



**SUPPLEMENT TO THE VOTES AND PROCEEDINGS**

**Tuesday 24 April 2018**

**REPORT STAGE PROCEEDINGS**

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**FINANCIAL GUIDANCE AND CLAIMS BILL [*LORDS*], AS AMENDED**

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**GLOSSARY**

*This document shows the fate of each clause, schedule, amendment and new clause.*

*The following terms are used:*

*Agreed to:* agreed without a vote.

*Agreed to on division:* agreed following a vote.

*Negatived:* rejected without a vote.

*Negatived on division:* rejected following a vote.

*Not called:* debated in a group of amendments, but not put to a decision.

*Not moved:* not debated or put to a decision.

*Question proposed:* debate underway but not concluded.

*Withdrawn after debate:* moved and debated but then withdrawn, so not put to a decision.

*Not selected:* not chosen for debate by the Speaker.

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Secretary Esther McVey

*Added* **NC4**

To move the following Clause—

**“Unsolicited direct marketing: other consumer financial products etc**

- (1) The Secretary of State must keep under review whether a prohibition on unsolicited direct marketing in relation to consumer financial products and services other than pensions would be appropriate.
- (2) If the Secretary of State considers that such a prohibition would be appropriate, the Secretary of State may make regulations applying regulations made under section (*Unsolicited direct marketing: pensions*) to other consumer financial products and services (with or without modifications).
- (3) In considering whether to make such regulations, the Secretary of State must take into account any advice received from the single financial guidance body under

**Financial Guidance and Claims Bill [Lords], continued**

section 3(7)(b)(ii) (consumer protection function: advice on effect on consumers of unsolicited direct marketing).

- (4) The regulations may—
  - (a) make different provision for different purposes;
  - (b) make different provision for different areas;
  - (c) make incidental, supplementary, consequential, transitional or saving provision.
- (5) Regulations under this section are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Secretary Esther McVey

*Added* NC9

To move the following Clause—

**“Unsolicited direct marketing: pensions (No. 2)**

- (1) The Secretary of State may make regulations prohibiting unsolicited direct marketing relating to pensions.
- (2) The regulations may—
  - 5 (a) make provision about when a communication is to be, or is not to be, treated as unsolicited;
  - (b) make provision for exceptions to the prohibition;
  - (c) confer functions on the Information Commissioner and on OFCOM (including conferring a discretion);
  - 10 (d) apply (with or without modifications) provisions of the data protection legislation or the Privacy and Electronic Communications (EC Directive) Regulations 2003 (S.I. 2003/2426) (including, in particular, provisions relating to enforcement).
- (3) The regulations may—
  - 15 (a) make different provision for different purposes;
  - (b) make different provision for different areas;
  - (c) make incidental, supplementary, consequential, transitional or saving provision.
- (4) Regulations under this section are to be made by statutory instrument.
- 20 (5) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) If before the end of June in any year the Secretary of State has not made regulations under this section (whether or not in that year), the Secretary of State must—
  - 25 (a) publish a statement, by the end of July in that year, explaining why regulations have not been made and setting a timetable for making the regulations, and
  - (b) lay the statement before each House of Parliament.
- 30 (7) In this section, “OFCOM” means the Office of Communications established by section 1 of the Office of Communications Act 2002.”

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**Financial Guidance and Claims Bill [*Lords*], *continued***

As Amendments to Secretary Esther McVey's proposed New Clause (*Unsolicited direct marketing: pensions (No. 2)*) (NC9):—

Stephen Lloyd

*Not called* (a)

Line 2, leave out “may” and insert “must”

Frank Field

*Not called* (b)

Line 3, after “pensions” insert “and prohibiting the use for commercial purposes of information obtained by means of such direct marketing”

Frank Field

*Not called* (c)

Line 8, leave out “and on Ofcom” and insert “, on Ofcom and on the Financial Conduct Authority”

Frank Field

*Not called* (d)

Line 12, after “(S.I. 2003/2426)” insert “or the Financial Services and Markets Act 2000”

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Stella Creasy  
Gareth Snell  
Gareth Thomas  
Stephen Doughty

