



House of Commons

Thursday 18 June 2015

COMMITTEE OF THE WHOLE HOUSE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

EUROPEAN UNION REFERENDUM BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the House [9 June 2015].

CLAUSE 2; NEW CLAUSES AND NEW SCHEDULES RELATING TO THE SUBJECT MATTER OF CLAUSE 2; CLAUSE 5; NEW CLAUSES AND NEW SCHEDULES RELATING TO THE SUBJECT MATTER OF CLAUSE 5

Mike Gapes
Tom Brake
Keith Vaz
Greg Mulholland

51

Clause 2, page 1, line 16, leave out “parliamentary” and insert “local government”
Member’s explanatory statement
The amendment would allow citizens of all countries of the European Union living in the UK and Gibraltar to vote in the referendum.

Alex Salmond
Angus Robertson
Stephen Gethins
Hywel Williams
Mike Weir
Ms Tasmina Ahmed-Sheikh

Tommy Sheppard
Keith Vaz

Joanna Cherry
Mark Durkan

Caroline Lucas

18

Clause 2, page 1, line 17, leave out from “electors” to the end of line 12 on page 2

European Union Referendum Bill, *continued*

and insert—

- “at a local government election in any electoral area in Great Britain, or
- (b) the persons who, on the date of the referendum, would be entitled to vote as electors at a local government election in any electoral area in Northern Ireland.”

Member’s explanatory statement

This amendment extends the franchise in the referendum to EU nationals resident in the United Kingdom.

Ms Harriet Harman
Hilary Benn
Ms Rosie Winterton
Mr Pat McFadden
Heidi Alexander
Mike Gapes

Tom Brake
Mark Durkan

Greg Mulholland

Dr Sarah Wollaston

1

Clause 2, page 1, line 17, at end insert “and persons who would be so entitled except for the fact that they will be aged 16 or 17 on the date on which the referendum is to be held”.

Member’s explanatory statement

The amendment would entitle British citizens, qualifying Commonwealth citizens and citizens of the Republic of Ireland aged 16 and 17 to vote in the referendum.

Stephen Phillips

12

Clause 2, page 2, line 9, after “Commonwealth citizens”, insert “or citizens of the Republic of Ireland”

Ms Harriet Harman
Hilary Benn
Ms Rosie Winterton
Mr Pat McFadden
Heidi Alexander
Mike Gapes

Tom Brake

Greg Mulholland

Dr Sarah Wollaston

2

Clause 2, page 2, line 12, at end insert “and persons who would be so entitled except for the fact that they will be aged 16 or 17 on the date on which the referendum is to be held”.

Member’s explanatory statement

The amendment would entitle Commonwealth citizens aged 16 and 17 who would be entitled to vote in Gibraltar for elections to the European Parliament to vote in the referendum.

 European Union Referendum Bill, *continued*

Alex Salmond
 Angus Robertson
 Stephen Gethins
 Hywel Williams
 Mike Weir
 Ms Tasmina Ahmed-Sheikh

Tommy Sheppard
 Keith Vaz

Joanna Cherry
 Mark Durkan

Caroline Lucas

19

Clause 2, page 2, line 16, at end add—

- “(3) A person is entitled to vote in the referendum if, on the date on which the poll at the referendum is held, the person is aged 16 or over and registered in—
- (a) the register of local government electors, or
 - (b) the register of young voters maintained under section (*Register of young voters*) for any such area.”

Member’s explanatory statement

This amendment follows the Scottish independence referendum model for the franchise, which includes 16 and 17 year olds and EU nationals.

Mike Gapes
 Keith Vaz

52

Clause 2, page 2, line 16, at end add—

- “(3) Notwithstanding the provisions of the Representation of the People Act 1983, as amended, or of any other statute, a British citizen resident overseas in a country within the European Union will be eligible:
- (a) to register to vote and
 - (b) to vote in the referendum

irrespective of the length of time that the citizen has been resident overseas.”

Member’s explanatory statement

The amendment would entitle British citizens living in any country in the European Union to vote in the referendum irrespective of the time they have been resident overseas.

