New Amendments handed in are marked thus ★
★ Amendments which will comply with the required notice period at their next appearance

PUBLIC BILL COMMITTEE

HOUSE OF LORDS REFORM (NO. 2) BILL

Dan Byles
★ Clause 1, page 1, line 2, after ‘A’ insert ‘member of the House of Lords who is a’.

Dan Byles
★ Clause 1, page 1, line 2, after ‘or’ insert ‘otherwise’.

Dan Byles
★ Clause 1, page 1, line 5, leave out ‘retirement or’.

Dan Byles
★ Clause 1, page 1, line 10, leave out ‘Retirement or resignation’ and insert ‘Resignation’.

Dan Byles
★ Clause 2, page 1, line 12, leave out ‘peer who’ and insert ‘member of the House of Lords who is a peer and’.

Dan Byles
★ Clause 2, page 1, line 14, leave out ‘Subsection (1) applies’ and insert ‘A peer “does not attend the House of Lords during a Session”’.
Dan Byles

★ Clause 2, page 1, line 15, leave out ‘did not attend at any time during the Session’ and insert ‘at no time during the Session attended the House’.

Dan Byles

★ Clause 2, page 1, line 18, at end insert—

‘( ) Subsection (1) does not apply to a peer in respect of attendance during a Session if—

(a) the peer was disqualified from sitting or voting in the House, or suspended from its service, for the whole of the Session, or

(b) the House resolves that subsection (1) should not apply to the peer by reason of special circumstances.’.

Dan Byles

★ Clause 2, page 1, line 19, after ‘of’ insert ‘attendance during’.

Dan Byles

★ Clause 2, page 2, line 4, leave out ‘from’ and insert ‘in respect of attendance during’.

Dan Byles

★ Clause 2, page 2, line 4, at end insert ‘and subsequent Sessions’.

Dan Byles

★ Clause 3, page 2, line 8, leave out ‘is to be treated as having been convicted of a serious offence’ and insert ‘“is convicted of a serious offence”’.

Dan Byles

★ Clause 3, page 2, line 9, after ‘person’ insert ‘, while a member of the House of Lords,’.

Dan Byles

★ Clause 3, page 2, line 13, leave out subsection (3) and insert—

‘( ) It is irrelevant for the purposes of subsection (2)—

(a) whether the offence is committed at a time when the person is a member of the House of Lords;

(b) whether any of the offence, conviction, sentence, order, imprisonment or detention occurs in the United Kingdom or elsewhere; (but see subsection (6)).

( ) The reference in subsection (2) to an offence is only to an offence committed on or after the day on which this section comes into force.’.
Dan Byles

★ Clause 3, page 2, line 17, at end insert—

‘( ) The reference in subsection (2) to a person being sentenced or ordered to be imprisoned or detained indefinitely or for more than one year does not include such a sentence or order where the sentence or order is suspended.’.

Dan Byles

★ Clause 3, page 2, line 18, leave out ‘takes effect on the day on which’ and insert ‘under subsection (2) takes effect when’.

Dan Byles

★ Clause 3, page 2, line 19, leave out from ‘If’ to end of line 21 and insert ‘a person who has ceased to be a member of the House of Lords in accordance with this section is successful on appeal—’.

Dan Byles

★ Clause 3, page 2, line 23, at beginning insert ‘on the issue of that certificate,’.

Dan Byles

★ Clause 3, page 2, line 24, at end insert—

‘( ) A person who has ceased to be a member of the House of Lords in accordance with this section “is successful on appeal” if, and only if, the Lord Speaker certifies that—

(a) the conviction certified under subsection (2)(a) has been quashed, or
(b) the sentence or order certified under subsection (2)(b) has been—

(i) varied so that it is no longer a sentence or order that the person be imprisoned or detained indefinitely or for more than one year within the meaning of subsection (2)(b), or

(ii) replaced with another sentence or order that is not a sentence or order that the person be so imprisoned or detained.’.

Dan Byles

★ Clause 4, page 2, line 33, after ‘not’ insert ‘be entitled to’.

Dan Byles

★ Clause 4, page 2, line 34, after ‘Life Peerages Act 1958,’ insert ‘by virtue of the dignity conferred by virtue of appointment as a Lord of Appeal in Ordinary,’.

Dan Byles

★ Clause 4, page 2, line 37, leave out subsection (4) and insert—
House of Lords Reform (No. 2) Bill, continued

‘(4) If the person is a hereditary peer who is excepted from section 1 of the House of Lords Act 1999 by virtue of section 2 of that Act, the person ceases to be excepted from section 1 of that Act (and accordingly section 3 of that Act applies (removal of disqualification on voting in parliamentary elections or being an MP)).’.

Dan Byles

★ Clause 4, page 2, line 39, leave out from beginning to ‘disqualified’ and insert ‘If the person is a peer other than a hereditary peer, the person is not, by virtue of that peerage,’.

Dan Byles

★ Clause 4, page 2, line 42, at end insert—
‘( ) In relation to a peer who ceases to be a member of the House of Lords in accordance with this Act, any reference in section 1(3) or (4)(b) of the Representation of the People Act 1985 to a register of parliamentary electors is to be read as including—
(a) any register of local government electors in Great Britain, and
(b) any register of local electors in Northern Ireland,
which was required to be published on any date before the date on which the peer ceased to be a member.’.

Dan Byles

★ Clause 4, page 2, line 42, at end insert—
‘( ) The Standing Orders of the House required by section 2(4) of the House of Lords Act 1999 (filling of vacancies) must make provision requiring the holding of a by-election to fill any vacancy which arises under this Act among the people excepted from section 1 of that Act in consequence of an election.’

Dan Byles

★ Clause 4, page 2, line 42, at end insert—
‘( ) Subject to section 3(5), a person who ceases to be a member of the House of Lords in accordance with this Act may not subsequently become a member of that House.’

Dan Byles

★ Clause 5, page 3, line 3, leave out ‘, and shall not be questioned in a court of law’.
NEW CLAUSE

Interpretation

Dan Byles

★ To move the following Clause:—

‘(1) For the purposes of this Act a person is a member of the House of Lords if the person is entitled to receive writs of summons to attend that House.

(2) In determining whether a person is so entitled, ignore—

(a) section 2 of the Forfeiture Act 1870 (disqualification on conviction of treason);

(b) sections 426A and 427 of the Insolvency Act 1986 (disqualification on insolvency);

(c) regulation 4 of the European Parliament (House of Lords Disqualification) Regulations 2008 (S.I. 2008/1647) (disqualification where MEP).

(3) In this Act “peer” includes a person upon whom a dignity has been conferred by virtue of appointment as a Lord of Appeal in Ordinary.’.

Dan Byles

★ Title, line 1, leave out ‘retirement’ and insert ‘resignation’.