*Not called* NC1

To move the following Clause—

**“High-cost credit: advice to the Financial Conduct Authority**

- (1) In exercising its functions the single financial guidance body must have regard to the effect of high-cost credit card lending on consumer protection and must produce and publish an annual assessment of any consumer detriment.
  - (2) The assessment under subsection (1) shall in particular consider—
    - (a) what level of interest and fees constitute a high-cost credit card;
    - (b) information provided by high-cost credit card providers to customers, and whether such information allows customers to make informed financial decisions;
    - (c) the impact of high-cost credit lending on levels of personal debt, as well as any other factors that the single financial guidance body considers relevant.
  - (3) If the single financial guidance body considers it to be necessary for consumer protection it must advise the Financial Conduct Authority to impose a limit on the cost of specified types of credit.”
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**Financial Guidance and Claims Bill [Lords], *continued***

Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft

*Not called* NC2

To move the following Clause—

**“Specific requirements as to the pensions guidance function: mid life reviews**

- (1) As part of its pensions guidance and money guidance functions, the single financial guidance body must provide targeted information and guidance for members of the public from the age of 50 to help them make decisions on their financial affairs.
- (2) In particular, the information and guidance in subsection (1) shall include information and guidance on—
  - (a) increasing pension contributions in preparation for retirement,
  - (b) saving money in preparation for retirement, and
  - (c) career development and the impact of career development on financial matters including preparation for retirement.”

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Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft

*Not called* NC6

To move the following Clause—

**“Regulatory principles to be applied in respect of claims management services—**

- (1) The FCA may make recommendations to the Secretary of State on regulatory principles to be applied to claims management services.
- (2) The matters on which the FCA may make recommendations include, in relation to claims management services—
  - (a) the duties of authorised persons to act honestly, fairly and professionally in accordance with the best interests of consumers;
  - (b) the duties of authorised persons to manage conflicts of interest fairly, both between themselves and their clients, and between clients;
  - (c) other duties of authorised persons related to a duty of care towards their clients.
- (3) If the FCA recommends that regulatory principles be applied to claims management services, the Secretary of State may by regulations impose such principles.
- (4) The power to make regulations under subsection (3) is exercisable by statutory instrument; and an instrument containing such regulations is subject to annulment in pursuance of a resolution of either House of Parliament.

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**Financial Guidance and Claims Bill [Lords], *continued***

- (5) In this section, “authorised person” has the same meaning as in the Financial Services and Markets Act 2000, and “authorised persons” shall be construed accordingly.”
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Stephen Lloyd

*Not called* NC7

To move the following Clause—

**“Assessment of public preparedness for income shocks**

- (1) As part of its strategic function, the single financial guidance body must from time to time publish an assessment of the ability of members of the public to plan for and address sudden reductions in income.
- (2) An assessment under this section must consider the impact of the work of the single financial guidance body on the ability of members of the public to plan for and address sudden reductions in income.
- (3) The Secretary of State must lay before the House of Commons any assessment conducted under this section as soon as practicable after its completion.”
- 

Steve McCabe

*Not called* NC8

To move the following Clause—

**“Ban on unsolicited real-time direct approaches by, on behalf of, or for the benefit of companies carrying out claims management services and a ban on the use by claims management companies of data obtained by such methods**

- (1) The FCA must, as soon as they take responsibility for claim management companies, introduce bans on—
- (a) unsolicited real-time direct approaches to members of the public carried out by whatever means, digital or otherwise, by, on behalf of, or for the benefit of companies carrying out claims management services or their agents or representatives, and
- (b) the use for any purpose of any data by companies carrying out claims management services, their agents or representatives where they cannot demonstrate to the satisfaction of the FCA that this data does not arise from any unsolicited real-time direct approach to members of the public carried out by whatever means, digital or otherwise.
- (2) The FCA must fix the appropriate penalties for breaches of subsection (1)(a) and (b) above.”
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**Financial Guidance and Claims Bill [*Lords*], *continued***

Gareth Thomas  
 Luciana Berger  
 Stella Creasy  
 Gareth Snell  
 Stephen Doughty  
 Mr Paul Sweeney

Alex Sobel  
 Tracey Brabin  
 John Woodcock  
 Stephen Twigg  
 Jonathan Reynolds  
 Mr Adrian Bailey  
 Diana Johnson

Chris Evans  
 Mike Gapes  
 Mrs Louise Ellman  
 Anneliese Dodds  
 Seema Malhotra  
 Christina Rees

