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A BILL

Make provision for retirement from the House of Lords; and to make provision for the expulsion of Members of the House of Lords in specified circumstances.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Retirement or resignation

(1) A peer may retire or resign as a member of the House of Lords by giving notice in writing to the Clerk of the Parliaments.

(2) The notice must—
   (a) specify a date from which the retirement or resignation is to take effect, and
   (b) be signed by the peer and by a witness.

(3) At the beginning of that date the peer ceases to be a member of the House of Lords.

(4) Retirement or resignation may not be rescinded.

2 Non-attendance

(1) A peer who does not attend the House of Lords during a Session ceases to be a member of the House at the beginning of the following Session.

(2) Subsection (1) applies if, and only if, the Lord Speaker certifies that the peer—
   (a) did not attend at any time during the Session, having regard to attendance records kept by officials of the House, and
   (b) did not have leave of absence in respect of the Session, in accordance with Standing Orders of the House.

(3) Subsection (1) does not apply in respect of a Session that is less than six months long.
(4) In this section a reference to attendance is a reference to attending the proceedings of the House (including the proceedings of a Committee of the House).

(5) This section applies from the first Session to begin after its coming into force.

3 Conviction of serious offence

(1) A member of the House of Lords who is convicted of a serious offence ceases to be a member of the House of Lords.

(2) A person is to be treated as having been convicted of a serious offence if, and only if, the Lord Speaker certifies that the person has been—
   (a) convicted of a criminal offence, and
   (b) sentenced or ordered to be imprisoned or detained indefinitely or for more than one year.

(3) Subsection (2) applies—
   (a) whether any of the offence, conviction, sentence, order, imprisonment or detention occurs in the United Kingdom or elsewhere,
   (b) only where the offence is committed after the coming into force of this section.

(4) A certificate takes effect on the day on which it is issued.

(5) If the Lord Speaker decides that paragraph (a) or (b) of subsection (2) no longer applies to a person by reason of a successful appeal against conviction or sentence—
   (a) the Lord Speaker must issue a further certificate to that effect, and
   (b) the original certificate under subsection (2) shall be treated for the purposes of this Act as never having had effect.

(6) The Lord Speaker shall not issue a certificate under subsection (2) in respect of a conviction outside the United Kingdom if the House of Lords resolves that subsection (1) should not apply by reason of special circumstances.

4 Effect of ceasing to be a member

(1) This section applies where a person ceases to be a member of the House of Lords in accordance with this Act.

(2) The person becomes disqualified from attending the proceedings of the House of Lords (including the proceedings of a Committee of the House).

(3) Accordingly, the person shall not receive a writ to attend the House (whether under section 1 of the Life Peerages Act 1958, by virtue of a hereditary peerage or as a Lord Spiritual) and may not attend the House in pursuance of a writ already received.

(4) A hereditary peer who ceases to be a member ceases to be excepted from section 1 of the House of Lords Act 1999.

(5) A peer who ceases to be a member is not, by virtue of being a peer, disqualified for—
   (a) voting at elections to the House of Commons, or
   (b) being, or being elected as, a member of that House.
5 Certificate of Lord Speaker

(1) A certificate of the Lord Speaker under this Act shall be conclusive for all purposes, and shall not be questioned in a court of law.

(2) A certificate may be issued on the Lord Speaker’s own initiative.

6 Short title, commencement and extent

(1) This Act may be cited as the House of Lords Reform Act 2013.

(2) Sections 1 and 2 of this Act shall come into force at the end of the period of three months beginning with the day on which this Act is passed.

(3) The remaining provisions of this Act shall come into force on the day on which this Act is passed.

(4) This Act extends to England and Wales, Scotland and Northern Ireland.
A

BILL

To make provision for retirement from the House of Lords; and to make provision for the expulsion of Members of the House of Lords in specified circumstances.

Presented by Dan Byles,
supported by
Andrew George, Mr David Blunkett,
Mr Jack Straw, Jeremy Lefroy,
Sir Nick Harvey, Kris Hopkins,
Margaret Beckett, Margot James,
Rory Stewart, Dr Thérèse Coffey
and Thomas Docherty.

Ordered, by The House of Commons,
to be Printed, 19 June 2013.