



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Wednesday 14 May 2014

New Amendments handed in are marked thus ★

CONSIDERATION OF BILL

DEREGULATION BILL, AS AMENDED

NOTE

The Amendments have been arranged in accordance with the Deregulation Bill (Programme (No. 2)) Motion to be proposed by Oliver Letwin.

NEW CLAUSES AND NEW SCHEDULES RELATING TO DRIVING AND TO ROADS, RAILWAYS, TRAMWAYS AND OTHER MEANS OF TRANSPORT AND AMENDMENTS TO CLAUSES 6 TO 10 AND 30 TO 33 AND SCHEDULES 2 AND 3 AND 8 TO 10

Removal of restriction on investigation of tramway accidents in Scotland by RAIB

Tom Brake
Oliver Heald

NC4

To move the following Clause:—

- (1) The Railways and Transport Safety Act 2003 is amended as follows.
- (2) In section 14 (extent of Part 1: investigation of railway accidents by Rail Accident Investigation Branch), omit subsection (2) (which prevents the Part from applying to tramways in Scotland).
- (3) In consequence of subsection (2), omit section 1(3)?.

Member's explanatory statement

Part 1 of the Railways and Transport Safety 2003 does not currently apply to tramways in Scotland and so the Rail Accident Investigation Branch cannot investigate tramway accidents there. This amendment removes that restriction.

Deregulation Bill, continued

Footpaths: provisions to stop up or divert due to privacy, safety or security

Bill Wiggin

NC15

To move the following Clause:—

- (1) The Highways Act 1980 is amended as follows.
- (2) In section 118 (Stopping up of footpaths, bridleways and restricted byways), in subsection (1) after “on the ground that it is not needed for public use”, insert “or the public need could reasonably be provided by an alternative public right of way or highway nearby”.
- (3) After subsection (1) insert—
 - “(1A) When making a determination under subsection (1A) the council and Secretary of State shall have regard to the presumption that footpaths should not pass through farmyards, gardens, commercial premises or other land where privacy, safety or security are an issue.”.
- (4) In section 119 (Diversion of footpaths, bridleways and restricted byways), subsection (6A) after “a public right of way”, insert “, and the presumption that paths should not pass through farmyards, commercial areas, gardens or other land where privacy, safety or security is an issue.”.

Mary Creagh
Richard Burden
Chi Onwurah
Caroline Lucas
Barbara Keeley
Tom Greatrex

Mrs Mary Glindon

61

Page 5, line 31, leave out Clause 8, Clause 9 and Clause 10.

Tom Brake
Oliver Heald

13

Clause 31, page 24, line 2, at end insert—

- (aa) the duration of driving licences to be granted to drivers with relevant or prospective disabilities;’.

Member’s explanatory statement

Clause 31 introduces Schedule 9 to the Bill. This amendment is consequential on the addition of a new Part to Schedule 9 by amendment 51.

Deregulation Bill, continued

Mr Gordon Marsden
Dr Alan Whitehead
Chi Onwurah
John McDonnell

- 1
- Clause 33, page 24, line 16, leave out paragraphs (a) and (b) and insert ‘in paragraph (a) leave out from “if new and important evidence” to “discovered” and insert “where secondary investigations have enabled more new, significant, or important evidence to become available, having particular regard to—
- (i) enhancing and preserving the rights of those affected by a maritime accident to learn from the proceedings of such reinvestigations and conclusions drawn from them; and
 - (ii) future safety issues and measures.”’.

Tom Brake
Oliver Heald

- 36
- Schedule 2, page 58, line 11, leave out ‘authorise the person to apply’ and insert ‘require the person’.
- Member’s explanatory statement**
This amendment is a drafting improvement to make new section 124(3)(a) of the Road Traffic Act 1988 more consistent with the new system for registering driving instructors.

Tom Brake
Oliver Heald

- 37
- Schedule 2, page 58, line 34, leave out ‘applicant’ and insert ‘person’.
- Member’s explanatory statement**
This amendment is a drafting change to improve the cross-reference between new section 125(3D) and 125ZA(4)(ba) of the Road Traffic Act 1988.

Tom Brake
Oliver Heald

- 38
- Schedule 2, page 61, line 20, at end insert—
- ‘unless the Registrar considers it appropriate for the application to be made at such earlier time as may be specified by the Registrar.’’.
- Member’s explanatory statement**
This amendment will enable the Registrar to allow an application to undergo a further emergency control assessment under section 133B(4) to be made before the end of the six month period referred to in new section 133B(5A).

