 are excepted from the process and requirements set out in 3.29 and 3.31–3.32 as they are Act papers and not SIs. See 3.41–3.46.
- 3.34 For corrections to SIs after laying, see section 6 and contact the SI Registration Team for advice.
- 3.35 SIs are accompanied by explanatory memoranda (EM), which are normally laid by Command.²² They may also be accompanied by other documents, such as impact assessments, de minimis assessments, and maps. Please ensure that the laying letter for an instrument lists all accompanying documents and sets out the laying authorities for the SI and the accompanying documents (see also paragraph 3.55 and Appendix 5).
 - An SI, its accompanying documents and laying letter are collectively known as a 'bundle'.
- 3.36 For corrections to explanatory memoranda, contact the SI Registration Team for advice. It may be possible, where required, to make a minor correction to an EM on the day of laying. If this means that a non-imprinted version of the EM is submitted to the laying offices, the SI Registration Team must instruct the laying offices that they can accept this version.
 - An EM which requires correction after the date of laying must be withdrawn and re-laid (see section 6).
- 3.37 SIs are usually subject to parliamentary procedure. Please ensure that you include details of which parliamentary procedure an instrument is subject

There are some exceptions where explanatory material is required by Act: proposed negative SIs (see 3.45–3.46) and for treaties subject to s 20 of the Constitutional Reform and Governance Act 2010. If you have any queries on whether explanatory memoranda should be laid by Command or by Act you should first contact your departmental lawyers before contacting the Journal Office.

to in the laying letter (including the number of days, if any, applicable to that procedure, and the praying time expiry date for negative SIs). If it is not subject to parliamentary procedure, please state this in the laying letter.

Statutory instruments subject to parliamentary procedure appear on Parliament's <u>Find an SI service</u> once laid. This website will enable you to track your SI's progress. It does not include SIs that are not subject to procedure or those laid by Measure.

3.38 If you are laying an affirmative instrument, you will also need to email a letter to the Commons Journal Office requesting that they arrange for a motion to be tabled in the Remaining Orders (Future Business B) section of the Order Paper (see Appendix 6). This should be attached to the same email as the SI bundle.

This letter is not required for laying an affirmative instrument in the House of Lords.

3.39 If, due to urgent circumstances, an instrument must come into force before it has been laid before Parliament,²³ departments are required by law to notify the Speaker of the House of Commons and the Lord Speaker forthwith, explaining why the instrument was not laid before it came into operation. In these instances, in addition to notifying both Speakers' Offices please copy in the mailboxes of both laying offices, as these communications must be laid alongside the relevant statutory instrument.

The letters to the Speaker and the Lord Speaker are recorded as separate laid papers.²⁴

3.40 Made affirmatives will be considered and approved in both Houses under the title of the SI as initially laid, even if a later made affirmative instrument subsequently changes the name of a previously laid instrument awaiting approval. This is to avoid confusion and ensure that different SIs can be clearly distinguished.

²³ Under House Standing Orders and under section 4(1) of the Statutory Instruments Act 1946.

See the Amendments of the Law (Resolution of Silicon Valley Bank UK Limited) Order 2023 SI, laid on 13 March 2023, and the High Speed Rail (West Midlands – Crewe) (Qualifying Authorities) Regulations 2021, laid on 5 April 2022, as examples.

Proposed negative statutory instruments

- 3.41 When a Minister wishes to make an SI under Schedule 7 to the European Union (Withdrawal) Act 2018 or Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023 and chooses the negative procedure, the SI must first be laid in a preliminary format for sifting by a scrutiny committee in each House. Such SIs are called 'proposed negatives'. However, as they are not formal SIs and are presented pursuant to the requirements of the Acts, they are treated as unnumbered Act papers.
- 3.42 Proposed negatives are not published via the legislation.gov.uk Publishing service but are instead published on gov.uk.
- 3.43 The legislation.gov.uk Publishing certification imprint is not required for proposed negative SIs. However, a 'DRAFT' watermark on every page of an SI and any accompanying documents, including an explanatory memorandum, is required.
- 3.44 Both Acts require the Minster to lay "a memorandum setting out the statement and the reasons for the Minister's opinion"²⁵ that an SI should be subject to the negative procedure. This statement is included as an annex to the explanatory memorandum.
- 3.45 Explanatory memoranda for proposed negatives are laid by Act and not by Command, unlike explanatory memoranda for normal SIs. The statement in the first paragraph of an EM must be updated and the laying letter should reflect this.

As a result of laying by Act, it is not possible to withdraw an EM without also withdrawing the proposed instrument. If you need to make a correction to an EM, you must withdraw and re-lay both the EM and the proposed instrument to which it relates. The 10-day sifting period will restart if the papers are withdrawn and re-laid.

Once sifting has been completed and you proceed to laying the SI as a negative or draft affirmative instrument, the EM must be laid by Command.

European Union (Withdrawal) Act 2018, Sch. 7 para 3(3); Retained EU Law (Revocation and Reform) Act 2023, Sch. 5 para 6(3).