Anna Turley  
 Lucy Powell  
 Mr Chris Leslie  
 Mr Steve Reed  
 Alex Norris  
 Jim McMahon

*Not called* **31**

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

“including information about the services offered by credit unions,”

Neil Gray

*Negated on division* **39**

Clause 2, page 2, line 23, leave out from “accordingly” to the end of line 24 and insert—

“(da) to ensure the needs of people in vulnerable circumstances, including but not exclusively—

(i) those who suffer long-term sickness or disability,

(ii) carers,

(iii) those on low incomes, and

(iv) recipients of benefits,

are met and that resources are allocated in such a way as to allow specially trained advisers and guidance to be made available to them,”

Neil Gray

*Not called* **40**

Clause 2, page 2, line 36, at end insert—

“(4) The single financial guidance body must ensure it communicates to consumers using its services the difference between—

(a) provision of information,

(b) provision of guidance,

(c) provision of advice.”

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Stella Creasy

*Not called* **4**

Clause 3, page 3, line 5, at end insert—

“(c) advice to the Financial Conduct Authority on matters relating to high-cost credit”

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**Financial Guidance and Claims Bill [Lords], continued**

Crispin Blunt

*Not called* 41

Clause 3, page 3, line 16, at end insert—

“(6A) As part of its money guidance function, the single financial guidance body must make available financial guidance on the use of alternative sources of retirement income, including housing wealth, to enable members of the public to make fully informed decisions about pensions and retirement income.”

Secretary Esther McVey

*Agreed to* 10

Clause 3, page 3, line 17, leave out subsection (7) and insert—

“(7) The consumer protection function is—

- 5
- (a) to notify the FCA where, in the exercise of its other functions, the single financial guidance body becomes aware of practices carried out by FCA-regulated persons (within the meaning of section 139A of the Financial Services and Markets Act 2000) which it considers to be detrimental to consumers, and
- 10
- (b) to consider the effect of unsolicited direct marketing on consumers of financial products and services, and, in particular—
- (i) from time to time publish an assessment of whether unsolicited direct marketing is, or may be, having a detrimental effect on consumers, and
- 15
- (ii) advise the Secretary of State whether to make regulations under section (*Unsolicited direct marketing: other consumer financial products etc*) (unsolicited direct marketing: other consumer financial products etc).”

As an Amendment to Secretary Esther McVey’s proposed Amendment (10):—

Stephen Lloyd

*Not called* (a)

Line 9, leave out “from time to time” and insert “at least once every two years”

Stephen Lloyd

*Not called* 34

Clause 3, page 3, line 34, at end insert—

“(aa) the capability of members of the public to plan for and address sudden reductions in income,”

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**Financial Guidance and Claims Bill [Lords], continued**

Gareth Thomas  
 Luciana Berger  
 Stella Creasy  
 Gareth Snell  
 Stephen Doughty  
 Liam Byrne

Frank Field  
 Clive Efford  
 Chris Evans  
 David Hanson  
 Lucy Powell  
 Debbie Abrahams  
 Wes Streeting  
 Ruth Cadbury  
 Mr Chris Leslie  
 Anneliese Dodds  
 Seema Malhotra  
 Christina Rees  
 Shabana Mahmood  
 Caroline Lucas  
 Mrs Sharon Hodgson  
 Stephen Kinnock

Lisa Nandy  
 Mr Paul Sweeney  
 Anna Turley  
 Tracey Brabin  
 John Woodcock  
 Mike Amesbury  
 Stephen Timms  
 Rushanara Ali  
 Edward Milliband  
 Mr Steve Reed  
 Alex Norris  
 Jim McMahon  
 Jon Cruddas  
 Carolyn Harris  
 Matthew Pennycook

Dan Jarvis  
 Alex Sobel  
 Kate Green  
 Mike Gapes  
 Jack Dromey  
 Vicky Foxcroft  
 Chuka Umunna  
 Mrs Louise Ellman  
 Stephen Twigg  
 Jonathan Reynolds  
 Mr Adrian Bailey  
 Jonathan Edwards  
 Chris Williamson  
 Yvonne Fovargue  
 Diana Johnson

*Negated on division* 1

Clause 3, page 3, line 39, at end insert—

- “(11) In carrying out its strategic and other functions the single financial guidance body must make and publish an annual assessment of the level of different types of lending across the United Kingdom by district.
- (12) The types of lending covered by the assessment in subsection (11) should include—
- (a) high cost short term credit,
  - (b) hire purchase agreements,
  - (c) conditional sale agreements,
  - (d) open ended credit,
  - (e) other secured lending, and
  - (f) other unsecured lending.”