Tom Brake
Oliver Heald

- 39
- Schedule 2, page 62, line 32, leave out ‘applicant’ and insert ‘person’.
- Member’s explanatory statement**
This amendment is a drafting change to improve the cross-reference between new section 125(2D) and 125(5A) of the Road Traffic Act 1988.

Deregulation Bill, continued

Tom Brake
Oliver Heald

40

Schedule 2, page 65, line 25, leave out paragraph 22.

Member's explanatory statement

This amendment is consequential on amendment 43.

Tom Brake
Oliver Heald

41

Schedule 2, page 67, line 39, leave out from “assessment” to end of line 40 and insert ‘—

(i) under section 125(2C) or 129(1B), or

(ii) as mentioned in section 125(5)(a)(ii) or 129(5ZA),’.

Member's explanatory statement

This amendment amends new subsection 133B(2A), inserting references to section 129(1B) and section 129(5ZA) to ensure that the ability to re-take failed emergency control assessments applies to assessments taken in connection with licences as well as to those taken in connection with registration.

Tom Brake
Oliver Heald

42

Schedule 2, page 68, line 8, at end insert—

‘unless the Registrar considers it appropriate for the application to be made at such earlier time as may be specified by the Registrar.’’.

Member's explanatory statement

This amendment makes the same change for Part 2 of Schedule 2 to the Bill that amendment 38 makes for Part 1 of Schedule 2.

Tom Brake
Oliver Heald

43

Schedule 2, page 68, line 30, at end insert—

‘Part 5 has effect as if after section 133D there were inserted—

“133E Direction to disregard emergency control assessment requirement

(1) This section applies where a person has been required—

(a) under section 125(2C) or 129(1B), or

(b) as mentioned in section 125(5)(a)(ii) or 129(5ZA),

to submit himself for an emergency control assessment.

(2) At any time before the assessment takes place the Registrar may withdraw the requirement (in which case this Part applies as if the requirement had never been imposed).

(3) At any time after the assessment takes place the Registrar may direct that the requirement is to be disregarded for the purposes of this Part (and accordingly any condition that the person holds an emergency certificate is to cease to apply).

(4) Notice of—

(a) the withdrawal of a requirement under subsection (2), or

(b) a direction under subsection (3),

Deregulation Bill, continued

must be given to the person on whom the requirement was imposed.”.

Member’s explanatory statement

This amendment extends what was new section 128ZZA so that the Registrar’s powers under the section cover emergency control assessments in connection with licences. The new section is inserted after section 133D to reflect its revised content. The amendment which inserted new section 128ZZA is removed by amendment 40.

Tom Brake
Oliver Heald

44

Schedule 2, page 69, line 14, leave out ‘In’.

Member’s explanatory statement

This amendment is consequential on amendment 47.

Tom Brake
Oliver Heald

45

Schedule 2, page 69, line 16, after ‘2006,’ insert ‘is amended as follows.
(2) ’.

Member’s explanatory statement

This amendment is consequential on amendment 47.

Tom Brake
Oliver Heald

46

Schedule 2, page 69, line 18, at end insert—

‘() in the second column, for “for registration as disabled driving instructor” substitute “to be registered in respect of driving instruction”.’.

Member’s explanatory statement

Amendments 46, 47, 48 and 49 add further consequential amendments to Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988, to reflect the amendments to the Road Traffic Act 1988 made by Schedule 2 to the Bill.

Tom Brake
Oliver Heald

47

Schedule 2, page 69, line 19, at end insert—

‘(3) In the entry for section 133C(4) of the Road Traffic Act 1988, in the second column, omit “disabled”.

(4) In the entry for section 133D of the Road Traffic Act 1988, in the second column, for “disabled persons” substitute “persons required to hold an emergency control certificates”.’.

Member’s explanatory statement

See amendment 46.

Tom Brake
Oliver Heald

48

Schedule 2, page 69, line 25, at end insert—

‘(aa) in the second column, for “for registration as disabled driving instructor” substitute “to be registered in respect of driving instruction”.’.

Member’s explanatory statement

Deregulation Bill, continued

See amendment 46.

Tom Brake
Oliver Heald

49

Schedule 2, page 69, line 26, at end insert—

- (3) In the entry for section 133C(4) of the Road Traffic Act 1988, in the second column, omit “disabled”.
- (4) In the entry for section 133D of the Road Traffic Act 1988, in the second column for “disabled persons” substitute “persons required to hold emergency control certificates”.

Member’s explanatory statement

See amendment 46.