3.46 Proposed negative SIs should be submitted to the laying offices in the same way as other SIs but departments should ensure that the 'proposed negative' procedure is clearly stated on the laying letter.

The letter should also state that the EM is being laid by Act and includes the memorandum stating the Minister's opinion that the SI should be subject to the negative procedure (see 3.44).

Format requirements for papers and laying letters

Command and Act Papers

- 3.47 All Command and Act Papers (whether numbered or unnumbered) laid before Parliament must be in a standard format:
 - a. A4 size in portrait orientation;26
 - b. clearly legible text with a font size of 10 point or greater;
 - c. front and back covers;
 - d. title and title verso pages (see paragraphs 3.52–3.53), including the necessary presentation line(s);
 - e. monochrome design is acceptable and is likely to reduce cost. Graphical information should have sufficient contrast to enable it to be read;
 - f. colours used on cover and title pages (including copyright statement pages) should have sufficient contrast between the text and the background; and
 - g. print copies provided to the Vote Office and Printed Paper Office must be correctly bound (saddle stitching (staples through the spine) or perfect binding (spine glued)). Spiral binding is not acceptable.

Papers that do not meet these requirements will not be accepted for laying and will have to be corrected and resubmitted.

Contact the laying offices in advance of laying if you require advice or would like to check that your paper meets the requirements. The laid version must be the same as the published version.

Landscape pages containing maps, diagrams or graphs are acceptable but all cover and plain text pages should be portrait.

- 3.48 The PDF file submitted for laying should contain the paper in a single-page format in page order, including front and back cover pages, inside cover pages and any blank pages. It should not have crop marks or bleed areas and any colour included should be in CMYK, with any images at high resolution of 300dpi. The PDF should not normally contain scans and the main text should be selectable and searchable where possible. The purpose of this format is to allow papers to be reviewed and, if necessary, printed on a desktop printer.
- 3.49 Official Publishing at The National Archives provides full information on the <u>presentation requirements</u> for Command Papers, most of which also apply to Act Papers.
- 3.50 Departments and organisations are encouraged to submit draft title pages to the laying offices for checking at the earliest opportunity, to ensure that the required information has been included and title pages meet laying requirements. Draft title pages can be sent to journaloffice@parliament.uk and the Journal Office can usually respond to such requests within two working days. Allowing the Journal Office to check the draft title page before the content of the paper has been finalised may help to avoid any delay in printing and laying your paper.
- 3.51 For organisations which, on occasion, expect to produce a report and accounts paper or other paper in two separate volumes, the requirements for title pages apply to each volume. The laying letter and each title page should make it clear that there is more than one volume. If the same HC or CP number is being used for a multi-volume paper the volumes should be numbered with added uppercase roman numerals to distinguish them, for example: HC 123–I, HC 123–II or CP 123–I, CP 123–II. Each volume should be included on the laying email as a separate attachment and listed on the laying letter for the paper.

Title pages

3.52 All Command and Act Papers must contain a title page (the first facing (recto) page of a paper after the cover page). The copyright notice (with the correct copyright statement and the publication's ISBN²⁷) must be displayed on the

²⁷ ISBNs for HC and numbered Command Papers should be obtained from the series held by HH Global unless advised otherwise by The National Archives.

reverse (verso) of the title page in accordance with guidelines from The National Archives.²⁸ The title page should not bear substantive text, images, or a contents page on its reverse. Contact Official Publishing at The National Archives for more information (official publishing@nationalarchives.gov.uk).

Unnumbered Command and Act Papers which are under 10 pages may not be required to have a title page but must still include the presentation line at the top of the first page of the paper. Contact the Journal Office if you are unsure whether your paper requires a cover page.

3.53 A title page must include:

- a. the full title of the paper;
- b. the full statutory title of the body producing the paper (rather than the name the organisation is known by);
- where applicable, the specific period of time covered by the paper (e.g. 2024–25 for financial years and 2024 for calendar years);
- d. the authority under which the paper is laid (e.g. by Act or by Command)

 this should be in the form of "Presented to Parliament pursuant to
 [section] of [Act]" or "Presented to Parliament by Command of His
 Majesty";²⁹
- e. for HC Papers, the words "Ordered by the House of Commons to be printed on [day month year]");30 and
- f. for HC Papers or numbered Command Papers, a series number (HC or
 CP) this should also appear on the front cover of the paper.

Example title pages are in Appendix 4.

The National Archives' guidance on laying and publishing papers is at: <a href="mailto:nation-mailto

If you are laying by Act in the Commons and by Command in the Lords, the title page must include both presentation lines: "Presented to the House of Commons pursuant to [Act]. Presented to the House of Lords by Command of His Majesty." Equally, if you are laying the report of a combined report and accounts paper by Act in both Houses but the accounts by Act in the Commons and Command in the Lords, you will need three presentation lines.

