



House of Commons

Tuesday 10 September 2013

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

EUROPEAN UNION (REFERENDUM) BILL

Emma Reynolds

Clause 3, page 2, line 7, leave out 'by order' and insert 'present further legislation to Parliament to'. 83

Emma Reynolds

Clause 3, page 2, line 13, after second 'a', insert 'super-affirmative resolution'. 81

Emma Reynolds

Clause 3, page 2, line 14, at end insert— 80
 '(5) Results for the referendum will be published according to European parliamentary constituencies, except that Gibraltar's results shall be published separately from the rest of the South West.'

Mr Barry Sheerman
 Mr William Bain

Clause 3, page 2, line 14, at end insert— 91
 '(5) If the turn out for the vote is found to be less than 50 per cent of electors, the referendum is to be considered invalid.'

Mr Barry Sheerman
 Mr William Bain

Clause 3, page 2, line 14, at end insert— 92
 'If it appears to the Secretary of State that less than 40 per cent of the persons entitled to vote in the referendum have voted "no" in reply to the question posed in the referendum he shall lay before Parliament the draft of an Order for the repeal of this Act.'

European Union (Referendum) Bill, *continued*

Martin Horwood

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Clause 3, page 2, line 14, at end add—

‘(5) Polls shall be combined as set out in the Schedule [*Combination of Polls*].’.

NEW CLAUSE

Public information on the United Kingdom’s membership of the European Union

Emma Reynolds

NC1

☆ To move the following Clause:—

- ‘(1) It shall be the Government’s duty to undertake a public information campaign on the question of EU membership.
- (2) The public information campaign shall include the preparation of a booklet of no more than 10 pages summarising the meaning of the referendum question, and the possible impact of leaving the EU on the UK economy, the international interests of the United Kingdom, and its political influence globally.
- (3) It shall summarise the main arguments for and against membership of the European Union.
- (4) The booklet shall be distributed, so far as is practicable, to all households in the United Kingdom and Gibraltar.’.

NEW SCHEDULES

Emma Reynolds

NS1

To move the following Schedule:—

‘TRANSFER OF POWERS

- 1 Subject to section 1(A), a “transfer of power” involves one or more of the following—
 - (a) the extension of the objectives of the EU as set out in Article 3 of the Treaty on European Union;
 - (b) the conferring on the EU of a new exclusive competence;
 - (c) the extension of an exclusive competence of the EU;
 - (d) the conferring on the EU of a new competence shared with the member states;
 - (e) the extension of any competence of the EU that is shared with the member states;
 - (f) the extension of the competence of the EU in relation to—
 - (i) the co-ordination of economic and employment policies, or
 - (ii) common foreign and security policy;

European Union (Referendum) Bill, *continued*

- (g) the conferring on the EU of a new competence to carry out actions to support, co-ordinate or supplement the actions of member states;
 - (h) the extension of a supporting, co-ordinating or supplementing competence of the EU;
 - (i) the conferring on an EU institution or body of power to impose a requirement or obligation on the United Kingdom, or the removal of any limitation on any such power of an EU institution or body;
 - (j) the conferring on an EU institution or body of new or extended power to impose sanctions on the United Kingdom;
 - (k) any amendment of a provision listed in Schedule 1 that removes a requirement that anything should be done unanimously, by consensus or by common accord;
 - (l) any amendment of Article 31(2) of the Treaty on European Union (decisions relating to common foreign and security policy to which qualified majority voting applies) that removes or amends the provision enabling a member of the Council to oppose the adoption of a decision to be taken by qualified majority voting;
 - (m) any amendment of any of the provisions specified in paragraph 3 that removes or amends the provision enabling a member of the Council, in relation to a draft legislative act, to ensure the suspension of the ordinary legislative procedure.
- 2 A transfer of power also includes a reference to the removal of a limitation on a competence.
- 3 The provisions referred to in paragraph 1(m) are—
- (a) Article 48 of the Treaty on the Functioning of the European Union (social security),
 - (b) Article 82(3) of the Treaty on the Functioning of the European Union (judicial co-operation in criminal matters), and
 - (c) Article 83(3) of the Treaty on the Functioning of the European Union (particularly serious crime with a cross-border dimension).
- 4 A treaty or Article 48(6) decision does not fall within this section merely because it involves one or more of the following—
- (a) the codification of practice under the Treaty on European Union or the Treaty on the functioning of the European Union in relation to the previous exercise of an existing competence;
 - (b) the making of any provision that applies only to member states other than the United Kingdom;
 - (c) in the case of a treaty, the accession of a new member state.’