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Secretary Esther McVey

Page 3, line 40, leave out Clause 4

*Agreed to* 11

**Financial Guidance and Claims Bill [Lords], continued**

Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft  
Steve McCabe

*Not called* 8

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

“(2A) The single financial guidance body must, within 12 months of the passing of this Act, advise the Secretary of State on how to most effectively implement bans on—

- (a) cold-calling on behalf of, or for the benefit of companies carrying out claims management services or their agents or representatives, and
- (b) the commercial use of any data by companies carrying out claims management services, their agents or representatives where they cannot demonstrate to the satisfaction of the Secretary of State that this data was not obtained by cold-calling.

(2B) In this section “claims management services” has the same meaning as in section 419A of the Financial Services and Markets Act 2000.”

Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft  
Steve McCabe

*Not called* 9

Clause 4, page 4, line 4, leave out “may” and insert “must”

Luciana Berger  
Johnny Mercer  
Norman Lamb  
Caroline Lucas  
Heidi Alexander  
Dr Roberta Blackman-Woods

Tracy Brabin  
Richard Burden  
Stella Creasy  
Julie Elliott  
Kate Green  
Barbara Keeley  
Kerry McCarthy  
Mrs Madeleine Moon  
Mr Virendra Sharma  
Derek Twigg  
Dr Paul Williams  
Jonathan Reynolds  
Thelma Walker

Mr Ben Bradshaw  
Ruth Cadbury  
Mr Tanmanjeet Singh Dhesi  
Yvonne Fovargue  
Mrs Sharon Hodgson  
Ian C. Lucas  
Alison McGovern  
Rachel Reeves  
Ruth Smeeth  
Stephen Twigg  
Anneliese Dodds  
Melanie Onn  
James Frith

Ms Karen Buck  
Yvette Cooper  
Dr David Drew  
Hugh Gaffney  
Helen Jones  
Seema Malhotra  
Anna McMorrin  
Naz Shah  
Gareth Thomas  
Liz Twist  
Mr Steve Reed  
Gloria De Piero  
Rushanara Ali

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**Financial Guidance and Claims Bill [*Lords*], *continued***

Rosie Duffield	Helen Hayes	Wes Streeting
Mike Gapes	Diana Johnson	Yasmin Qureshi
Mr Charles Walker	Tim Farron	Ian Austin
Ann Coffey	Liz Kendall	Tulip Siddiq
Jamie Stone	Mr Edward Vaizey	Heidi Allen
Nicky Morgan	Henry Smith	Gordon Henderson
Mrs Pauline Latham	Colin Clark	Tom Tugendhat
Ruth George	Mary Creagh	John Woodcock
Ms Harriet Harman	Sarah Champion	Wera Hobhouse
Andrew Selous	Ellie Reeves	John McDonnell
Peter Dowd	Clive Lewis	Lyn Brown
Mr Alistair Carmichael	Tom Brake	George Freeman
		<i>Withdrawn after debate</i> 5

Clause 7, page 5, line 37, at end insert—

- “(ia) how it will specifically provide protections and help to individuals in receipt of mental health crisis services, including NHS mental health crisis services;
- (ib) which other mental health treatment services should be considered mental health crisis services for the purposes of this Act.”

Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft

*Not called* 3

Clause 7, page 5, line 39, at end insert—

- “(iia) the application of the scheme for duration of a person’s stay in hospital or under the care of a crisis team in their local community”

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Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft  
Yvonne Fovargue  
Caroline Lucas

*Not called* 30

Clause 8, page 6, line 15, at end insert “and must do so before 1 January 2020.”