If the date of laying changes late in the publishing process, the title page must be updated to show the correct date. You should also check that you have updated the copies which you are providing to the Vote Office and the Printed Paper Office.

Statutory instruments

3.54 The format of SIs is set by The National Archives. You should consult Statutory Instrument Practice (SIP) or contact the SI Registration Team (siregistrar@nationalarchives.gov.uk, 020 8392 5361). Access to the legislation.gov.uk Publishing service will enable you to obtain templates for the preparation of SIs and accompanying documents.

Laying letters

- 3.55 For a paper to be accepted for laying, the laying letter must include:
 - a. sender/recipient addresses the Journal Office if laying in the Commons,
 the Printed Paper Office if laying in the Lords;
 - b. the title of the paper or instrument in the subject line, including the paper number for all numbered papers;
 - the presentation line(s) for the paper. For Act Papers and SIs, this must include the section of the Act that the paper/SI is being laid under;
 - d. a line referencing any associated documents you are laying and the authority under which those papers are being laid. For example, "We are also laying an explanatory memorandum by Command of His Majesty";
 - e. the parliamentary procedure that the paper or instrument is subject to. If the paper is not subject to procedure this should be stated;
 - f. for an SI or paper that is subject to parliamentary procedure, the number of praying days and the praying time expiry date, if it is subject to a praying period;³¹
 - g. for House of Commons Papers, a line confirming a printing order and the allocation of an HC Paper number;
 - h. the minister or official in whose name the paper is being laid; and
 - i. the name and contact telephone number of the person who is responsible for laying the paper.

This includes all treaties subject to scrutiny under the Constitutional Reform and Governance Act 2010, all negative and proposed negative SIs, and any Act Papers subject to a praying period. Parliament's online Egg Timer tool can be used for calculating scrutiny periods.

- 3.56 Templates setting out the full required format for laying letters (covering all paper types) are in Appendix 5.
- 3.57 The accuracy of the papers lists in the House of Commons Votes and Proceedings and the House of Lords Minutes of Proceedings, which constitute the formal legal records of the Houses, depends on the accuracy and clarity of the information provided in laying letters.

If an error in a laying letter is identified or information is unclear or incomplete, one of the laying offices will notify you and ask for a corrected version to be provided before the laying deadline. Failure to provide a corrected letter before the deadline may result in your paper not being accepted for laying on that date.

If the incorrect procedure is specified in a laying letter, the laying offices may not always recognise this. If a paper is laid and listed under the incorrect procedure, you may be required to withdraw and re-lay it at a later date if the error is not identified promptly. This could have serious implications for your organisation, including reputational risk.

4. Sending papers to scrutiny committees

4.1 Statutory instruments are scrutinised by the Joint Committee on Statutory Instruments (JCSI), the Select Committee on Statutory Instruments (SCSI) (Commons), and the Secondary Legislation Scrutiny Committee (SLSC) (Lords). Proposed negative SIs are sifted by the European Statutory Instruments Committee (ESIC) in the Commons and the SLSC in the Lords. Human Rights Remedial Orders are scrutinised by the Joint Committee on Human Rights (JCHR) and Legislative Reform Orders by the Delegated Powers and Regulatory Reform Committee (DPRRC) in the Lords and the Business and Trade Committee (BTC) in the Commons.³² Information on the work of these committees is online.³³

Departments should comply with <u>Statutory Instrument Practice (SIP)</u> and email all SIs or papers subject to parliamentary procedure (in the form in which they are laid before Parliament) to the relevant scrutiny committees promptly.

- 4.2 All papers which are subject to negative or affirmative procedures (for example SIs, Statements of Changes in Immigration Rules, treaties, statutory codes of practice, or statutory guidance) are considered by one or more scrutiny committees. When submitting such a paper to the laying offices, we recommend that you simply copy in the relevant committee:
 - a. all SIs should be copied to jcsi@parliament.uk, including those not subject to procedure (which also includes those that are not required to be laid, such as most commencement orders). All papers subject to affirmative procedure should also be copied to JCSI;34

Such SIs are subject to enhanced scrutiny procedures, including the <u>super-affirmative procedure</u>, wherein a minister is often required to first present a proposal for an SI for consideration before laying a draft of the SI subject to the affirmative procedure. You should consult the laying offices if you intend to lay such an SI and require advice.

³³ committees.parliament.uk.

There are some exceptions. See House of Commons <u>Standing Order 151</u> and House of Lords <u>Standing Order 74</u> or contact the Committee if you are unsure whether your SI or paper must be sent to JCSI for consideration.

- c. proposed negative SIs should be copied to esic@parliament.uk and hlseclegscrutiny@parliament.uk;
- d. treaties should be copied to hlintlagreements@parliament.uk;
- e. Human Rights Remedial Orders should be copied to jchr@parliament.uk; and

If you are unsure whether an SI or paper should be sent to a scrutiny committee, contact the relevant committee for advice using the email addresses above.

