



House of Commons

Tuesday 4 December 2018

PUBLIC BILL COMMITTEE PROCEEDINGS

COURTS AND TRIBUNALS (JUDICIARY AND FUNCTIONS OF STAFF) BILL [*LORDS*]

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.

Negated: rejected without a vote.

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Lucy Frazer

Agreed to

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 4 December) meet—
 - (a) at 2.00 pm on Tuesday 4 December;
 - (b) at 11.30 am and 2.00 pm on Thursday 6 December;
- (2) the proceedings shall be taken in the following order: Clauses 1 to 3; the Schedule; Clause 4; new Clauses; new Schedules; remaining proceedings on the Bill;

Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords], continued

- (3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 6 December.

Lucy Frazer

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Agreed to

Clause 1 agreed to.

Clause 2 agreed to.

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Negatived on division 2

Clause 3, page 3, line 24, leave out subsection 3 and insert—

- “(3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before Parliament and approved by a resolution of each House.”

Clause agreed to.

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Negatived on division 3

Schedule, page 6, line 36, at end insert—

- “(aa) is a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification, and”

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Not called 4

Schedule, page 8, line 31, at end insert—

- “() is a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification, and”

Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords], continued

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Not called 5

Schedule, page 11, line 12, at end insert “and if they are a qualified solicitor, barrister or chartered legal executive with more than three years’ experience post-qualification”

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Negated on division 6

Schedule, page 11, line 32, leave out subsection 67C and insert—

“67C Right to judicial reconsideration of decision made by an authorised person

A party to any decision made by an authorised person in the execution of the person’s duty as an authorised person exercising a relevant judicial function, by virtue of section 67B(1), may apply in writing, within 14 days of the service of the order, to have the decision reconsidered by a judge of the relevant court within 14 days from the date of application.”

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Negated on division 8

Schedule, page 11, line 40, at end insert—

“(2A) In reaching its decision under sub-paragraph 2 above, the authority must consider whether the function is capable of having a material impact on the substantive rights of the parties.”

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Negated on division 7

Schedule, page 19, line 21, at end insert—

“(7A) A party to any decision made by an authorised person in the execution of the person’s duty as an authorised person exercising functions of a tribunal, by virtue of this subsection, may apply in writing, within 14 days of the service of the order, to have the decision reconsidered by a judge of the relevant tribunal within 14 days from the date of the application.”

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Not called 9

Schedule, page 19, line 39, at end insert—

Courts and Tribunals (Judiciary and Functions of Staff) Bill [Lords], continued

“(2A) In reaching its decision the Committee must consider whether the function is capable of having a material impact on the substantive rights of the parties.”

Schedule agreed to.

Lucy Frazer

Clause 4, page 4, line 6, leave out subsection (8)

Agreed to **1**

Clause, as amended, agreed to.

Richard Burgon
Yasmin Qureshi
Gloria De Piero
Imran Hussain
Lloyd Russell-Moyle

Negatived on division **NC1**

To move the following Clause—

“Review of the delegation of legal advice and judicial functions to authorised staff

- (1) Within the period of three years from the coming into force of this Act, the Lord Chancellor must arrange for a review to be undertaken on the impact of the implementation of the provisions contained within section 3 and the Schedule to this Act.
- (2) A report setting out the findings of the review must be laid before both Houses of Parliament.”

Bill, as amended, to be reported.