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**Financial Guidance and Claims Bill [Lords], continued**

Luciana Berger  
 Johnny Mercer  
 Norman Lamb  
 Caroline Lucas  
 Heidi Alexander  
 Dr Roberta Blackman-Woods

Tracy Brabin  
 Richard Burden  
 Stella Creasy  
 Julie Elliott  
 Kate Green  
 Barbara Keeley  
 Kerry McCarthy  
 Mrs Madeleine Moon  
 Mr Virendra Sharma  
 Derek Twigg  
 Dr Paul Williams  
 Thelma Walker  
 Rosie Duffield  
 Mike Gapes  
 Mr Charles Walker  
 Ann Coffey  
 Jamie Stone  
 Nicky Morgan  
 Mrs Pauline Latham  
 Mary Creagh  
 Sarah Champion  
 Ellie Reeves  
 Jonathan Reynolds  
 Lyn Brown  
 George Freeman

Mr Ben Bradshaw  
 Ruth Cadbury  
 Mr Tanmanjeet Singh Dhesi  
 Yvonne Fovargue  
 Mrs Sharon Hodgson  
 Ian C. Lucas  
 Alison McGovern  
 Rachel Reeves  
 Ruth Smeeth  
 Stephen Twigg  
 Melanie Onn  
 James Frith  
 Helen Hayes  
 Diana Johnson  
 Tim Farron  
 Liz Kendall  
 Mr Edward Vaizey  
 Henry Smith  
 Colin Clark  
 John Woodcock  
 Wera Hobhouse  
 John McDonnell  
 Clive Lewis  
 Mr Alistair Carmichael

Ms Karen Buck  
 Yvette Cooper  
 Dr David Drew  
 Hugh Gaffney  
 Helen Jones  
 Seema Malhotra  
 Anna McMorrin  
 Naz Shah  
 Gareth Thomas  
 Liz Twist  
 Gloria De Piero  
 Rushanara Ali  
 Wes Streeting  
 Yasmin Qureshi  
 Ian Austin  
 Tulip Siddiq  
 Heidi Allen  
 Gordon Henderson  
 Ruth George  
 Ms Harriet Harman  
 Andrew Selous  
 Peter Dowd  
 Anneliese Dodds  
 Tom Brake

*Not called* 6

Clause 8, page 6, line 16, at end insert—

- “(3A) A debt respite scheme established by regulations under this section must, specifically, provide protection and help to individuals in receipt of mental health crisis services as well as any other types of individual provided for by regulations under this section.
- (3B) The regulations must define which services should be considered “mental health crisis services” for the purpose of this Act in addition to the definition in section 25 of this Act.
- (3C) A debt respite scheme established by regulations under this section shall be accessible to individuals in receipt of mental health crisis services irrespective of whether those individuals have accessed debt advice.”
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**Financial Guidance and Claims Bill [Lords], *continued***

Yvonne Fovargue  
 Jack Dromey  
 Vicky Foxcroft  
 Mike Amesbury

*Not called* **42**

Clause **10**, page **7**, line **22**, at end insert “and to whether the standards are proportionate”.

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Secretary Esther McVey

*Agreed to* **12**

Clause **18**, page **14**, line **17**, after “where” insert “—

- (i) the disclosure is for the purpose of enabling or facilitating the exercise of the consumer protection function, or
- (ii) ”

Secretary Esther McVey

*Agreed to* **43**

Clause **18**, page **14**, line **26**, leave out “Data Protection Act 1998” and insert “data protection legislation”

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Secretary Esther McVey

*Agreed to* **13**

Clause **19**, page **14**, line **40**, leave out from beginning to end of line 8 on page 15 and insert—

“(1B) As part of the application process, the trustees or managers must ensure that—

- (a) the member or survivor is referred to appropriate pensions guidance, and
- (b) the member or survivor is provided with an explanation of the nature and purpose of such guidance.

5 (1C) Before proceeding with the application, the trustees or managers must ensure that the member or survivor has either received appropriate pensions guidance or has opted out of receiving such guidance.”

As Amendments to Secretary Esther McVey’s proposed Amendment (13):—

Frank Field

*Not called* **(a)**

Line **2**, after “appropriate” insert “independent and impartial”

Frank Field

*Not called* **(b)**

Line **6**, after “appropriate” insert “independent and impartial”

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**Financial Guidance and Claims Bill [Lords], continued**

Frank Field

*Not called (c)*

Line 6, leave out from second “or” to end of line 7 and insert “has indicated to the provider of appropriate independent and impartial pensions guidance the desire to opt out of receiving such guidance.”