- 4.3 If sending a paper to a scrutiny committee separately, you should state the procedure the paper is subject to in your email and include any paper numbers (e.g. SI 2023-602).
- 4.4 It is important that the laying letter submitted with an SI lists all the required information set out in paragraph 3.55, particularly the section and Act that the instrument is being laid under, the procedure the SI is subject to and the number of praying days, and the associated documents laid with the SI. In particular:
 - If the SI is a proposed negative laid under Schedule 7 to the European Union (Withdrawal) Act 2018 or Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023, see paragraphs 3.45–3.46 for laying letter requirements.
 - If the SI is laid under section 9 of the Planning Act 2008, as amended by the Localism Act 2011, the letter should state this.
 - If the SI is a Legislative Reform Order, the letter should state that the accompanying explanatory document is laid under section 14 of the Regulatory Reform Act 2006, as well as the procedure that the explanatory document recommends.

5. Making print copies of a paper available to members of both Houses

- 5.1 Departments are required to ensure that print copies of all laid papers are available to members of both Houses at the time of laying.³⁵
 - It is particularly important that print copies of papers which are the subject of oral and written ministerial statements or which the Vote Office and Printed Paper Office deem likely to be of interest to members are available in sufficient quantities at the time a paper is accepted for laying.
- 5.2 In all cases, departments must ensure that the print copies of papers produced for distribution by the Vote Office and Printed Paper Office are identical to the laid versions.
- 5.3 Departments must also ensure that a large print (20pt Arial) version of all laid papers is available at the time of laying.
- 5.4 No print copies are required for annual reports and accounts from nonministerial government departments, agencies, and other bodies but a PDF of a large print version should be sent by email to the Vote Office.

Using the Command and House Papers supplier

If your paper is a numbered Command or House of Commons Paper you need to contact HH Global (commandandhouse.team@hhglobal.com), the Command and House Papers supplier under the RM6170 Lot 1 Framework unless advised otherwise by Official Publishing at The National Archives. HH Global will provide guidance on producing, printing, and distributing your paper. While you can use other suppliers in addition to HH Global, you will need to use some core HH Global services as a minimum (including the provision of page furniture for the paper's copyright page). Contact Official Publishing (official.publishing@nationalarchives.gov.uk) for further information.³⁶

³⁵ See the Speaker's ruling: 25th March 2009, HC Deb col 307.

The Controller of His Majesty's Stationery Office, the Chief Executive of The National Archives, is responsible for setting the production standards and overseeing the publication of certain government publications, including HC and Command Papers. More information on producing and publishing Command and Act Papers can be found online.

5.6 Core HH Global services also include the provision of print copies to Parliament, whether or not the department requires print copies. HH Global can check and confirm if Parliament requires print copies and, if they do, HH Global will arrange the print and delivery of these copies, with the relevant costs being charged directly to Parliament. HH Global are also contractually obliged to provide Parliament with confidential Advanced Laying Information (ALI)³⁷ so that the Vote Office and Printed Paper Office are aware of upcoming papers and can take decisions on quantities to ensure they will have the print copies they need.

Providing print copies directly

- 5.7 Papers which are not numbered Act or Command Papers may be printed by another supplier or by your own department. You will still need to ensure copies are available to members at the time of laying, so you should contact the Vote Office (vote_office@parliament.uk or 020 7219 3631) and the Printed Paper Office (printedpaperoffice@parliament.uk or 020 7219 3038) to make arrangements.
- 5.8 Papers printed by other suppliers or your own department must still meet all the formatting requirements set out in section 3. In addition, departments must use HH Global core services for House of Commons Papers and numbered Command Papers.

Making arrangements with Parliament for internal printing

5.9 Although Parliament purchases the print copies of papers it requires from HH Global directly, as above, it may also be able to produce the copies it requires internally using its own print facilities.

If this print option is selected for a House of Commons Paper or a numbered Command Paper, HH Global core services will still need to be used for the production of your paper. In addition, at the earliest opportunity you must advise HH Global that the distributing offices are printing their own copies. This is to avoid HH Global automatically arranging these copies as detailed in the framework agreement.

The ALI is shared with Official Publishing (TNA), the Commons Journal Office, the Vote Office, and the Printed Paper Office.

