



**SUPPLEMENT TO THE VOTES AND PROCEEDINGS**

**Tuesday 23 April 2013**

**PROCEEDINGS**

**ON CONSIDERATION OF LORDS MESSAGE**

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**ENTERPRISE AND REGULATORY REFORM BILL**

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

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Lords Amendments Nos. **35 and 36**

Secretary Vince Cable

*Agreed to*

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

*Agreed to*

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)  
**‘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).

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**Enterprise and Regulatory Reform Bill, *continued***

- (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;’.
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