
Report Stage: Tuesday 22 February 2022

Professional Qualifications Bill [Lords], As Amended

(Amendment Paper)

This document lists all amendments tabled to the Professional Qualifications [Lords] 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 Any withdrawn amendments are listed at the end of the document.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: 1 and NC1

Secretary Kwasi Kwarteng

NC1

★ To move the following Clause—

“Consultation with devolved authorities

- (1) Before making regulations under this Act, the Secretary of State or the Lord Chancellor must consult—
 - (a) the Welsh Ministers, to the extent that the regulations contain provision which could also be made by the Welsh Ministers by virtue of section 16(2) (ignoring any requirement for the consent of a Minister of the Crown under section 16(5));
 - (b) the Scottish Ministers, to the extent that the regulations contain provision which could also be made by the Scottish Ministers by virtue of section 16(3);
 - (c) a Northern Ireland department, to the extent that the regulations contain provision which could also be made by a Northern Ireland department by virtue of section 16(4).
- (2) The Northern Ireland department which is to be consulted in accordance with subsection (1)(c) is such Northern Ireland department as the Secretary of State or (as the case may be) the Lord Chancellor considers appropriate having regard to the provision which is to be contained in the regulations concerned.
- (3) Before making regulations under this Act in relation to which the Secretary of State or the Lord Chancellor has consulted a devolved authority (or more than one devolved authority) in accordance with subsection (1), the Secretary of State or (as the case may be) the Lord Chancellor must publish a report on the consultation.
- (4) But the Secretary of State or (as the case may be) the Lord Chancellor may not publish the report unless either—

- (a) the devolved authority concerned (or, if more than one, each of them) has agreed to the description included in the report for the purposes of subsection (5)(a), or
 - (b) there is no such agreement but the period of 30 days, beginning with the day on which a draft of the report was first sent to the devolved authority concerned (or, if more than one, the last of them), has expired.
- (5) The report on the consultation must include—
- (a) a description of—
 - (i) the process undertaken in order to comply with subsection (1), and
 - (ii) any agreement, objection or other views expressed as part of that process by the devolved authority (or devolved authorities) concerned, and
 - (b) an explanation of whether and how such views have been taken into account in the regulations (including, in a case where the Secretary of State or (as the case may be) the Lord Chancellor proposes to make the regulations despite an objection, an explanation of the reasons for doing so).
- (6) The duty to consult in subsection (1) does not apply in relation to any revision of the regulations which arises from the consultation; and, for the purposes of subsection (4)(b), the draft report need not be identical to the published report for the period of 30 days to begin.
- (7) In this section “devolved authority” means the Scottish Ministers, the Welsh Ministers or a Northern Ireland department.”

Member’s explanatory statement

This new clause requires the Secretary of State or Lord Chancellor to consult the devolved authorities before making regulations under the Bill that contain provision which could be made under the Bill by the devolved authorities themselves and to publish a report on the consultation.

Secretary Kwasi Kwarteng

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★ Clause 16, page 12, line 7, at end insert—

- “(7) In Schedule 7B to the Government of Wales Act 2006 (general restrictions on legislative competence of Senedd Cymru) in paragraph 11(6)(b) (exceptions to restrictions relating to Ministers of the Crown)—
- (a) omit the “or” at the end of paragraph (vi), and
 - (b) after paragraph (vii) insert “; or
(viii) the Professional Qualifications Act 2022”.”

Member’s explanatory statement

This amendment means that the Secretary of State’s consent is not needed for Senedd Cymru to be able to remove the powers that the Secretary of State and the Lord Chancellor have under the Bill to make regulations that are within the legislative competence of the Senedd.

Order of the House

[15 December 2021]

That the following provisions shall apply to the Professional Qualifications 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 20 January 2022.
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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