- 5.10 To submit a request for Parliament to print its own copies, the following process is in place:
 - a. email the Vote Office (<u>vote_office@parliament.uk</u>) and the Printed Paper Office (<u>printedpaperoffice@parliament.uk</u>) as early as possible and at least 48 hours before a paper is due to be laid, including the following in your email:
 - i. "Upcoming paper: internal printing request" as the subject heading;
 - ii. the title or draft title of the paper;
 - iii. the date on which the paper will be laid;
 - iv. the number, or estimated number, of pages in the document; and
 - v. detail on the format of the content, including whether the contents pages and cover will be in colour or monochrome and if tables, graphs or infographics are included (for example, "a full colour document with graphs and tables throughout" or "a monochrome document with colour cover");
 - the distributing offices will confirm whether Parliament is content to print
 the copies it requires internally. If one or both offices require copies, they
 will advise on the deadline for the provision of the necessary print-ready
 file(s). This deadline will normally be 24 hours in advance of laying;
 - c. you must provide the necessary final approved print-ready PDF(s) with crops and bleeds, and confirm receipt with the distributing office(s) before the deadline. Failure to do so may result in your paper not being accepted for laying if copies are not available in the distributing offices in time;
 - d. once the final print-ready PDF(s) have been received and receipt confirmed, the distributing offices will organise internal printing;
 - e. copies of a paper are released only once the paper has been confirmed as laid according to the criteria in paragraph 2.18. In the Commons, the Journal Office provides the Vote Office with confirmation of laying. In the Lords, the Printed Paper Office is both the distributing office and the laying office and will release copies only once it has received and checked a paper for laying; and
 - f. should you wish to cancel the laying of a paper and/or withdraw the copies already printed, you should notify the laying offices of your

- intention and they will arrange for the copies to be securely destroyed and provide confirmation of this.
- 5.11 If you cannot be sure that you will be able to notify the distributing offices in time or provide final print-ready PDFs before the deadline, you should choose one of the options in the previous two subsections (paragraphs 5.5–5.8).
- 5.12 If you initially proceed with this option and later find that it is not possible to meet the deadline, HH Global may be able to print Parliament's copies. However, if this is at short notice there is a risk that HH Global cannot guarantee they will have the additional print capacity required.

6. Withdrawing or correcting a paper

6.1 If it becomes necessary to correct or revise a paper after it has been laid, the options are to withdraw and re-lay the paper or to issue a correction slip. If the correction is substantive, it may be necessary to withdraw your paper and lay it again.

This section outlines the requirements and processes for requesting corrections, the issuing of correction slips and withdrawing and re-laying papers.

Corrections to Command and Act Papers

- 6.2 Correction slips will be accepted for minor, typographical errors that are obvious on the face of the paper. Correction slips will not be accepted if the content is adding additional information. You must contact the Journal Office for approval prior to the publication and distribution of a correction slip. Correction slips must be reviewed and approved by the Journal Office before they can be issued, regardless of the extent of the correction.
- 6.3 Information about correcting papers and correction slip templates are available online from The National Archives.³⁸ If a correction slip is issued or the paper is withdrawn and re-laid, in both cases it should be distributed to all known recipients of a paper.
 - Appendix 8 includes examples of the required format of a correction slip.
- 6.4 If the correction slip has been approved by the Journal Office, please send the slip to both laying offices (laidpaperslords@parliament.uk), both distributing offices (printedpaperoffice@parliament.uk), and any other recipients of the paper. Only at this point can the relevant paper be amended online, with the correction slip inserted before the contents page. If a correction slip is rejected, the paper will need to be withdrawn and re-laid in order to make the correction.

nationalarchives.gov.uk/information-management/producing-official-publications/parliamentary-papers-guidance/correct-paper.

Corrections should not be made to online versions without approval from the Journal Office.

Corrections to statutory instruments

- 6.5 Requests for corrections to made statutory instruments (i.e. not drafts) should be submitted to the SI Registration Team (<u>siregistrar@nationalarchives.gov.uk</u>) in the first instance
 - Requests for corrections often arise from scrutiny by parliamentary committees and recommendations to the departments concerned.
- 6.6 If the SI Registration Team approves the use of a correction slip for a made instrument, a PDF of the slip should be sent by email to the laying offices (laidpaperscommons@parliament.uk and <a href="mailto:lai
- 6.7 Made instruments cannot usually be withdrawn. Therefore, if significant corrections are required, the instrument will need to be revoked or an amending SI will need to be made to correct the errors in the defective SI. An amending SI should be drafted using the free-issue procedure. Contact the SI Registration Team for advice on this (siregistrar@nationalarchives.gov.uk).
- 6.8 The laid version of a draft instrument is the copy that will be considered by the relevant scrutiny committees and may be debated by the Houses. If corrections that fall within the category regarded by the Joint or Select Committee on Statutory Instruments as suitable for inclusion in the published version of the instrument³⁹ are identified, a correction slip or reprint of the draft may be issued but you must submit a request to the SI Registration Team. If the draft has not yet been debated, the SI Registration Team will consult the relevant scrutiny committee and laying offices before proceeding.

Where corrections are outside the category defined above, withdrawal and relaying will be required.

First Report of the Joint Committee on Statutory Instruments, HL 151, HC 1158 (2017–19) para 3.10.

- 6.9 If an error is identified after the approval of a draft instrument by the Houses, a correction can be made to the published version of the instrument by submitting a letter outlining the correction to the laying offices to be filed with the original laid instrument.
- 6.10 Correction slips are not permitted for explanatory memoranda or impact assessments. Explanatory memoranda and impact assessments relating to statutory instruments are laid by Command and may be withdrawn and re-laid.