Alex Salmond
 Angus Robertson
 Stephen Gethins
 Hywel Williams
 Mike Weir
 Ms Tasmina Ahmed-Sheikh

Tommy Sheppard
 Mark Durkan

Joanna Cherry

Caroline Lucas

NC2

To move the following Clause—

“Register of young voters

- (1) For the purposes of this Act, each registration officer must prepare and maintain, for the officer’s area, a register to be known as the register of young voters.
- (2) The register must contain—

European Union Referendum Bill, *continued*

- (a) the names of the persons appearing to the registration officer to be entitled to be registered in the register, and
- (b) in relation to each person registered in it, the person's—
 - (i) date of birth,
 - (ii) (except where otherwise provided by an applied enactment) qualifying address, and
 - (iii) voter number.
- (3) Subsection (2) is subject to section 9B of the 1983 Representation of the People Act (anonymous registration).
- (4) A person's qualifying address is the address in respect of which the person is entitled to be registered in the register.
- (5) A person's voter number is such number (with or without any letters) as is for the time being allocated by the registration officer to the person for the purposes of the register.
- (6) A person is entitled to be registered in the register of young voters for any area if, on the relevant date, the person—
 - (a) is not registered in the register of local government electors for the area,
 - (b) meets the requirements (apart from any requirement as to age) for registration in the register of local government electors for the area, and
 - (c) has attained the age of 16, or will attain that age on or before the date on which the poll at an independence referendum is to be held.
- (7) In the case of a person who has not yet attained the age of 16—
 - (a) the person's entry in the register must state the date on which the person will attain the age of 16, and
 - (b) until that date, the person is not, by virtue of the entry, to be taken to be a voter for the purposes of any independence referendum other than one the date of the poll at which is on or after that date.
- (8) Where a person to whom subsection (7) applies has an anonymous entry in the register, the references in that subsection to the person's entry in the register are to be read as references to the person's entry in the record of anonymous entries.
- (9) In this section, "the relevant date" mean the date on which an application for registration in the register of young voters is made (or the date on which such an application is treated as made by virtue of section 10A(2) of the 1983 Act)."

Member's explanatory statement

This amendment extends the franchise in the referendum to 16 and 17 year olds.

*CLAUSES 4 AND 6 TO 11; REMAINING NEW CLAUSES; REMAINING NEW SCHEDULES;
REMAINING PROCEEDINGS ON THE BILL*

John McDonnell

48

Clause 4, page 2, line 30, at end insert—

“(aa) the provision made under subsection (1)(a) shall include making arrangements to allow all those entitled to vote in the referendum to vote by electronic means.”

Member's explanatory statement

The amendment would provide for electronic voting in the referendum.

 European Union Referendum Bill, *continued*

Ms Harriet Harman
 Hilary Benn
 Ms Rosie Winterton
 Mr Pat McFadden
 Heidi Alexander

3

Clause 4, page 2, line 39, leave out subsection (2) and insert—

- “(2) The referendum shall not be held on the same day as:
- (a) elections to the Scottish Parliament;
 - (b) elections to the National Assembly for Wales;
 - (c) elections for the Mayor of London; or
 - (d) local authority elections”.

Member’s explanatory statement

The amendment would prevent the referendum being held on the same day as Scottish Parliament, National Assembly for Wales, London mayoral or local authority elections.

Sir William Cash
 Mr Owen Paterson
 Mr Steve Baker
 Mr Nigel Dodds
 Kelvin Hopkins
 Kate Hoey

Graham Stringer
 Mr Nigel Evans
 Jim Shannon
 Mr Christopher Chope
 Mr Douglas Carswell

Mr Bernard Jenkin
 Dr Liam Fox
 Mr David Nuttall
 Mr David Burrowes
 Mr Andrew Turner

John Redwood
 Mr Richard Bacon
 Mr Peter Bone
 Richard Drax

7

Clause 4, page 2, line 39, leave out subsection (2) and insert—

- “(2) The referendum shall not be held on the same day as elections, other than by-elections, that are scheduled to take place for:
- (a) the Scottish Parliament;
 - (b) the National Assembly for Wales;
 - (c) the Northern Ireland Assembly;
 - (d) the Gibraltar Parliament;
 - (e) Police and Crime Commissioners in England and Wales;
 - (f) the London Assembly and Mayor of London; or
 - (g) local authorities and mayors in the United Kingdom and Gibraltar.”

Member’s explanatory statement

The purpose of the amendment is to ensure that the referendum is not held on the same day as other polls.