Tom Brake
Oliver Heald

51

Schedule 9, page 118, line 26, at end insert—

‘PART A1

DURATION OF DRIVING LICENCES TO BE GRANTED TO DRIVERS WITH RELEVANT OR PROSPECTIVE DISABILITIES

- A1 Part 3 of the Road Traffic Act 1988 (licensing of drivers of vehicles) is amended as follows.
- A2 In section 99 (duration of licences of drivers of motor vehicles of classes other than any prescribed class of goods vehicle or any prescribed class of passenger-carrying vehicle), in subsection (1)(b) (duration of licence to be granted to person suffering from relevant or prospective disability), for the words from “of not more than” to “may determine” substitute “as the Secretary of State may determine which shall be a period—
 - (i) of not more than ten years and not less than one year, ending on or before the seventieth anniversary of the applicant’s date of birth, or
 - (ii) where, at the time the licence is granted, there are less than three years until that seventieth anniversary or where the licence is granted on or after that anniversary, of not more than three years and not less than one year”.
- A3 In consequence of paragraph A2, in section 100(1)(b) (appeals relating to licences: determination under section 99(1)(b))—
 - (a) for “three” substitute “ten”;
 - (b) after “or less” insert “or, where sub-paragraph (ii) of section 99(1)(b) applies, for three years or less”.

Member’s explanatory statement

This amendment increases the period for which a driving licence for non-vocational drivers suffering from a relevant or prospective disability can be granted from a maximum of three years to a maximum of ten years, ending no later than the driver’s 70th birthday. Once a driver is over

Deregulation Bill, continued

67, the maximum is three years.

NEW CLAUSES AND NEW SCHEDULES RELATING TO TV LICENSING AND AMENDMENTS TO CLAUSES 51 AND 52

Chi Onwurah
Helen Goodman

62

Clause 51, page 37, line 2, at end insert—

‘(3) The Secretary of State must lay the terms of reference of a review under subsection (1) before each House of Parliament.’.

Tom Brake
Oliver Heald

14

Clause 52, page 37, line 13, after ‘be’ insert ‘—

(a) ’.

Member’s explanatory statement

This amendment is a drafting amendment related to amendment 15.

Tom Brake
Oliver Heald

15

Clause 52, page 37, line 14, at end insert ‘, or

(b) such amount, not exceeding a maximum amount specified in the regulations, as may be determined by a body so specified.’.

Member’s explanatory statement

In the event of the Secretary of State deciding to make regulations replacing the TV licensing offences with a civil penalty regime, this amendment would allow the regulations to provide for the amount of the penalty to be determined by a body specified in the regulations, subject to a maximum amount specified in the regulations.

Chi Onwurah
Helen Goodman

63

Clause 52, page 38, line 16, at end insert—

‘(14) The power conferred by subsection (1) may not be exercised until after the BBC’s Royal Charter has next been reviewed.’.

REMAINING NEW CLAUSES; REMAINING NEW SCHEDULES; REMAINING PROCEEDINGS

Deregulation Bill, continued*ON CONSIDERATION**Limit on indemnity required under Outer Space Act 1986*

Tom Brake
Oliver Heald

NC3

To move the following Clause:—

- (1) The Outer Space Act 1986 is amended as follows.
- (2) In section 3 (prohibition of unlicensed activities), after subsection (3) insert—
 - “(3A) An order under subsection (3) may—
 - (a) provide that section 10(1) does not apply to a person to the extent that the person is carrying on activities that do not require a licence by virtue of the order;
 - (b) specify the maximum amount of a person’s liability under section 10(1) so far as the liability relates to the carrying on of activities that do not require a licence by virtue of the order.”
- (3) In section 5 (terms of licence), after subsection (2) insert—
 - “(3) A licence must specify the maximum amount of the licensee’s liability to indemnify Her Majesty’s government in the United Kingdom under section 10 in respect of activities authorised by the licence.”
- (4) In section 10 (obligation to indemnify government against claims), after subsection (1) insert—
 - “(1A) Subsection (1) is subject to—
 - (a) any limit on the amount of a person’s liability that is specified in a licence, and
 - (b) any order made under section 3(3).”
- (5) The Secretary of State may vary any licence under section 4 of the 1986 Act that is held at the time when this section comes into force so as to specify the maximum amount of the licensee’s liability under section 10 of that Act.
- (6) A variation under subsection (5) is to be made by giving notice in writing to the licensee.
- (7) The power under section 15(6) of the 1986 Act may be exercised so as to extend to any of the Channel Islands, the Isle of Man or any British overseas territory any provision made by this section (subject to any specified exceptions or modifications).’.

Member’s explanatory statement

Section 10 of the Outer Space Act 1986 requires people carrying out certain space activities to indemnify the UK government against claims arising out of the activities. The new clause makes provision for limiting the amount of the liability under the indemnity.