Secretary Esther McVey

*Agreed to 14*

Clause 19, page 15, line 10, leave out from “guidance” to end of line 11

Secretary Esther McVey

*Agreed to 15*

Clause 19, page 15, line 14, at end insert—

“( ) make further provision about how, and to whom, a member or survivor may indicate that they have received or opted out of receiving appropriate pensions guidance for the purposes of subsection (1C);”

As an Amendment to Secretary Esther McVey’s proposed Amendment (15):—

Frank Field

*Not called (a)*

Line 2, leave out from “received” to end of line 3 and insert “appropriate independent and impartial pensions guidance, or have indicated to the provider of this guidance that they wish to opt out, for the purposes of subsection (1C);”

Secretary Esther McVey

*Agreed to 16*

Clause 19, page 15, leave out line 17 and insert “communication that is made for the purposes of complying with the duty in subsection (1C)”

Secretary Esther McVey

*Agreed to 17*

Clause 20, page 16, line 10, leave out from beginning to end of line 23 and insert—

“(2) As part of the application process, the trustees or managers must ensure that—

(a) the beneficiary is referred to appropriate pensions guidance, and

(b) the beneficiary is provided with an explanation of the nature and purpose of such guidance.

5 (3) Before proceeding with the application, the trustees or managers must ensure that the beneficiary has either received appropriate pensions guidance or has opted out of receiving such guidance.”

As Amendments to Secretary Esther McVey’s proposed Amendment (17):—

Frank Field

*Not called (a)*

Line 2, after “appropriate” insert “independent and impartial”

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**Financial Guidance and Claims Bill [Lords], continued**

Frank Field

*Not called* (b)

Line 6, after “appropriate” insert “independent and impartial”

Frank Field

*Not called* (c)

Line 6, leave out from “or” to end of line and insert “has indicated to the provider of appropriate independent and impartial pensions guidance the desire to opt out of receiving such guidance.”

Secretary Esther McVey

*Agreed to* 18

Clause 20, page 16, line 25, leave out from “guidance” to end of line 26

Secretary Esther McVey

*Agreed to* 19

Clause 20, page 16, line 29, at end insert—

“( ) make further provision about how, and to whom, a beneficiary may indicate that they have received or opted out of receiving appropriate pensions guidance for the purposes of subsection (3);”

As an Amendment to Secretary Esther McVey’s proposed Amendment (19):—

Frank Field

*Not called* (a)

Line 2, leave out from “received” to end of line 3 and insert “appropriate independent and impartial pensions guidance, or have indicated to the provider of this guidance that they wish to opt out, for the purposes of subsection (3);”

Secretary Esther McVey

*Agreed to* 20

Clause 20, page 16, line 31, leave out from second “a” to end of line 32 and insert “communication that is made for the purposes of complying with the duty in subsection (3)”

Secretary Esther McVey

*Agreed to* 21

Clause 20, page 17, line 27, leave out from beginning to end of line 40 and insert—

“(2) As part of the application process, the trustees or managers must ensure that—

(a) the beneficiary is referred to appropriate pensions guidance, and

(b) the beneficiary is provided with an explanation of the nature and purpose of such guidance.

5 (3) Before proceeding with the application, the trustees or managers must ensure that the beneficiary has either received appropriate pensions guidance or has opted out of receiving such guidance.”

As Amendments to Secretary Esther McVey’s proposed Amendment (21):—

Frank Field

*Not called* (a)

Line 2, after “appropriate” insert “independent and impartial”

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**Financial Guidance and Claims Bill [Lords], continued**

Frank Field

*Not called* (b)

Line 6, after “appropriate” insert “independent and impartial”

Frank Field

*Not called* (c)

Line 6, leave out from “or” to end of line and insert “has indicated to the provider of appropriate independent and impartial pensions guidance the desire to opt out”

Secretary Esther McVey

*Agreed to* 22

Clause 20, page 17, line 42, leave out from “guidance” to end of line 43

Secretary Esther McVey

*Agreed to* 23

Clause 20, page 17, line 46, at end insert—

“( ) make further provision about how, and to whom, a beneficiary may indicate that they have received or opted out of receiving appropriate pensions guidance for the purposes of subsection (3);”

As an Amendment to Secretary Esther McVey’s proposed Amendment (23):—

Frank Field

*Not called* (a)

Line 2, leave out from “received” to end of line 3 and insert “appropriate independent and impartial pensions guidance, or have indicated to the provider of this guidance that they wish to opt out, for the purposes of subsection (3);”

Secretary Esther McVey

*Agreed to* 24

Clause 20, page 18, line 2, leave out from second “a” to end of line 3 and insert “communication that is made for the purposes of complying with the duty in subsection (3)”

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Secretary Esther McVey

That Clause 22 be transferred to the beginning of line 1 on page 21.