Emma Reynolds

NS2

To move the following Schedule:—

‘SUPER-AFFIRMATIVE RESOLUTION PROCEDURE

- 1 The “super-affirmative resolution procedure” in relation to a draft order under this Act is as follows.
- 2 The Minister must have regard to—
 - (a) any representations,
 - (b) any resolution of either House of Parliament, and

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- (c) any recommendations of a committee of either House of Parliament charged with reporting on the draft order, made during the 60-day period with regard to the draft order.
- 3 If, after the expiry of the 60-day period, the Minister wishes to make an order in the terms of the draft, he must lay before Parliament a statement—
- (a) stating whether any representations were made under subsection (2)(a); and
- (b) if any representations were so made, giving details of them.
- 4 The Minister may after the laying of such a statement make an order in the terms of the draft if it is approved by a resolution of each House of Parliament.
- 5 However, a committee of either House charged with reporting on the draft order may, at any time after the laying of a statement under paragraph 3 and before the draft order is approved by that House under paragraph 4, recommend under this subsection that no further proceedings be taken in relation to the draft order.
- 6 Where a recommendation is made by a committee of either House under paragraph 5 in relation to a draft order, no proceedings may be taken in relation to the draft order in that House under paragraph 4 unless the recommendation is, in the same Session, rejected by resolution of that House.
- 7 If, after the expiry of the 60-day period, the Minister wishes to make an order consisting of a version of the draft order with material changes, he must lay before Parliament—
- (a) a revised draft order; and
- (b) a statement giving details of—
- (i) any representations made under paragraph 2(a); and
- (ii) the revisions proposed.
- 8 The Minister may after laying a revised draft order and statement under paragraph 7 make an order in the terms of the revised draft if it is approved by a resolution of each House of Parliament.
- 9 However, a committee of either House charged with reporting on the revised draft order may, at any time after the revised draft order is laid under paragraph 7 and before it is approved by that House under paragraph 8, recommend under this paragraph that no further proceedings be taken in relation to the revised draft order.
- 10 Where a recommendation is made by a committee of either House under paragraph 9 in relation to a revised draft order, no proceedings may be taken in relation to the revised draft order in that House under paragraph 8 unless the recommendation is, in the same Session, rejected by resolution of that House.
- 11 For the purposes of paragraphs 4 and 8 an order is made in the terms of a draft order if it contains no material changes to the provisions of the draft order.
- 12 In this section the “60-day period” means the period of 60 days beginning with the day on which the draft order was laid before Parliament under section 1(6).’
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European Union (Referendum) Bill, *continued*

Martin Horwood

NS3

To move the following Schedule:—

‘COMBINATION OF POLLS

- (1) Where the date of the poll for one or more of the following is the same as the date of the poll for the referendum, the polls are to be taken together—
 - (a) a local authority election in England;
 - (b) a local referendum in England;
 - (c) a mayoral election in England;
 - (d) a Welsh Assembly general election;
 - (e) Welsh local elections;
 - (f) a Scottish parliamentary general election;
 - (g) Scottish local elections;
 - (h) the general election of members of the Northern Ireland Assembly;
 - (i) local elections in Northern Ireland.

- (2) If any of the elections referred to in subsection (1) are not held on the same day as the referendum, that subsection does not apply.

- (3) In this section—

“local authority election in England” means the election of a councillor of any of the following—

- (a) a county council in England;
- (b) a district council in England;
- (c) a London borough council;
- (d) a parish council.

“local referendum in England” means a referendum held in England under Part 2 of the Local Government Act 2000;

“mayoral election in England” means an election in England for the return of an elected mayor as defined by section 39(1) of the Local Government Act 2000;

“Northern Ireland local election” means a local election as defined by section 130(1) of the Electoral Law Act (Northern Ireland) 1962;

“Scottish parliamentary general election” means an ordinary election under section 2 of the Scotland Act 1998;

“Welsh Assembly general election” means an ordinary election under section 3 of the Government of Wales Act 2006.’.

NOTICES WITHDRAWN

The following Notices were withdrawn on 9 September 2013:

Amendments 82, 84, 85 and 86.