Deregulation Bill, continued

Power of HMRC to disclose information for purposes of certain litigation

Tom Brake
Oliver Heald

NC6

To move the following Clause:—

- ‘(1) The Commissioners for Her Majesty’s Revenue and Customs may disclose information held by them—
- (a) to a person who is entitled to bring proceedings under the fatal accidents legislation or for whose benefit such proceedings may be brought, for use in connection with the proceedings or in reaching a settlement without the need to bring proceedings;
 - (b) to a person who is entitled to bring proceedings for damages for personal injury for the benefit of the estate of a deceased person, for use in connection with the proceedings or in reaching a settlement without the need to bring proceedings;
 - (c) to a person who has made or who wishes to make an application for a payment under the Diffuse Mesothelioma Payment Scheme on the basis that he or she is eligible for such a payment under section 3 of the Mesothelioma Act 2014 (eligibility of dependants for payments under the Scheme), for use in connection with the application.
- (2) “The fatal accidents legislation” means—
- (a) the Fatal Accidents Act 1976;
 - (b) the Fatal Accidents (Northern Ireland) Order 1977 (S.I. 1977/1251 (N.I. 18));
 - (c) section 4 of the Damages (Scotland) Act 2011.’

Member’s explanatory statement

This amendment allows Revenue and Customs officials to disclose information HMRC holds to persons entitled to make claims under fatal accidents legislation, to persons entitled to bring proceedings for personal injury for the benefit of a deceased person’s estate or to persons claiming to be eligible under section 3 of the Mesothelioma Act 2014 for a payment under the Diffuse Mesothelioma Payment Scheme.

Combining different forms of subordinate legislation

Tom Brake
Oliver Heald

NC7

To move the following Clause:—

- ‘(1) Any provision that may be made by order, regulations or rules made by statutory instrument may be made by any other of those forms of legislation made by statutory instrument.
- (2) Subsection (1) does not affect the procedure for making the instrument.
- (3) A reference in any enactment or other instrument to an order, regulations or rules under an enactment (however expressed) includes a reference to provision made under it because of subsection (1).
- (4) Subsection (1) does not apply in relation to any power of the Welsh Ministers to make provision by statutory instrument.’

Deregulation Bill, continued***Member's explanatory statement***

This clause allows powers to make an order, regulations or rules to be used to make a combined instrument. At the moment it is sometimes necessary to make several instruments on a single topic because the enabling powers are expressed differently. In appropriate cases, using a single instrument would allow the legislation to be set out in a more coherent way and in one place.

Replacing homes lost through the Preserved Right to Buy

Caroline Lucas

NC8

To move the following Clause:—

- ‘(1) Within one year of this Act receiving Royal Assent, the Secretary of State shall lay before each House of Parliament a plan to—
 - (a) replace the homes lost through the Preserved Right to Buy;
 - (b) review the effectiveness of the current Right to Buy policy.
- (2) Before making any further changes to Right to Buy, the Secretary of State must carry out and publish an assessment of the impact of Right to Buy policy on affordable housing supply since 2012.’

Member's explanatory statement

This new clause would require the Minister to produce a plan to replace affordable homes lost in England as a result of Right to Buy, review the effectiveness of current policy and carry out an assessment of changes since 2012 before making further policy changes.

Licensing: review of legislation

Chris Williamson

NC9

To move the following Clause:—

- ‘(1) No later than the end of the period of six months beginning with the day on which this Act is passed, the Secretary of State must commence a cross-government review of all legislation relating to local authority licensing, consents, permits and registrations.
 - (2) The review must include a review of whether and if so how the legislation can be simplified and consolidated.
 - (3) A report on the review must be presented to Parliament by the Secretary of State no later than the end of the period of 24 months beginning with the day on which the review is commissioned.’
-

Deregulation Bill, *continued*

Repeal of the Sunday Trading Act 1994

Philip Davies

NC10

To move the following Clause:—

- ‘(1) The Sunday Trading Act 1994 is amended as follows.
 - (2) Paragraph 2(1) of Schedule 1 to the Sunday Trading Act 1994 (which restricts Sunday trading at large shops) is repealed.
 - (3) Section 2, subsection (5) of that Act and Schedule 3 to the Act (which restricts loading and unloading at large shops on Sunday mornings) are repealed.’
-

Extending of Sunday trading hours

Philip Davies

NC11

To move the following Clause:—

- ‘(1) The Sunday Trading Act 1994 is amended as follows.
 - (2) In Schedule 1, paragraph 2(3), leave out “six” and insert “eight”.
 - (3) In Schedule 1, paragraph 2(3), leave out “6 p.m.” and insert “8 p.m.”.’
-