European Union Referendum Bill, *continued*

Sir William Cash
Mr Owen Paterson
Mr Steve Baker
Mr Nigel Dodds
Mr Jacob Rees-Mogg
Kelvin Hopkins

Kate Hoey
John Redwood
Jim Shannon
Mr Christopher Chope
Sir Gerald Howarth

Graham Stringer
Mr Nigel Evans
Mr David Nuttall
Mr David Burrowes
Mr Andrew Turner

Mr Bernard Jenkin
Mr Richard Bacon
Mr Peter Bone
Richard Drax

8

Clause 6, page 3, line 37, at end add—

“(5) Regulations made under this Act or the 2000 Act in respect of the referendum must be made and come into force not less than six months before the start of the referendum period.”

Member’s explanatory statement

The purpose of the amendment is to ensure the legislative framework for the referendum is clear at least six months before it is required to be implemented or complied with.

Stephen Phillips

13

Clause 8, page 4, line 15, at end insert—

““Commonwealth citizens” does not include citizens of any country which has terminated its membership of the Commonwealth or which has been wholly or partly suspended from the Councils of the Commonwealth by the Commonwealth Ministerial Action Group.”

Sir William Cash
Mr Owen Paterson
Mr Steve Baker
Mr Nigel Dodds
Mr Jacob Rees-Mogg
Kelvin Hopkins

Kate Hoey
John Redwood
Mr Richard Bacon
Mr Peter Bone
Richard Drax
Mr Andrew Turner

Graham Stringer
Mr Nigel Evans
Jim Shannon
Mr Christopher Chope
Mr Douglas Carswell

Mr Bernard Jenkin
Dr Liam Fox
Mr David Nuttall
Mr David Burrowes
Sir Gerald Howarth

NC1

To move the following Clause—

“Impartiality of broadcasters

- (1) Notwithstanding any enactment or legal instrument, before the start of the referendum period the Secretary of State shall by regulations make provision to ensure the impartiality of broadcasters during the referendum period.

European Union Referendum Bill, *continued*

- (2) Regulations made under this section must include provision for the appointment by the Secretary of State of a referendum broadcasting adjudicator.
- (3) Regulations made under this section must require the referendum broadcasting adjudicator
- (a) to draw up and publish guidance applicable to the referendum to ensure the impartiality of broadcasters during the referendum period, notwithstanding any relevant guidance currently in force or in draft; and
 - (b) to make arrangements by which an allegations of breach of the guidance on impartiality can be referred to and determined by the adjudicator and where an allegation, in the adjudicator's view, is vexatious or frivolous to dismiss the allegation.
- (4) Guidance published under subsection (3)(a) shall apply to—
- (a) the holder of a licence under the Broadcasting Act 1990 or 1996 and
 - (b) the British Broadcasting Corporation.
- (5) Regulations made under this section shall require the referendum broadcasting adjudicator within one day of receipt of an allegation that a broadcaster has breached the guidance on impartiality to determine whether the guidance has been breached and publish its determination and, where a breach has taken place, to require the broadcaster to remedy the breach within one day.
- (6) Regulations made under this section are to be made by statutory instrument which is subject to annulment in pursuance of a resolution of either House of Parliament.

Member's explanatory statement

The intention of this amendment is to ensure impartiality of television and radio broadcasters during the referendum campaign and to allow for swift adjudication where an allegation of bias is made.

ORDER OF THE HOUSE [9 JUNE 2015]

That the following provisions shall apply to the European Union Referendum Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee

2. Proceedings in Committee of the whole House shall be taken in two days.
3. The proceedings shall be taken on the days shown in the first column of the following Table and in the order so shown.
4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

TABLE

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	
Clause 1; new Clauses and new Schedules relating to the subject matter of Clause 1	Three hours after the commencement of proceedings on the Bill on the first day.

European Union Referendum Bill, *continued*

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
Clause 3; Schedules 1 to 3; new Clauses and new Schedules relating to the subject matter of Clause 3 and Schedules 1 to 3	The moment of interruption on the first day
Second day	
Clause 2; new Clauses and new Schedules relating to the subject matter of Clause 2; Clause 5; new Clauses and new Schedules relating to the subject matter of Clause 5	Four hours after the commencement of proceedings on the Bill on the second day
Clauses 4 and 6 to 11; remaining new Clauses; remaining new Schedules; remaining proceedings on the Bill	The moment of interruption on the second day

Consideration and Third Reading

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

Programming committee

7. Standing Order No 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.
 8. 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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