



# House of Commons

**Tuesday 10 March 2015**

## **CONSIDERATION OF LORDS AMENDMENTS**

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*New Amendments handed in are marked thus ★*

### **DEREGULATION BILL**

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*On Consideration of Lords Amendments to the Deregulation Bill*

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#### **NOTE**

**The Amendments have been arranged in accordance with the Deregulation Bill Programme (No. 3) Motion to be proposed by Mr Oliver Letwin.**

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Lords Amendment No. **38**

Mr Oliver Letwin

To move, That this House disagrees with the Lords in their Amendment.

Mr Oliver Letwin

To move the following Amendments to the Bill in lieu of the Lords Amendment:—

Mr Oliver Letwin

Page **45**, line **29**, at end insert—

**(a)**

“(3) The Secretary of State must, before the end of the period of 3 months beginning with the day on which the review is completed, lay before both Houses of Parliament a report setting out the Secretary of State’s response to the review which must include—

- (a) a statement as to whether the Secretary of State proposes to exercise the power to make regulations under section 60(1)(a) or (b), and

**Deregulation Bill, *continued***

- (b) if the Secretary of State proposes to do so, an outline of the steps that the Secretary of State proposes to take in consequence and when those steps will be taken.”

Mr Oliver Letwin

Page 46, line 26, at end insert—

“(10A) Regulations under subsection (1) may not be made so as to come into force before 1 April 2017.”

(b)

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Lords Amendment No. 18

As Amendments to the Lords Amendment:—

Philip Davies [R]

Page 5, line 31, after “notice”, insert “or until the repair has been carried out whichever is earlier”

(a)

Philip Davies [R]

Page 5, line 34, after “ends”, insert “or until the repair has been carried out whichever is earlier.”

(b)

Philip Davies [R]

Page 5, line 41, leave out “14” and insert “20 working”

(c)

Philip Davies [R]

Page 6, line 13, after “subsection (2)” insert “or subsection (11A)”

(d)

Philip Davies [R]

Page 6, line 22, leave out subsection (5).

(e)

Philip Davies [R]

Page 7, line 11, at end insert—

“(11A) Where a landlord provides an adequate response to a complaint within the time allowed by sub-section (2)(b)(i) the following provisions shall apply—

- (a) the local housing authority may not serve a relevant notice during the timescale referred to in subsection (3)(b) in response to the complaint,  
(b) if, notwithstanding paragraph (a), a relevant notice is served by the local housing authority in contravention of that paragraph, the relevant notice

(f)

**Deregulation Bill, *continued***

must be revoked under section 16 of the Housing Act 2014 or quashed under paragraph 15 of schedule 1 to that Act, and

- (c) in any case, sub-section (2) shall cease to be of effect in relation to the service of the relevant notice from the date when the remedial action required by the relevant notice was satisfactorily completed in accordance with the terms of the relevant notice.
- (11B) For the purposes of subsection (11A) the timescale referred to in subsection (3)(b) shall be extended by such further period or periods as may be reasonable in the circumstances where it is impractical to complete the remedial action within the timescale proposed.”

Philip Davies [R]

(g)

Page 7, line 24, at end insert—

““condition of the dwelling-house” means any condition which could be the subject of a relevant notice;”

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Lords Amendment No. 19

As Amendments to the Lords Amendment:—

Philip Davies [R]

(b)

Page 8, line 2, at end insert—

- “(1A) Subsections (1) and (2) of section (*Preventing retaliatory eviction*) do not apply where at the time the section 21 notice is given—
- (a) the landlord or anyone associated with them intends to take up residence in the dwelling-house; or
  - (b) the landlord wants to redevelop the dwelling-house; or
  - (c) there is a compulsory purchase order against the dwelling-house; or
  - (d) the landlord is under a legal duty to complete work or alter the building and in order to do so the tenant needs to be removed from the property.”

Philip Davies [R]

(e)

★ Page 8, line 2, at end insert—

- “(1A) Subsections (1) and (2) of section (*Preventing retaliatory eviction*) do not apply—
- (a) where the condition of the dwelling-house or common parts that gave rise to the service of the relevant notice is due to a breach by the tenant of—
    - (i) the duty to use the dwelling-house in a tenant-like manner, or
    - (ii) an express term of the tenancy to the same effect; or
  - (b) where—
    - (i) prior to the section 21 notice being served, the tenant or a person residing in or visiting the dwelling-house has been convicted of—

**Deregulation Bill, *continued***

- (a) using the dwelling-house or allowing it to be used for immoral or illegal purposes, or
- (b) an indictable offence committed in, or in the locality of, the dwelling-house; or
- (ii) the tenant, being the sole tenant of the dwelling house, is in prison at the time the section 21 notice is served; or
- (iii) the tenant has prevented the landlord from accessing the property, contrary to the implied covenant in section 11(6) of the Landlord and Tenant Act 1985 or any express term of the tenancy agreement relating to the landlord's access to the property, in order to assess the state of repair in the previous 12 months or during the period in which the tenant's complaint in relation to the condition of the property is ongoing; or
- (iv) the tenant is at least eight weeks or two months (or the relevant equivalent in accordance with schedule 2 to the Housing Act 1988) in arrears of rent that is lawfully due at the time the section 21 notice is given and this amount is still outstanding at the time the court considers an order for possession."