Suspension of restriction of Sunday trading hours

Philip Davies

NC12

To move the following Clause:—

- ‘(1) Paragraph 2(1) of Schedule 1 to the Sunday Trading Act 1994 (which restricts Sunday opening at large shops) does not apply during the suspension period.
- (2) But Schedule 3 to that Act (which restricts loading and unloading at large shops on Sunday mornings) is to apply during the suspension period to any shop to which it would apply during that period were it not for the disapplication made by subsection (1).
- (3) “The suspension period” means the part of the Glasgow 2014 Commonwealth Games period which—
 - (a) begins with Sunday 27 July 2014, and
 - (b) ends with Sunday 3 August 2014.
- (4) Where a shop worker gives an opting-out notice in the pre-Games period that relates to work at an exempted large shop, section 41(3), of the Employment Rights Act 1996 has effect as if the notice period in relation to the shop worker were the period which—
 - (a) begins with the day on which the notice is given, and
 - (b) ends two months after that day, or with Sunday 3 August 2014 (if that is later).

Deregulation Bill, *continued*

- (5) Section 42(2) of that Act accordingly has effect in relation to the shop worker as if the reference to three months were a reference to the notice period as it is modified by subsection (1).
- (6) Where the opting-out notice includes an express statement to the effect that the shop worker objects to Sunday working only during the suspension period, the shop worker is to be treated for the purposes of that Act as having given an opting-in notice at the end of that period.
- (7) The “pre-Games period” is the period which—
 - (a) begins with the day on which this Act is passed, and
 - (b) ends with Sunday 3 August 2014.
- (8) An “exempted large shop” is a shop to which paragraph 2(1) of Schedule 1 to the Sunday Trading Act 1994 would apply during the suspension period were it not for the disapplication made by section 1(1).
- (9) In this section—
 - (a) “opting-in notice”, “opting-out notice” and “shop worker” each have the same meaning as in the Employment Rights Act 1996, and
 - (b) “suspension period” has the meaning given in section 1(3).’.

Suspension of restriction on Sunday trading hours

Philip Davies

NC13

To move the following Clause:—

- ‘(1) Paragraph 2(1) of Schedule 1 to the Sunday Trading Act 1994 (which restricts Sunday opening at large shops) does not apply during the suspension period.
- (2) But Schedule 3 to that Act (which restricts loading and unloading at large shops on Sunday mornings) is to apply during the suspension period to any shop to which it would apply during that period were it not for the disapplication made by subsection (1).
- (3) “The suspension period” means the part of the Rugby World Cup 2015 period, which—
 - (a) begins with Sunday 20 September 2015, and
 - (b) ends with Sunday 25 October 2015.
- (4) Where a shop worker gives an opting-out notice in the pre-Rugby Cup period that relates to work at an exempted large shop, section 41(3) of the Employment Rights Act 1996 has effect as if the notice period in relation to the shop worker were the period which—
 - (a) begins with the day on which the notice is given, and
 - (b) ends with Saturday 31 October 2015.
- (5) Section 42(2) of that Act accordingly has effect in relation to the shop worker as if the reference to three months were a reference to the notice period as it is modified by subsection (1).
- (6) Where the opting-out notice includes an express statement to the effect that the shop worker objects to Sunday working only during the suspension period, the shop worker is to be treated for the purposes of that Act as having given an opting-in notice at the end of that period.
- (7) The “pre-Rugby Cup period” is the period which—
 - (a) begins on Friday 17 July 2015, and

Deregulation Bill, *continued*

- (b) ends with Friday 11 September 2015.
- (8) An “exempted large shop” is a shop to which paragraph 2(1) of Schedule 1 to the Sunday Trading Act 1994 would apply during the suspension period were it not for the disapplication made by section 1(1).
- (9) In this section—
 - (a) “opting-in notice”, “opting-out notice” and “shop worker” each have the same meaning as in the Employment Rights Act 1996, and
 - (b) “suspension period” has the meaning given in section 1(3).’.

Further exemption to Sunday trading hours: garden centres

Philip Davies

NC14

To move the following Clause:—

- ‘(1) The Sunday Trading Act 1994 is amended as follows.
- (2) In Schedule 1, paragraph 3(1), after paragraph (k) at end insert—
“‘(l) any garden centres.’”

Statutory periodic tenancy: payment of deposit

Philip Davies [R]

NC16

To move the following Clause:—

- ‘(1) The Housing Act 2004 is amended as follows.
- (2) In section 215, paragraph (5), at end insert—

“Shorthold tenancy deposit: further requirements

215A(1) A tenancy deposit shall not be treated as being paid or received in connection with a shorthold tenancy by reason only of the deemed grant of a statutory periodic tenancy pursuant to the provisions of section 5(1) of the Housing Act 1988 (“the 1988 Act”).

