
Report Stage: Tuesday 23 November 2021

Elections Bill, As Amended (Amendment Paper)

This document lists all amendments tabled to the Elections Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

New Amendments: NC9

Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Brendan O'Hara
Patrick Grady

NC1

To move the following Clause—

“Voting from age 16 in parliamentary elections

In section 1(1)(d) of the Representation of the People Act 1983
(definition of voting age for parliamentary elections), for “18” substitute
“16”.”

Member’s explanatory statement

This new clause would lower the voting age to 16 in UK parliamentary elections.

Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss

NC2

To move the following Clause—

“Permissible donors

- (1) Section 54 (permissible donors) of PPERA is amended as follows.
- (2) In subsection (2)(a), after “register” insert “at the time at which the donation is made, but not an individual so registered as an overseas elector;”

Member's explanatory statement

This new clause would prevent overseas electors donating to political parties in the UK.

Brendan O'Hara
Patrick Grady

NC3

To move the following Clause—

"Citizens' assembly on electoral systems

- (1) The Secretary of State must establish a citizens' assembly representative of the population aged 16 and over to consider electoral systems in the United Kingdom.
- (2) The Secretary of State must, for each category of election reformed by section (Simple majority system to be used in elections for certain offices), provide to the assembly a report assessing the effects of the reforms on the matters in subsection (3).
- (3) The matters are—
 - (a) voter engagement and understanding,
 - (b) electoral integrity,
 - (c) fairness and proportionality.
- (4) A report under subsection (2) must be provided to the assembly no later than three months after the first election in each category of election after this section comes into force.
- (5) The assembly must—
 - (a) consider the reports under subsection (2),
 - (b) consider other evidence relating to the matters in subsection (3).
- (6) The assembly may make recommendations for legislative or policy change, including for parliamentary elections."

Brendan O'Hara
Patrick Grady

NC4

To move the following Clause—

"Automatic Voter Registration

- (1) It is a duty of—
 - (a) the Secretary of State; and
 - (b) registration officersto take all reasonable steps to ensure that persons eligible to register to vote in elections in the United Kingdom are so registered.
- (2) The Secretary of State must by regulations require public bodies to provide information to registration officers in accordance with the duty under subsection (1).
- (3) Regulations under subsection (2) must apply to public bodies including but not limited to—

- (a) HM Revenue and Customs;
 - (b) the Driver and Vehicle Licensing Agency;
 - (c) the National Health Service;
 - (d) NHS Scotland;
 - (e) all types of state funded schools;
 - (f) local authorities;
 - (g) the Department for Work and Pensions;
 - (h) HM Passport Office;
 - (i) police forces;
 - (j) the TV Licensing Authority.
- (4) Registration officers must—
- (a) use the information provided under regulations under subsection (2) to register otherwise unregistered persons on the appropriate electoral register or registers, or
 - (b) if the information provided does not contain all information necessary to register a person who may be eligible, contact that person for the purpose of obtaining the required information to establish whether they are eligible to register and, if so, register them on the appropriate electoral register or registers.
- (5) If a registration officer has registered a person under subsection (4), the officer must notify that person within 30 days and give that person an opportunity to correct any mistaken information.
- (6) The Secretary of State may issue guidance to registration officers on fulfilling their duties under this section.
- (7) Where a person is registered under subsection (4), that person shall be omitted from the edited register unless that person notifies the registration officer to the contrary.
- (8) Nothing in this section affects entitlement to register to vote anonymously."

Brendan O'Hara
Patrick Grady

NC5

To move the following Clause—

"Voting by convicted persons sentenced to terms of 12 months or less

In section 3(1A) (exceptions to the disenfranchisement of prisoners) of the Representation of the People Act 1983, after "Scotland" insert "or a parliamentary election"."

Member's explanatory statement

This new clause would allow prisoners serving a sentence of 12 months or less to vote in UK parliamentary elections.

Brendan O'Hara
Patrick Grady

NC6

To move the following Clause—

“Voting by qualifying foreign nationals

In section 1(1) (entitlement to vote in parliamentary elections) of the Representation of the People Act 1983, for paragraph (c) substitute—

“(c) is a Commonwealth citizen, a citizen of the Republic of Ireland or a qualifying foreign national; and”

Member’s explanatory statement

This new clause would allow foreign nationals who either do not need leave to remain in the UK or have been granted such leave to vote in UK parliamentary elections.

Brendan O'Hara
Patrick Grady

NC7

To move the following Clause—

“Voting by EU nationals

In section 1(1) (entitlement to vote in parliamentary elections) of the Representation of the People Act 1983, for paragraph (c) substitute—

“(c) is a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the Union; and”

Member’s explanatory statement

This new clause would allow EU citizens to vote in UK parliamentary elections.

Brendan O'Hara
Patrick Grady

NC8

To move the following Clause—

“Fines for electoral offences

- (1) The Political Parties, Elections and Referendums (Civil Sanctions) Order 2010 is amended as follows.
- (2) In Schedule 1, paragraph 5, leave out “£20,000” and insert “£500,000, or 5% of the total spend by the organisation or individual being penalised in the election to which the offence relates, whichever is greater”.