Withdrawing a paper

- 6.11 If you need to withdraw a paper, you must email a withdrawal letter to the laying offices. The letter should be in a separate email from any letter laying a new version of the paper. It should include:
 - the full title of the paper and the paper number, where applicable;
 - the date on which the paper was originally laid;
 - the reason for withdrawal; and
 - whether and when a revised copy is to be laid.

Appendix 7 includes an example of a withdrawal letter.

- 6.12 Where possible, the withdrawal and re-laying of a paper should happen on the same day in both Houses. On the day of withdrawal all print copies of the original paper should be withdrawn from circulation and destroyed.
- 6.13 Explanatory memoranda for SIs may be withdrawn and re-laid until the point at which an SI has completed its parliamentary scrutiny. If the praying time for a negative SI has expired or both Houses have resolved to approve an affirmative SI, there is no requirement for an explanatory memorandum relating to such an SI to be withdrawn and re-laid. If a correction is required, the version published on Legislation.gov.uk can be updated.

Withdrawing a draft SI

6.14 Draft SIs can only be withdrawn on sitting days. If the SI was laid before both Houses you should wait until both Houses are sitting to withdraw it or lay a new one, to avoid discrepancies in the Commons *Votes and Proceedings* and Lords Minutes of Proceedings.

- You should also inform the scrutiny committees (JCSI and SLSC).
- 6.15 If a statutory instrument subject to affirmative procedure is being withdrawn, departments should also withdraw any outdated approval motions from the Future Business sections of the Commons Order Paper. To withdraw an approval motion please email the Commons Journal Office with a formal withdrawal letter stating the approval motion that needs to be withdrawn and the reason for withdrawal. This can be included in the same email as the email withdrawing the paper.
- 6.16 If a statutory instrument subject to affirmative procedure has already been approved by one House, it cannot be withdrawn from that House because the instrument has completed its parliamentary scrutiny. If a draft instrument is approved by Parliament, the Government does not have to make the SI subsequently.

7. Further advice and information

Journal Office, House of Commons

For advice on laying papers in the House of Commons, the format of papers and title page requirements, the issuing of HC numbers, and correction slips for Command and Act Papers: journaloffice@parliament.uk or 020 7219 3317 / 3361.

Printed Paper Office, House of Lords

For advice on laying papers in the House of Lords: laidpaperslords@parliament.uk.

For advice on making print copies of papers available to members of the House of Lords: printedpaperoffice@parliament.uk or 020 7219 3038.

Vote Office, House of Commons

For advice on making print copies of papers available to members of the House of Commons: vote office@parliament.uk or 020 7219 3631.

SI Registration Team, The National Archives

For advice on the preparation, making, registration and publication of statutory instruments and accompanying documents, and the issuing of correction slips for SIs: siregistrar@nationalarchives.gov.uk or 020 8392 5361.

Statutory Instrument Practice (SIP) is available at: <u>legislation.gov.uk/pdfs/</u>
<u>StatutoryInstrumentPractice 5th Edition.pdf</u>.

Command and House Papers supplier - HH Global

For preparing reports and accounts for laying, you should seek advice from the parliamentary branch of your parent department in the first instance.

To organise the production and/or distribution of HC and Command Papers with HH Global: commandandhouse.team@hhglobal.com or 020 3968 4725.

For advice on HH Global contractual or cost queries, contact the Crown Commercial Service: ccsprintteam@crowncommercial.gov.uk.

Official Publishing Team, The National Archives

For advice on the production and publication of HC Papers, Command Papers, and unnumbered Act Papers, and to obtain CP numbers: official.publishing@nationalarchives.gov.uk.

The National Archives' guidance relating to papers is available at: <u>nationalarchives</u>. <u>gov.uk/information-management/producing-official-publications/parliamentary-papers-guidance</u>.

The National Audit Office

For advice relating to certificates and reports of the Comptroller and Auditor General contact the appropriate Audit Manager at the National Audit Office. The parliamentary branch can be contacted at fung.cheung@nao.org.uk or on 020 7798 7790.

Appendix 1: Checklist for laying a paper

- Contact the Commons Journal Office (journaloffice@parliament.uk) well in advance of laying your paper if you require advice, foresee any problems, or would like your paper to be checked before the date of laying.
- Check the <u>recess dates</u> for each House in advance of laying and be aware of the deadlines to ensure that you will be able to lay your paper on the date intended and within the times given. We recommend submitting your paper at least an hour before the deadline to allow time for the laying offices to report any issues and for you to resolve them on the same day.
- If print copies are required by Parliament, contact the Command and House Papers supplier, HH Global, well in advance of the laying date to organise printing. Alternatively, if your department does not require copies, you can contact the Vote Office and Printed Paper Office to request that the copies required by Parliament are printed internally.
- On the date of laying, email the laying offices with the paper to be laid, laying letter and all accompanying documents. The paper, letter and accompanying documents must meet all the requirements set out in this guide to be accepted for laying.
- If you have not received an automatic email reply confirming receipt of your paper, contact the laying offices by telephone.
- If the laying offices have identified a problem and contacted you, address the
 issue raised and resubmit your paper, letter or accompanying document before
 the deadline for that day. Failure to respond or take action to address the
 problem identified will result in your paper not being accepted for laying.
- If you are laying a statutory instrument, contact the relevant scrutiny committees (see section 4).
- The day after laying, check the Papers Laid section of the House of Commons Votes and Proceedings and the Papers section of House of Lords Minutes of Proceedings in House of Lords Business to confirm your paper is listed.