(2) Subsection (1) shall apply (and shall always be deemed to apply) in respect of any tenancy deposit whenever it was paid or received whether before or after the coming into force of sections 212 to 215 of the Housing Act 2004 (“the 2004 Act”).

(3) Where—

- (a) a tenancy deposit has been received in relation to a shorthold tenancy under a tenancy (“the original tenancy”);
- (b) the original tenancy was granted as a fixed term tenancy;

Deregulation Bill, continued

- (c) the original tenancy commenced before 6 April 2007;
 - (d) immediately upon the expiry of the fixed term of the original tenancy a statutory periodic tenancy was deemed to be granted pursuant to section 5(1) of the 1988 Act;
 - (e) the initial requirements (as defined by section 213(4) of the 2004 Act) have not been complied with in respect of that tenancy deposit; and
 - (f) no event has occurred on or after 6 April 2007 which would otherwise require that tenancy deposit is to be protected in accordance with an authorised scheme under section 213 of the 2004 Act the provisions of subsection (4) shall apply to that tenancy deposit.
- (4) The initial requirements under section 213(4) of the 2004 Act and the requirements of section 213(6) of that Act (relating to prescribed information) must be complied with in respect of any tenancy deposit referred to in subsection (3) within 3 months of the date when the provisions of this Act come into force.
- (5) The expressions “tenancy deposit” and “shorthold tenancy” in this section shall have the same meanings as for the purposes of sections 212 to 215 of the 2004 Act.”.

Tom Brake
Oliver Heald

12

Clause 15, page 12, line 42, after ‘(general))’ insert ‘—

- () in subsection (1) (fees for grant or maintenance of recognition of professional body), in paragraph (b) (power to refuse recognition, or revoke order of recognition, where fee not paid), after “391(1)” insert “or (2)”;

Member’s explanatory statement

This amendment allows the Secretary of State to revoke or refuse recognition of a professional body recognised for the purpose of authorising partially authorised insolvency practitioners, where the body has not paid a fee in connection with the grant or maintenance of its recognition.

Jonathan Reynolds
Tom Greatrex
Graham Stringer
Joan Walley

2

Clause 28, page 23, line 13, at end insert—

- ‘(2) This section and section 29 shall not come into force until the Secretary of State has laid a Zero-Carbon Housing Strategy before both Houses of Parliament.’.

Deregulation Bill, *continued*

Tom Brake
Oliver Heald

16

- Clause 56, page 40, line 16, leave out paragraph (a) and insert—
- () in paragraph 7, after “paragraph 4 above” insert “that relates to material that consists of or includes journalistic material”;
 - () in paragraph 8, for “such an order” substitute “an order under paragraph 4 above that relates to material that consists of or includes journalistic material”;
 - () in paragraph 9, for “Such a notice” substitute “Notice of an application for an order under paragraph 4 above that relates to material that consists of or includes journalistic material”;
 - () in paragraph 10, for “this Schedule” (in each place where it occurs) substitute “paragraph 8”.

Member’s explanatory statement

Clause 56(3) allows Criminal Procedure Rules to supply the procedure on an application for a production order under Schedule 1 to the Police and Criminal Evidence Act 1984. This amendment, with amendment 17, excepts any application which relates to material that consists of or includes journalistic material, as defined by section 13 of the 1984 Act, and ensures that the procedure for such applications continues to be dealt with in Schedule 1.

Tom Brake
Oliver Heald

17

- Clause 56, page 40, line 21, at end insert ‘, other than proceedings for an order under paragraph 4 above that relates to material that consists of or includes journalistic material.’.

Member’s explanatory statement

See the explanatory statement for amendment 16.

Tom Brake
Oliver Heald

18

- Clause 67, page 45, line 40, at end insert ‘or by the National Assembly for Wales constituted by the Government of Wales Act 1998.’

Member’s explanatory statement

This amendment ensures that the power to spell out dates described in legislation cannot be used to amend subordinate legislation made by the National Assembly for Wales.

Caroline Lucas

64

- Page 47, line 15, leave out Clauses 70 to 73.

Member’s explanatory statement

This amendment removes the requirement on persons exercising a regulatory function to have regard to the desirability of promoting economic growth.

Deregulation Bill, *continued*

Caroline Lucas

65

Clause 70, page 47, line 16, leave out ‘economic growth’ and insert ‘sustainable development’.

Member’s explanatory statement

This amendment substitutes the requirement on persons exercising a regulatory function to have regard to the desirability of promoting economic growth with a requirement to have regard to the desirability of promoting sustainable development.

