DEFENCE REFORM BILL
[THIRTEENTH AND FOURTEENTH SITTINGS]

Mr Kevan Jones

Clause 43, page 28, line 36, at end insert—

‘(7A) After Section 62, insert—

‘62A Deferral of call-out liability

(1) A member of the Reserve Forces who is self-employed may defer liability for call-out for a period of up to 12 months if they show to the satisfaction of the Defence Council or any authorised officer that there is good reason why their liability should be deferred.

(2) A member of the Reserve Forces who is employed by a company, organisation or person whose main business is in the manufacturing or provision of equipment, works or services for defence purposes may defer liability for call-out for a period of up to 12 months if they show to the satisfaction of the Defence Council or any authorised officer that there is good reason why their liability should be deferred.”.’.

Clause agreed to.

Schedule 6 agreed to.

Mr Kevan Jones

Clause 44, page 29, line 23, at end insert ‘, or

‘(d) undertakes activities as a special member of the reserve forces (“Sponsored Reserves”).’.

Mr Kevan Jones

Clause 44, page 29, line 36, at end insert—

‘(5A) Regulations under this section may provide for variation in payment size on the basis of the recipient company, specifically including provision for larger
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payments to be provided to companies defined as “small” or “medium” under Sections 382 and 465 of the Companies Act 2006 or individuals who are self-employed.’.

Mr Kevan Jones

Clause 44, page 29, line 36, at end insert—

‘(5A) Regulations under this section may only provide for payments to be made to employers which meet the definition of a “small” or “medium” sized company under sections 382 and 465 of the Companies Act 2006 or individuals who are self-employed.’.

Clause agreed to.

Schedule 7 agreed to.

Clause 45 agreed to.

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Mr Kevan Jones

Clause 46, page 30, line 21, at end insert ‘and British Overseas Territories’.

Clause agreed to.

Clauses 47 and 48 agreed to.

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NEW CLAUSES

Recovery of unpaid amounts

Mr Philip Dunne

To move the following Clause:—

‘(1) This section applies where—

(a) the SSRO determines by virtue of section 18(3)(b), 20(6) or 21(3)(b) that the price payable under a qualifying defence contract is to be adjusted, and

(b) as a result of the adjustment—

(i) the Secretary of State is required to pay an amount to the primary contractor, or

(ii) the primary contractor is required to repay an amount to the Secretary of State.

(2) If all or part of the amount mentioned in subsection (1)(b)(i) or (ii) is not paid or repaid before the payment date, the unpaid balance carries interest from that date at the rate for the time being specified in section 17 of the Judgments Act 1838.'
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(3) The “payment date” is the date determined by the SSRO, in making the determination in question, as the date by which the amount must be paid or repaid.

(4) The person to whom the amount is required to be paid or repaid (“the creditor”) may recover from the other person as a debt due to the creditor the unpaid balance and any unpaid interest.”.

Single source contract regulations: time limits and determinations

Mr Philip Dunne

To move the following Clause:—

‘(1) Single source contract regulations may make provision imposing limits in relation to the time within which an application, reference or appeal to the SSRO under this Part or the regulations may be made.

(2) Single source contract regulations may specify matters to which the SSRO must have regard in making a determination under this Part or the regulations.’.

Transfer of employees (relocation)

Alison Seabeck

Mr Kevan Jones

To move the following Clause:—

‘Employees transferred to a company by virtue of arrangements mentioned in section 1 may not be required to geographically relocate outside of the UK without full and proper consultation.’.

Code of conduct for relationship between defence contractors and MOD employees or service personnel

Alison Seabeck

Mr Kevan Jones

To move the following Clause:—

‘(1) A code of conduct shall be prepared by the Ministry of Defence governing contact between members of the armed forces and Ministry of Defence officials and employees or representatives of defence contractors.

(2) The code of conduct shall contain the following provisions—
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(a) employees of the armed forces or the Ministry of Defence at or above the rank of Brigadier General or the equivalent Civil Service grade, shall be prohibited from undertaking paid employment with a defence contractor unless two years or more have elapsed since the termination of their contract with the armed forces or Ministry of Defence;

(b) the appointment of an individual as described in subsection (1) by a defence contractor shall be treated as a public appointment;

(c) individuals employed under the terms of subsection (a) shall not, whilst in the employment of a defence contractor, undertake any activity that brings them into contact with the Ministry of Defence;

(d) defence contractors shall publish on an annual basis a list of current employees whose appointment was under the terms of subsection (a);

(e) a register of gifts and hospitality shall be published quarterly by the Ministry of Defence;

(f) any gift or hospitality to an employee of the Ministry of Defence, member of the armed forces at or above the rank of Brigadier General, or Civil Service equivalent, or spouse or partner of such, of a value greater than £660 from a defence contractor must be placed on the register prepared under subsection (e).

(3) “Defence contractor” means a company, organisation or person whose main business is in the manufacturing or provision of equipment, works or services for defence purposes.’.

Duty of Secretary of State to report increases in costs of defence contracts to Parliament

Alison Seabeck
Mr Kevan Jones

Not called   NC3

To move the following Clause:—

‘(1) Where it is proposed that the total price payable for the provision of goods, works or services, procured from another person for defence purposes under a contract entered into by the Secretary of State, or a contractor acting on behalf of the Secretary of State under the provisions of section 1, should rise beyond that detailed in the original terms of the contract, the Secretary of State shall—

(a) lay before both Houses a report detailing the circumstances requiring the increased price,

(b) withhold approval of any adjustment of the total price for the contract until the report has been laid, and

(c) write to the chairs of the relevant parliamentary committees indicating that such a report has been laid.’.
Public Bill Committee Proceedings: 22 October 2013

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Publication of data on reserves

Mr Kevan Jones

Negatived on division NC6

To move the following Clause:—

‘(1) The Secretary of State shall publish quarterly recruitment figures and trained strength numbers against adjusted quarterly targets.’.

Employment of members of reserve forces

Mr Kevan Jones

Negatived on division NC7

To move the following Clause:—

‘(1) Section 39 of the Equality Act 2010 shall apply to serving and former members of the reserve forces as if membership of such forces were a protected characteristic under section 4 of that Act.

(2) Members of the reserve forces are required to disclose their membership to potential employers upon application for employment.

(3) The Secretary of State shall within one year of this Act coming into force establish an employer engagement committee to act as an advisory body on the recruitment and retention of members of the reserve forces.

(4) The Secretary of State shall lay before Parliament an annual report of the Employer Engagement Committee detailing its activities and recommendations for the Government.’.

Mental health provision for members of the reserve forces

Mr Kevan Jones

Withdrawn NC8

To move the following Clause:—

‘(1) The Secretary of State shall publish annually an analysis of mental health provision for members and former members of the reserve forces.

(2) The report shall include information on annual spend on such services.

(3) The Secretary of State shall within one year of this Act coming into force bring forward proposals clarifying provisions for the transfer of medical records belonging to former members of the reserve forces to the NHS and for the monitoring of the health needs of former members of the reserve forces.’.

Bill, as amended, to be reported.