*Agreed to*

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Secretary Esther McVey

*Agreed to* 25

Clause 25, page 21, line 2, at end insert—

“the “consumer protection function” has the meaning given in section 3(7);”

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**Financial Guidance and Claims Bill [*Lords*], *continued***

Secretary Esther McVey

*Agreed to* 44

Clause 25, page 21, line 2, at end insert—

““the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);”

Secretary Esther McVey

*Agreed to* 26

Clause 25, page 21, line 7, at end insert—

““direct marketing” means the communication (by whatever means) of advertising or marketing material which is directed to particular individuals;”

Luciana Berger  
Johnny Mercer  
Norman Lamb  
Caroline Lucas  
Heidi Alexander  
Dr Roberta Blackman-Woods

Tracy Brabin  
Richard Burden  
Stella Creasy  
Julie Elliott  
Kate Green  
Barbara Keeley  
Kerry McCarthy  
Mrs Madeleine Moon  
Mr Virendra Sharma  
Derek Twigg  
Dr Paul Williams  
Thelma Walker  
Rosie Duffield  
Mike Gapes  
Mr Charles Walker  
Ann Coffey  
Jamie Stone  
Nicky Morgan  
Mrs Pauline Latham  
Ruth George  
Ms Harriet Harman  
Andrew Selous  
Jonathan Reynolds  
Lyn Brown  
George Freeman

Mr Ben Bradshaw  
Ruth Cadbury  
Mr Tanmanjeet Singh Dhesi  
Yvonne Fovargue  
Mrs Sharon Hodgson  
Ian C. Lucas  
Alison McGovern  
Rachel Reeves  
Ruth Smeeth  
Stephen Twigg  
Melanie Onn  
James Frith  
Helen Hayes  
Diana Johnson  
Tim Farron  
Liz Kendall  
Mr Edward Vaizey  
Henry Smith  
Colin Clark  
Mary Creagh  
Sarah Champion  
John McDonnell  
Clive Lewis  
Mr Alistair Carmichael

Ms Karen Buck  
Yvette Cooper  
Dr David Drew  
Hugh Gaffney  
Helen Jones  
Seema Malhotra  
Anna McMorrin  
Naz Shah  
Gareth Thomas  
Liz Twist  
Gloria De Piero  
Rushanara Ali  
Wes Streeting  
Yasmin Qureshi  
Ian Austin  
Tulip Siddiq  
Heidi Allen  
Gordon Henderson  
Tom Tugendhat  
John Woodcock  
Wera Hobhouse  
Peter Dowd  
Anneliese Dodds  
Tom Brake

*Not called* 7

Clause 25, page 21, line 9, at end insert—

““NHS Mental health crisis services” means services provided by NHS England, NHS Wales, or Health and Social Care in Northern Ireland in order to treat acute crises in mental health, whether arising from either acute or chronic mental health conditions.”

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**Financial Guidance and Claims Bill [Lords], continued**

Secretary Esther McVey

*Agreed to* 45

Clause 36, page 35, line 6, at end insert—

“( ) section (*Unsolicited direct marketing: pensions*);”

Secretary Esther McVey

*Agreed to* 46Clause 36, page 35, line 25, after “Sections” insert (*Unsolicited direct marketing: other consumer financial products etc*) and”

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Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft

*Not called* 37

Schedule 1, page 38, line 4, at end insert—

“3A (1) The term of office of a person appointed as chair under paragraph 2(1)(a) must not begin before—

- (a) the person has, in connection with the appointment, appeared before the Work and Pensions Committee of the House of Commons, or
  - (b) (if earlier) the end of the period of 3 months beginning with the day on which the appointment is made.
- (2) Sub-paragraph (1) does not apply if the person is appointed as chair on an acting basis, pending a further appointment being made.
- (3) The reference to the Work and Pensions Committee of the House of Commons—
- (a) if the name of that Committee is changed, is a reference to that Committee by its new name, and
  - (b) if the functions of that Committee (or substantially corresponding functions) become functions of a different Committee of the House of Commons, is to be treated as a reference to the Committee by which the functions are exercisable.
- (4) Any question arising under sub-paragraph (3) is to be determined by the Speaker of the House of Commons.”