Caroline Lucas

66

Clause 70, page 47, line 19, leave out ‘economic growth’ and insert ‘sustainable development’.

Caroline Lucas

67

Clause 70, page 47, line 21, leave out ‘economic growth’ and insert ‘sustainable development’.

Caroline Lucas

69

Clause 70, page 47, line 23, leave out ‘only’.

Member’s explanatory statement

This amendment makes it clear that a person exercising a regulatory function under this section must take regulatory action when needed.

Caroline Lucas

68

Clause 72, page 48, line 17, leave out ‘economic growth’ and insert ‘sustainable development’.

Caroline Lucas

70

Clause 73, page 48, line 36, after ‘72’, insert “‘sustainable development’ means development that meets the needs of the present without compromising the ability of existing communities and future generations to meet their own needs; and that contributes to the principles that the nation and areas within it should live within their environmental limits, should achieve a sustainable economy and should seek to ensure a strong, healthy and just society.’”.

Member’s explanatory statement

This defines sustainable development in terms recommended by the Communities and Local Government Select Committee 2011 inquiry into the National Planning Policy Framework, which drew on the 2005 UK Sustainable Development Strategy.

Deregulation Bill, continued

Tom Brake
Oliver Heald

19

Clause 76, page 50, line 14, after ‘Sections’ insert ‘(Power of HMRC to disclose information for purposes of certain litigation)’.

Member’s explanatory statement

This amendment provides for the new clause inserted by amendment NC6 to extend to England and Wales, Scotland and Northern Ireland.

Tom Brake
Oliver Heald

20

Clause 76, page 50, line 14, after ‘Sections’ insert ‘51, 52,’.

Member’s explanatory statement

This amendment extends clauses 51 and 52 (TV licensing) to the whole of the United Kingdom.

Tom Brake
Oliver Heald

21

Clause 76, page 50, line 14, after ‘67’ insert ‘, (Combining different forms of subordinate legislation)’

Member’s explanatory statement

This amendment ensures that the new clause mentioned in it extends to England and Wales, Scotland and Northern Ireland.

Tom Brake
Oliver Heald

22

Clause 76, page 50, line 15, at end insert—

‘() Her Majesty may by Order in Council provide for any of the provisions of section 52 to extend, with or without modifications, to any of the Channel Islands or the Isle of Man.’

Member’s explanatory statement

This amendment allows the provisions of clause 52 to be extended to the Channel Islands or Isle of Man.

Jonathan Reynolds
Tom Greatrex
Graham Stringer
Joan Walley

3

Clause 77, page 50, line 25, at end insert ‘, subject to the condition in subsection (2) of that section;’.

Member’s explanatory statement

This amendment is consequential on amendment 2.

Tom Brake
Oliver Heald

24

Clause 77, page 50, line 26, after ‘33’ insert ‘and (Removal of restriction on investigation of tramway accidents in Scotland by RAIB)’.

Deregulation Bill, continued
Member's explanatory statement

This amendment has the effect that the new clause inserted by amendment NC4 will come into force 2 months after the Bill receives Royal Assent.

Tom Brake
Oliver Heald

25

Clause 77, page 50, line 33, after '67' insert ', (Combining different forms of subordinate legislation)'

Member's explanatory statement

This amendment ensures that the new clause mentioned in it comes into force 2 months after the Bill is passed.

Tom Brake
Oliver Heald

26

Clause 77, page 50, line 37, after 'Parts' insert 'A1,'.

Member's explanatory statement

This amendment has the effect that the new Part added to Schedule 9 to the Bill by amendment 51 will come into force 2 months after the Bill receives Royal Assent.

Tom Brake
Oliver Heald

50

Schedule 6, page 88, line 13, at end insert—

(1) The following repeals are made in consequence of paragraphs 18 and 19.

(2) In the Insolvency Act 1986—

- (a) in section 1(2), omit "or authorised to act as nominee,";
- (b) in section 2(4), omit " , or authorised to act as nominee,";
- (c) in section 4(2), omit "or authorised to act as nominee,";
- (d) in section 7(5), omit "or authorised to act as supervisor,";
- (e) in Schedule A1—

- (i) in paragraph 28(1), omit " , or authorised to act as nominee,";

- (ii) in paragraph 31(2), omit " , or authorised to act as nominee,";

- (iii) in paragraph 33(1), omit " , or authorised to act as nominee,";

- (iv) in paragraph 39(6), omit " , or authorised to act as supervisor,".

(3) In the Insolvency Act 2000, omit section 4(3) and (4).

(4) In Schedule 6 to the Mental Capacity Act 2005, omit paragraph 31(2).'