Member’s explanatory statement

This new clause would allow the Electoral Commission to impose increased fines for electoral offences.

Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss

NC9

★ To move the following Clause—

“Permissible donors to be based in the United Kingdom and associated offences

- (1) Section 54 of PPERA (permissible donors) is amended in accordance with subsections (2) to (5).
- (2) At the end of subsection (2)(a), insert “ordinarily resident in the United Kingdom, and domiciled in the United Kingdom for purposes of individual taxation.”
- (3) After subsection (2)(b)(ii) insert—
 - “(iii) employing a majority of its staff at locations within the United Kingdom, and
 - (iv) employing at least five staff within the United Kingdom”.
- (4) At the end of subsection (2)(f), insert “has a majority of partners who are on a UK electoral register, are ordinarily resident in the United Kingdom and are domiciled in the United Kingdom for purposes of individual taxation, employs a majority of its staff at locations within the United Kingdom, and employs at least five staff within the United Kingdom.”
- (5) At the end of subsection (2)(h), insert “has a majority of those persons with significant control who are on a UK electoral register, are ordinarily resident in the United Kingdom and are domiciled in the United Kingdom for purposes of individual taxation, and also either employs no staff at all, or employs a majority of its staff at locations within the United Kingdom.”
- (6) Section 61 of PPERA (offences concerned with evasion of restrictions on donations) is amended in accordance with subsection (7).
- (7) After subsection (2) insert—

“(3) A person commits an offence if they are a director of a company, hold a position of significant control in an unincorporated association, or are a partner in a limited liability partnership, and that company, association or partnership—

 - (a) is not a permissible donor and offers a donation to a political party (whether the donation is accepted or not), or
 - (b) commits, or otherwise causes to be committed, an act which were the body be a person, would be an offence under subsection (1) or (2).”

Member's explanatory statement

This new clause makes requirements for individual and company donors to be based in the United Kingdom and makes persons running companies liable for donation restriction evasion offences committed by those companies.

Cat Smith 1
 Fleur Anderson
 Kate Hollern
 Nick Smith
 Gill Furniss

Page 1, line 4, leave out Clause 1

Member's explanatory statement

This amendment would remove the Voter ID provisions.

Brendan O'Hara 6
 Patrick Grady

Clause 3, page 2, line 20, after "partner" insert "cohabitant"

Member's explanatory statement

This amendment would ensure that the cohabittees of those who receive a postal voting document do not commit an offence by handling such a document.

Brendan O'Hara 8
 Patrick Grady

Clause 3, page 2, line 25, leave out "dishonestly"

Member's explanatory statement

This amendment probes the necessity of adding a further test of dishonesty to the defence in subsection (4) of the inserted provision 112A.

Brendan O'Hara 7
 Patrick Grady

Clause 3, page 3, line 15, at end insert—

““cohabitant” means either member of a couple consisting of two persons of the same or opposite sex who are (or were) living together as if they were married or civil partners.”

Member's explanatory statement

This amendment would ensure that the cohabittees of those who receive a postal voting document do not commit an offence by handling such a document.

Cat Smith
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss
Caroline Nokes

2

Clause 8, page 11, leave out lines 20 to 31 and insert—

- “(a) in paragraph (3A)(b), for “a device” substitute “equipment”;
- (b) after paragraph (3A)(b) insert—
 - “(c) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote in the manner directed by rule 37.”;
- (c) after paragraph (3A) insert—
 - “(3B) In paragraph (3A)(c), “relevant persons” means persons who find it difficult or impossible to vote in the manner directed by rule 37 because of a disability.””

Member's explanatory statement

This amendment would retain the requirement for returning officers to make specific provision at polling stations to enable voters who are blind or partially-sighted to vote without any need for assistance from the presiding officer or any companion and change the nature of that provision from “a device” to “equipment”.

Brendan O'Hara
Patrick Grady

4

Clause 13, page 22, line 19, at end insert—

- “(4A) The Secretary of State may not designate the statement under section 4A unless the Scottish Parliament has, before the end of the 40-day period, passed a motion of the form “That the Parliament approves the draft Electoral Commission strategy and policy statement so far as it relates to the Commission's devolved Scottish functions”.”

Member's explanatory statement

This amendment would require the Scottish Parliament to approve an Electoral Commission strategy and policy statement so far as it relates to the Commission's devolved Scottish functions before the strategy could have effect.

Cat Smith 3
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss

Page 37, line 5, leave out Clause 26

Member's explanatory statement

This amendment would remove the provisions relating to joint campaigning by registered parties and third parties.

Cat Smith 5
Fleur Anderson
Kate Hollern
Nick Smith
Gill Furniss

Page 65, line 2, leave out Schedule 1

Member's explanatory statement

This amendment is consequential on Amendment 1.

Order of the House

[7 September 2021]

That the following provisions shall apply to the Elections 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 Wednesday 3 November 2021.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on 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 proceedings on Consideration 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 may be programmed.
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