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Committee Stage: Friday 7 January 2022

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## Dormant Assets Bill [Lords] (Amendment Paper)

This document lists all amendments tabled to the Dormant Assets Bill [Lords]. Any withdrawn amendments are listed at the end of the document.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: 4 and 5 and NC1 and NC2

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Alex Davies-Jones  
Jeff Smith

5

★ Clause 29, page 22, line 11, at end insert—

“(1A) An order under subsection (1) must be consistent with criteria published by the Secretary of State setting out the principles to be used when making a determination as to whether restrictions, or no specific restrictions, are to be applied to distributed dormant assets money for meeting English expenditure.

(1B) Prior to publishing the criteria under subsection (1A), the Secretary of State must consult on the purposes for which the dormant assets money may be distributed, and the criteria to be applied therein.

(1C) A consultation under subsection (1B) must conclude not more than 3 months after it is announced.”

**Member’s explanatory statement**

This amendment would require the Secretary of State to publish and apply criteria to be used when determining for what purposes dormant assets money can be distributed. The criteria must be the subject of a consultation which must last no longer than 3 months.

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Nigel Huddleston

1

Clause 29, page 22, line 12, leave out subsections (2) to (4)

**Member’s explanatory statement**

This amendment removes provisions relating to community wealth funds that were added to the clause at Report stage in the Lords.

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Paul Howell 3  
 Dame Diana Johnson  
 Sarah Champion  
 Barbara Keeley  
 Rosie Cooper  
 Andrew Lewer  
 Sir George Howarth Mrs Emma Lewell-Buck

Clause 29, page 22, line 37, at end insert—

“(aa) specifically consult on the merits of establishing a community wealth fund or funds under the dormant assets scheme, and”

**Member’s explanatory statement**

This is a probing amendment intended to ensure the scope of any Government’s proposed consultation process also encompasses full consideration of the merits of establishing a community wealth fund or funds under the dormant assets scheme.

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Alex Davies-Jones 4  
 Jeff Smith

★ Clause 29, page 22, line 41, at end insert—

**“18B Distribution of money for meeting English expenditure:  
 Requirement to report annually**

- (1) The Secretary of State must lay before Parliament an annual report detailing how dormant assets money has been distributed in England.
- (2) The first report under subsection (1) will be laid 12 months after—
  - (a) any restriction imposed under section 18A(1)(a) of that Act comes into force, or
  - (b) the provision mentioned in section 18A(1)(b) of that Act comes into force,

whichever occurs first. Subsequent reports shall be made every 12 months thereafter.

- (3) A report under subsection (1) must include—
  - (a) how much dormant assets money has been distributed,
  - (b) to which causes the money has been distributed, and
  - (c) the Secretary of State’s assessment of the value for money achieved through the English expenditure provided for by dormant assets money.”

**Member’s explanatory statement**

This amendment would require the Secretary of State to report annually on how monies from the Reclaim Fund have been spent in England, including an assessment of the value for money of this spending.

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Nigel Huddleston

2

Clause 34, page 26, line 3, leave out subsection (8)

**Member's explanatory statement**

This amendment removes the Lords' Privilege Amendment that was added to the Bill because of the financial effects of clause 27. Those effects are covered by the Money Resolution agreed by the House on 6 December 2021.

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Alex Davies-Jones  
Jeff Smith

NC1

★ To move the following Clause—

**“Authorised reclaim fund: Duty to assess and report**

- (1) The Secretary of State must make an assessment of authorised reclaim funds. The assessment must be reported to Parliament.
- (2) The first report under subsection (1) will be laid 12 months after—
  - (a) any restriction imposed under section 18A(1)(a) of that Act comes into force, or
  - (b) the provision mentioned in section 18A(1)(b) of that Act comes into force,
 whichever occurs first. Subsequent reports shall be made every 12 months thereafter.
- (3) An assessment under subsection (1) must include an evaluation of the health and governance of the Fund in relation to the potential for insolvency.”

**Member's explanatory statement**

This new clause would require the Secretary of State to regularly assess the health and governance of reclaim funds in relation to the potential for insolvency, and to report on this to Parliament annually.

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Alex Davies-Jones  
Jeff Smith

NC2

★ To move the following Clause—

**“Reclaim funds: Apportionment of expenditure**

- (1) An authorised reclaim fund may conduct a review of the proportion of dormant asset money that may be spent on particular causes.
- (2) Following a review under subsection (1), an authorised reclaim fund may make an assessment and recommendation as to whether this proportion should be increased.

- (3) The Secretary of State may, by order, make regulation to change the proportion of dormant asset money that may be spent on particular causes, in line with any recommendation made pursuant to subsection (2)."

**Member's explanatory statement**

This new clause would allow reclaim funds to review the proportion of funds they are able to give towards good causes, and make an assessment and recommendation as to whether this proportion could be increased. It would also give the Secretary of State power to implement such a recommendation.

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## Order of the House

**[6 December 2021]**

That the following provisions shall apply to the Dormant Assets Bill [Lords]:

**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 Thursday 13 January 2022.
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 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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