Appendix 2: Requirements for preparing a laying email and sending large files

Laying emails

- 1. Laying emails must include the following:
 - the title and number of the paper;
 - the authority for laying the paper (e.g. Act, Command);
 - what parliamentary procedure (e.g. negative, affirmative, none) applies;
 - whether there are any accompanying documents (e.g. an explanatory memorandum or impact assessment) and under what authority they are being laid;
 - the name of the minister or official formally laying the paper;
 - contact details, including a direct telephone number, of the person responsible for laying the paper;
 - if the paper is replacing a previous paper that has been withdrawn, a note to this effect; and
 - where applicable, that the document is being laid in proof or typescript form. A 'proof' copy for laying must be correct and not different in any way from the final published version.
- 2. Departments must also follow our convention for the subject line of emails, to comply with our software rules. The subject line of the email laying the paper should read:

([Paper number]) – [Brief description of paper]

e.g. (HC 213) - Report of the Journal Office 2017-18

e.g. (SI 2023-400) – Terms and Conditions of Employment

Naming of laid papers files

3. Departments should follow the naming conventions for files to comply with our software rules.

The filename of the PDF of the paper should read:

([Paper number]) – [Title or brief description of paper]

- e.g. (SI 2020-400) Social Security SI
- e.g. (SI 2020-400) Social Security EM
- e.g. (None) Constitutional Law SI
- e.g. (CP 379) Treaty Series (No. 1)
- e.g. (HC 217) Report and Accounts of the BBC
- e.g. (None) Report under Section 1(1) of Parliamentary Papers Act
- 4. The filename of the laying letter should read:

([Paper number]) – Laying letter – [Title or brief description of paper in the same terms as the title of the paper]

- e.g. (SI 2020-400) Laying letter Social Security SI, EM and IA
- e.g. (CP 379) Laying letter Treaty Series (No. 1)
- e.g. (HC 217) Laying letter Report and Accounts of the BBC
- 5. The filename of a withdrawal letter should read:

Withdrawal letter – [Title or brief description of paper]

- e.g. Withdrawal letter Social Security SI and EM
- 6. The filename of an approval motion letter should read:

([Paper number]) – Approval motion – [Title or brief description of paper in the same terms as the title of the paper]

e.g. (SI 2020-400) - Approval motion - Social Security SI

Large files

- 7. Files of papers and accompanying documents over 50MB are too large to send as email attachments. In these instances, papers may be submitted to the laying offices using third-party suppliers.⁴⁰ The Commons Journal Office also has an external SharePoint site to receive documents on behalf of both laying offices, however this requires the sender to have an Office365 account. Whatever the method, the Journal Office and Printed Paper Office must receive a PDF to be able to accept the paper for laying.
 - You should contact both laying offices to confirm acceptance when submitting large files to check that your files have reached us successfully.
- 8. The Vote Office and Printed Paper Office must still receive print copies from the Command and House Papers supplier or from you for release to members at the time of laying, unless you have made arrangements for Parliament to print its own copies.
- 9. If you suspect that a paper will be too large to send via email attachment, please contact the laying offices at the earliest possible opportunity so that we can make alternative arrangements for receiving the paper.

Departments should note that they are responsible for the sharing of documents using a third-party supplier and that they do so at their own risk.

Appendix 3: Summary of what can be laid when

| Type of paper | Sitting days | Non-sitting days (including prorogation) | Dissolution | | |
|---|--------------|--|--------------------------|--|--|
| Draft SI | Yes | No | | | |
| Special Procedure Order | Yes | No | | | |
| Made SI requiring approval before coming into force | Yes | No | | | |
| Any other made SI | Yes | Yes | No papers may be laid | | |
| Command Paper | Yes | Yes | may be laid | | |
| Act Paper with an HC number | Yes | No | | | |
| Any other Act Paper | Yes | Received but treated as laid on next sitting day | | | |
| Return | Yes | No | | | |

Appendix 4: Sample paper title pages

Act Paper - ARA

[NAME OF ORGANISATION]

[Annual Report and Accounts]

[2022-23]

Presented to Parliament pursuant to Section [x] of the [Act title] Act [year]

Ordered by the House of Commons to be printed on [day month year]*

HC 253*

^{*}For **unnumbered Act Papers** do not include a paper number or Printing Order.

Command Papers

[Royal Arms, if using]

[NAME OF ORGANISATION]

[Full title of paper]

Presented to Parliament by the Secretary of State/Minister for [Department] by Command of His Majesty

CP 253*

^{*}For **unnumbered Command Papers** do not include a paper number.

