



House of Commons

Tuesday 23 April 2013

CONSIDERATION OF LORDS MESSAGE

New Amendments handed in are marked thus ★

ENTERPRISE AND REGULATORY REFORM BILL

On Consideration of Lords Reasons for insisting on their Amendments to which the Commons have disagreed

Revised at 12.44 pm

Lords Amendments Nos. **35 and 36**

Secretary Vince Cable

To move, That this House insists on its disagreement to Lords Amendment No. 36, does not insist on its disagreement to Lords Amendment No. 35 and proposes the following consequential Amendments to the Bill:—

- ★ Page **54**, line **41**, leave out '10' and insert '10(1) and (4) to (8)'. (a)
 - ★ Page **55**, line **4**, leave out from 'subsections' to end of line 5 and insert 'make further amendments to the Equality Act 2006.'. (b)
 - ★ Page **55**, line **17**, leave out subsection (10). (c)
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Lords Amendment No. **37**

Secretary Vince Cable

To move, That this House insists on its disagreement to Lords Amendment No. 37 but proposes the following Amendments to the Bill in lieu of the Lords Amendment:—

- ★ Page **73**, line **2**, at end insert:— (a)

Enterprise and Regulatory Reform Bill, *continued***‘Equality Act 2010: caste as an aspect of race**

- (1) Section 9(5) of the Equality Act 2010 is amended in accordance with subsections (2) to (4).
- (2) Omit “may by order”.
- (3) In paragraph (a) (power to provide for caste to be an aspect of race) at the beginning insert “must by order”.
- (4) In paragraph (b) (power to provide for exceptions to apply or not to apply to caste) at the beginning insert “may by order”.
- (5) A Minister of the Crown—
 - (a) may carry out a review of the effect of section 9(5) of the Equality Act 2010 (and orders made under it) and whether it remains appropriate, and
 - (b) must publish a report on the outcome of any such review.
- (6) The power under subsection (5)(a) may not be exercised before the end of the period of 5 years beginning with the day on which this Act is passed (but may be exercised on more than one occasion after that).
- (7) If a Minister of the Crown considers it appropriate in the light of the outcome of a review under subsection (5), the Minister may by order repeal or otherwise amend section 9(5) of the Equality Act 2010.
- (8) The power to make an order under subsection (7) includes power to make incidental, supplementary, consequential, transitional or saving provision, including doing so by amending an Act or subordinate legislation (within the meaning of the Interpretation Act 1978).
- (9) An order under subsection (7) must be made by statutory instrument.
- (10) A statutory instrument containing an order under subsection (7) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.’.

(b)

★ Page 76, line 2, at end insert—

‘() section (*Equality Act 2010: caste as an aspect of race*) extends only to England and Wales and Scotland;’.

(c)

★ Page 76, line 8, at end insert—

‘() section (*Equality Act 2010: caste as an aspect of race*);’.

(d)

★ Title, line 7, after ‘directors;’ insert ‘to amend section 9(5) of the Equality Act 2010;’.

ORDER OF THE HOUSE [11 JUNE 2012]

That the following provisions shall apply to the Enterprise and Regulatory Reform Bill—

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 17 July 2012.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Enterprise and Regulatory Reform Bill, *continued*

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

ENTERPRISE AND REGULATORY REFORM BILL (PROGRAMME) (NO.3)

Secretary Vince Cable

That the following provisions shall apply to the Enterprise and Regulatory Reform Bill for the purpose of supplementing the Orders of 11 June 2012 and 16 October 2012 (Enterprise and Regulatory Reform Bill (Programme) (No.2)):

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement at today's sitting.
2. The Lords amendments shall be considered in the following order, namely Lords Amendments Nos. 35 to 40, remaining Lords Amendments.

Subsequent stages

3. Any further Message from the Lords may be considered forthwith without any Question being put.
 4. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
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