Jack Dromey  
Debbie Abrahams  
Mike Amesbury  
Vicky Foxcroft

*Not called* 38

Schedule 1, page 38, line 41, at end insert:

“6A (1) The term of office of a person appointed as chief executive under paragraph 6(1)(a) must not begin before—

- (a) the person has, in connection with the appointment, appeared before the Work and Pensions Committee of the House of Commons, or
  - (b) (if earlier) the end of the period of 3 months beginning with the day on which the appointment is made.
- (2) Sub-paragraph (1) does not apply if the person is appointed as chief executive on an acting basis, pending a further appointment being made.

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**Financial Guidance and Claims Bill [*Lords*], *continued***

- (3) The reference to the Work and Pensions Committee of the House of Commons—
- (a) if the name of that Committee is changed, is a reference to that Committee by its new name, and
  - (b) if the functions of that Committee (or substantially corresponding functions) become functions of a different Committee of the House of Commons, is to be treated as a reference to the Committee by which the functions are exercisable.
- (4) Any question arising under sub-paragraph (3) is to be determined by the Speaker of the House of Commons.”
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Gareth Thomas  
 Luciana Berger  
 Stella Creasy  
 Gareth Snell  
 Stephen Doughty  
 Liam Byrne

Frank Field  
 Clive Efford  
 Chris Evans  
 David Hanson  
 Lucy Powell  
 Debbie Abrahams  
 Wes Streeting  
 Ruth Cadbury  
 Mr Chris Leslie  
 Anneliese Dodds  
 Seema Malhotra  
 Christina Rees  
 Shabana Mahmood  
 Caroline Lucas  
 Mrs Sharon Hodgson  
 Stephen Kinnock

Lisa Nandy  
 Mr Paul Sweeney  
 Anna Turley  
 Tracey Brabin  
 John Woodcock  
 Mike Amesbury  
 Stephen Timms  
 Rushanara Ali  
 Edward Milliband  
 Mr Steve Reed  
 Alex Norris  
 Jim McMahan  
 Jon Cruddas  
 Carolyn Harris  
 Matthew Pennycook

Dan Jarvis  
 Alex Sobel  
 Kate Green  
 Mike Gapes  
 Jack Dromey  
 Vicky Foxcroft  
 Chuka Umunna  
 Mrs Louise Ellman  
 Stephen Twigg  
 Jonathan Reynolds  
 Mr Adrian Bailey  
 Jonathan Edwards  
 Chris Williamson  
 Yvonne Fovargue  
 Diana Johnson

*Not called* 2

Schedule 3, page 45, line 8, at end insert—

“17A(1) Section 165 (regulators’ power to require information: authorised persons etc) is amended as follows.

(2) In subsection (4) after paragraph (b) insert—

- (c) in relation to the exercise by the FCA of the powers conferred by subsections (1) and (3), information and documents reasonably required by the single financial guidance body in connection with the exercise by the body of its functions as set out in section 3 of the Financial Guidance and Claims Act 2018.”
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**Financial Guidance and Claims Bill [*Lords*], *continued***

Secretary Esther McVey

*Agreed to* 47

Schedule 4, page 47, line 17, at end insert—

““the data protection legislation” has the same meaning as in the Data Protection Act 2018 (see section 3 of that Act);”

Secretary Esther McVey

*Agreed to* 48

Schedule 4, page 49, line 32, leave out “Data Protection Act 1998” and insert “data protection legislation”

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Secretary Esther McVey

*Agreed to* 28

Title, line 2, leave out “cold-calling and”

Secretary Esther McVey

*Agreed to* 29

Title, line 3, at end insert “to provide a power to make regulations prohibiting unsolicited direct marketing in relation to pensions and other consumer financial products and services;”

*Bill read the third time and passed, with Amendments.*

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