Appendix 5: Sample laying letters

HC Papers, Act Papers and Command Papers

Departmental Contact Information Here

Date

The Clerk in Charge
Journal Office/Printed Paper Office
House of Commons/House of Lords

Dear Journal Office/Printed Paper Office

Title of paper in bold [HC or CP No., if applicable]

- FOR COMMAND PAPERS The above paper is presented for laying before [Parliament/the House of Commons] by the Secretary of State/Minister for [Department] by Command of His Majesty.
- 2. FOR ACT PAPERS The above paper is presented for laying before [Parliament/the House of Commons] pursuant to:

[Section of Act under which laying is authorised] or [section of Act under which laying is authorised, as amended by section of Amending Act]

[We are also laying an explanatory memorandum [and an impact assessment/ accompanying report] by Command of His Majesty] (if applicable)

- 3. The [instrument/paper] is subject to: [Type of procedure: delete as appropriate from the list below]
 - a. Special Parliamentary Procedure
 - b. Affirmative Resolution
 - c. Affirmative Resolution within [x] days
 - d. Affirmative Resolution under section X of XX Act [year]
 - e. Negative Resolution within [x] days. Praying time expires on [date].
 - f. No Procedure
- 4. FOR HC PAPERS A Printing Order is required and HC [X] has been allocated.
- 5. Please lay in the name of [Laying Minister].

Regards,

Parliamentary Branch

Name and contact telephone number of person dealing with this paper

Statutory instruments

Departmental Contact Information Here

Date

The Clerk in Charge
Journal Office/Printed Paper Office
House of Commons/House of Lords

Dear Journal Office/Printed Paper Office

[Draft] [Full title of SI in bold]

 [Draft] [Title of SI] [SI YYYY, No. XX] is presented for laying before [Parliament/the House of Commons] pursuant to:

[Section of Act under which laying is authorised] or [section of Act under which laying is authorised, as amended by section of amending Act]

- 2. We are also laying an explanatory memorandum [and an impact assessment] [and [list of any other accompanying documents]] by Command of His Majesty (if applicable)
- 3. The instrument is [a Legislative Reform Order]/[subject to: [Type of procedure: delete as appropriate]]
 - a. Special Parliamentary Procedure
 - b. Affirmative Resolution
 - c. Affirmative Resolution within [x] days
 - d. Affirmative Resolution under section X of XX Act [year]

| e. | Negative Resolution with | in [x | days. | Praying | time ex | pires on | [date] | |
|----|--------------------------|-------|-------|---------|---------|----------|--------|--|
| | | | | | | | | |

f. No Procedure

4. Please lay in the name of [Laying Minister in the Commons]

Regards,

Parliamentary Branch

Name and contact telephone number of person dealing with this SI

Appendix 6: Sample letter requesting a motion to be tabled (Commons)

Departmental Contact Information Here

Date

The Clerk in Charge Journal Office House of Commons

Dear Journal Office

[Full title of SI in bold] [SI YYYY, No. XX]

Please can you arrange for a motion to be tabled in Future Business to approve the following statutory instrument, which is subject to the [affirmative procedure].

The information relating to the SI is as follows:

- Name of instrument: [Full title of SI]
- SI number (if applicable): [x]
- Laid date: [day month year]
- Laid in [both Houses/the House of Commons]
- Laying Minister: [name and title of Minister]

Regards

Parliamentary Branch

Name and contact telephone number of person dealing with this SI

Appendix 7: Sample letter withdrawing a paper

Departmental Contact Information Here

Date

The Clerk in Charge
Journal Office/Printed Paper Office
House of Commons/House of Lords

Dear Journal Office/Printed Paper Office

[Full title of paper in bold and number, where applicable]

- 1. Due to an error in the above document, which was laid on [date], it needs to be withdrawn.
- 2. This paper is [not] subject to [procedure type] procedure.
- 3. A corrected version of this document is being [laid today/will be laid on [date]].

Regards

Parliamentary Branch

Name and Contact telephone number of person dealing with this paper

Appendix 8: Sample correction slip

CORRECTION SLIP

| Title: [Full title of paper] |
|---|
| Session: [year-year] |
| Number (if any): [HC X or CP X] |
| ISBN: [978XXXXXXXXXX] |
| Date of laying: [day month year] or, for a HC Paper: Ordered by the House of Commons to be printed [day month year] |
| Correction: |
| [Short explanatory statement (one sentence) if necessary] |
| Text currently reads: |
| [Details of current incorrect text] |
| Text should read: |
| [Corrected text] |
| Date of correction: [day month year] |

Cover images:

- © UK Parliament / Andy Bailey
 © House of Lords / Photography by Roger Harris

Text:

Wafia Zia, Clerk of Papers, House of Commons Thomas Kirby, Head of Parliamentary Papers, House of Lords

Copyright UK Parliament 2024