Member's explanatory statement

This amendment makes amendments that are consequential on the repeal (by Part 6 of Schedule 6 to the Bill) of provisions allowing individuals to be authorised to act solely as nominees or supervisors in voluntary arrangements.

Deregulation Bill, *continued*

Tom Brake
Oliver Heald

52

Schedule 12, page 136, line 29, after ‘subsection (1)’ insert ‘(like the power in subsection (1) of section one of this Act)’.

Member’s explanatory statement

The amendment equates the Bill’s existing amendment to the Destructive Imported Animals Act 1932 (making explicit that the power to make control orders for other destructive non-indigenous animals under section 10(1) includes power of revocation and amendment) to the power to make similar orders for musk rats under section 1(1).

Tom Brake
Oliver Heald

53

Schedule 12, page 137, line 12, leave out ‘The Secretary of State’ and insert ‘Lantra (the company registered in England and Wales with the company registration number 2823181)’.

Member’s explanatory statement

Following a DEFRA consultation (undertaken with the Scottish and Welsh Governments), this amendment makes Lantra (the UK’s Sector Skills Council for land-based and environmental industries), rather than the Secretary of State, the successor to the Council for Small Industries in Rural Areas as an appointer of a member of the Farriers Registration Council.

Tom Brake
Oliver Heald

54

Schedule 12, page 137, line 14, leave out sub-paragraph (3).

Member’s explanatory statement

This amendment is consequential on amendment 53. As the Secretary of State is no longer to have the power to appoint a member of the Farriers Registration Council, this amendment removes the requirement for the Secretary of State to consult the Scottish Ministers before making an appointment.

Dr Julian Huppert

71

Schedule 14, page 147, line 22, at end insert—

‘Eligibility for Higher Education Funding

1A The Schedule to the Education (Prescribed Courses of Higher Education) Regulations 1993 is amended as follows—

- (1) In paragraph 3, after “Technology Education Council”, insert “or Level 5 Cambridge Technical Diploma or equivalent”.
 - (2) In paragraph 4, after “Technology Education Council”, insert “or Level 4 Cambridge Technical Diploma or equivalent”.
-

Deregulation Bill, *continued*Tom Brake
Oliver Heald

57

- Schedule 15, page 150, line 26, leave out paragraph 2 and insert—
- ‘2 (1) Omit sections 110 and 111 of the School Standards and Framework Act 1998 (which require the governing bodies of certain schools to adopt home-school agreements), and the italic cross-heading before those sections.
- (2) In consequence of sub-paragraph (1)—
- (a) in section 138(4)(a) of that Act, omit “, 110(10)”;
 - (b) in the Learning and Skills Act 2000, in Schedule 9, omit paragraph 85;
 - (c) in the Education Act 2002, in Schedule 7, omit paragraph 9;
 - (d) in the Education Act 2011, in Schedule 13, omit paragraph 10(9).

Member’s explanatory statement

Paragraph 2 of Schedule 15 currently provides for the requirement that governing bodies of certain schools (maintained schools, city technology colleges, city colleges for the technology of the arts and Academy schools) adopt home-school agreements to cease to apply in England. The amendment substitutes a new paragraph 2 which provides for the requirement to cease to apply in both England and Wales.

ORDER OF THE HOUSE [3 FEBRUARY 2014]

That the following provisions shall apply to the Deregulation Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 25 March 2014.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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Deregulation Bill, *continued*

DEREGULATION BILL (PROGRAMME (NO. 2))

Mr Oliver Letwin

That the Order of 3 February 2014 (Deregulation Bill (Programme)) be varied as follows:

1. Paragraphs 4 and 5 of the Order shall be omitted.
2. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
3. Proceedings on Consideration—
 - (a) shall be taken on the days shown in the first column of the following Table and in the order so shown; and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times shown in the second column of the Table.

TABLE

First day

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
New Clauses and new Schedules relating to the sale of alcohol and amendments to Clauses 45 to 49; amendments to Schedule 18	3.00 pm
New Clauses and new Schedules relating to health and safety at work and amendments to Clause 1	5.00 pm
New Clauses and new Schedules relating to apprenticeships and amendments to Clauses 3 and 4 and Schedules 1 to 13.	7.00 pm

Second day

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
New Clauses and new Schedules relating to driving and to roads, railways, tramways and other means of transport and amendments to Clauses 6 to 10 and 30 to 33 and Schedules 2 and 3 and 8 to 10	Three hours before the moment of interruption
New Clauses and new Schedules relating to TV licensing and amendments to Clauses 51 and 52; remaining new Clauses; remaining new Schedules; remaining proceedings on Consideration	One hour before the moment of interruption

4. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Deregulation Bill, *continued*