Philip Davies [R]

(c)

Page 8, line 5, at end insert "or where the landlord intends to sell the dwelling house within six months."

Philip Davies [R]

(d)

Page 8, line 38, at end insert—  
“(d) at the time the section 21 notice is given the landlord's reasons for serving the notice are unrelated to the repairing issue.”

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**Lords Amendment No. 21**

As an Amendment to the Lords Amendment:—

Philip Davies [R]

(a)

Page 9, line 14, leave out “four” and insert “two”

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**Deregulation Bill, *continued***

Lords Amendment No. 26

As Amendments to the Lords Amendment:—

Philip Davies [R]

(a)

Page 11, line 36, at end insert—

“(A1) The Government must commission an independent review of the impact of sections (*Preventing retaliatory sections eviction*) to (*Repayment of rent where tenancy ends before end of period*) on the rental market not less than three years beginning with the day on which this Act is passed.

(AA1) A Minister of the Crown must make a motion in respect of the independent review in each House of Parliament within six months of its publication.”

Philip Davies [R]

(b)

Page 12, line 12, at end insert—

“(3A) The following provisions expire at the end of five years beginning with the day on which this Act is passed—

- (a) section (*Tenancy deposits: provision of information by agents*);
- (b) section (*Tenancy deposits: non-compliance with requirements*);
- (c) section (*Preventing retaliatory eviction*);
- (d) section (*Time limits in relation to section 21 notices and proceedings*);
- (e) section (*Prescribed form of section 21 notices*);
- (f) section (*Compliance with prescribed legal requirements*);
- (g) section (*Requirement for landlord to provide prescribed information*);
- (h) section (*Repayment of rent where tenancy ends before end of a period*).”

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Lords Amendment No. 27

As Amendments to the Lords Amendment:—

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(a)

Line 7, leave out “section 25A” and insert “sections 25A and 25B”

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(b)

Line 12, leave out “two” and insert “three”

**Deregulation Bill, *continued***

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(c)

Line 29, at end insert—  
“( ) The third is that the premises are the principal residence in London of the owner.”

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(d)

Line 31, at end insert—  
“( ) Any person providing temporary sleeping accommodation under this section must, in advance of each such provision, notify the local planning authority where they require it, in a form to be set out by the Secretary of State in regulations made by statutory instrument.”

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(e)

Line 31, at end insert—  
“( ) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(f)

Line 41, after “necessary”, insert “or desirable”

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(g)

Leave out lines 42 and 43.

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(h)

Leave out lines 46 to 53.

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(i)

Leave out lines 60 to 62.

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**Deregulation Bill, *continued***

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(j)

- Line 62, at end insert—
- “(7A) The Secretary of State may by regulations made by statutory instrument provide that section 25A is not to apply to any premises which have been subject to a specified number of successful enforcement actions against a statutory nuisance.”

Chi Onwurah  
Emma Reynolds  
Andy Sawford

(k)

- Line 63, leave out “subsection (7)” and insert “subsections (7) or (7A)”

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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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ORDER OF THE HOUSE [14 MAY 2014]

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.

**Deregulation Bill, *continued***

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 47 to 53; amendments to Schedule 19	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 8 to 12 and 32 to 35 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 54 and 55; 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.

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DEREGULATION BILL: PROGRAMME (NO. 3) MOTION

Mr Oliver Letwin

That the following provisions shall apply to the Deregulation Bill for the purpose of supplementing the Order of 3 February 2014 in the last Session of Parliament

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**Deregulation Bill, *continued***

(Deregulation Bill (Programme)), as varied by the Order of 14 May 2014 in that Session (Deregulation Bill (Programme)(No. 2)):

*Consideration of Lords Amendments*

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion three hours after their commencement at today's sitting.
2. The Lords Amendments shall be considered in the following order: Nos 38, 1 to 37 and 39 to 123.

*Subsequent stages*

3. Any further Message from the Lords may be considered forthwith without any Question being put
4. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 9 March 2015:*

Amendment (a) to Lords Amendment No. 19

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