
Lords Amendments: Wednesday 27 April 2022

Elections Bill

(Motions relating to Lords Amendments)

This document should be read alongside the amendments the Lords have made to this Bill and the Speaker's provisional selection and grouping.

This paper sets out any motions to disagree, change or comment on amendments proposed by the Lords.

The motions are arranged in the order in which it is expected they will be decided.

★ New Amendments.

New Amendments: LA22 (a) to (i) and LA23 (a) to (k)

On Consideration of Lords Amendments to the Elections Bill

Lords Amendment No. **22**

Kemi Badenoch

To move, That this House disagrees with the Lords in their Amendment.

Kemi Badenoch

To move the following Amendments to the words so restored to the Bill:—

- (a)
- ★ Page 21, line 13, at end insert—
- “(3A) The statement must not include provision in relation to elections, referendums and other matters so far as the provision would relate to the Commission's devolved Scottish functions or the Commission's devolved Welsh functions.”
- (b)
- ★ Page 21, line 15, at end insert—
- “(5) For the purposes of subsection (3A)—
- (a) the Commission's “devolved Scottish functions” are the Commission's functions in relation to—
- (i) Scottish Parliamentary general elections, elections held under section 9 of the Scotland Act 1998 (constituency

vacancies), and local government elections in Scotland, so far as those functions do not relate to reserved matters within the meaning of the Scotland Act 1998, and

- (ii) referendums held throughout Scotland in pursuance of provision made by or under an Act of the Scottish Parliament;
- (b) the Commission's "devolved Welsh functions" are the Commission's functions in relation to—
 - (i) general elections of members of Senedd Cymru,
 - (ii) elections held under section 10 of the Government of Wales Act 2006 (elections for Senedd constituency vacancies),
 - (iii) local government elections in Wales, and
 - (iv) referendums held under Part 2 of the Local Government Act 2000 or Part 4 of the Local Government (Wales) Measure 2011 (referendums relating to local authority executive arrangements),
 so far as those functions do not relate to reserved matters within the meaning of the Government of Wales Act 2006."

(c)

- ★ Page 22, line 14, leave out "Public Administration and Constitutional Affairs" and insert "Levelling Up, Housing and Communities"

(d)

- ★ Page 22, leave out lines 15 to 18

(e)

- ★ Page 22, line 34, leave out from beginning to end of line 16 on page 23

(f)

- ★ Page 23, line 21, leave out "Public Administration and Constitutional Affairs" and insert "Levelling Up, Housing and Communities"

(g)

- ★ Page 23, line 25, leave out "Public Administration and Constitutional Affairs" and insert "Levelling Up, Housing and Communities"

(h)

- ★ Page 25, line 16, leave out "Public Administration and Constitutional Affairs" and insert "Levelling Up, Housing and Communities"

(i)

- ★ Page 25, leave out lines 17 to 22

Lords Amendment No. **23**

Kemi Badenoch

To move, That this House disagrees with the Lords in their Amendment.

Kemi Badenoch

To move the following further Amendments to the Bill in lieu of Lords Amendments 22 and 23—

(a)

- ★ Page 21, line 13, at end insert—

“(3A) In preparing the statement, the Secretary of State must have regard to the duties imposed on the Commission by section 145(1) (duties with respect to compliance with controls imposed by this Act).

(3B) The statement must not contain provision about the carrying out by the Commission of their functions under Schedule 19B (investigatory powers) or Schedule 19C (civil sanctions) in relation to a particular person.”

(b)

- ★ Page 22, line 23, at end insert—

“(aa) must prepare a report containing the Secretary of State’s response to the consultation.”

(c)

- ★ Page 22, leave out line 24 and insert—

“(3A) If, after complying with subsection (3), the Secretary of State proposes to designate the statement, the Secretary of State must lay before Parliament a document that—

- (a) explains the Secretary of State’s proposals,
- (b) sets them out in the form of a draft statement, and
- (c) contains the report prepared under subsection (3)(aa).

(3B) Where a document is laid before Parliament under subsection (3A), no draft of the statement that the Secretary of State proposes to designate is to be laid before Parliament before the end of the 60-day period.

(3C) In preparing a draft statement for laying before Parliament, the Secretary of State must consider any representations made during the 60-day

period in relation to anything in the document laid under subsection (3A).

(3D) If, after the end of the 60-day period, the Secretary of State wishes to proceed with designating the statement, the Secretary of State must lay before Parliament—

- (a) the draft statement (incorporating any changes made in light of any representations made as mentioned in subsection (3C)), and
- (b) a report containing the Secretary of State’s response to any such representations.”

(d)

★ Page 22, line 35, leave out “(3)(b)” and insert “(3D)”

(e)

★ Page 22, line 33, at end insert—

“(aa) “the 60-day period” means the period of 60 days beginning on the day on which the document mentioned in subsection (3A) is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the days on which it is laid);”

(f)

★ Page 23, line 17, leave out “for the purposes of subsection (5)(a)” and insert “or the 60-day period for the purposes of subsection (5)(a) or (aa) respectively”

(g)

★ Page 23, line 42, after “consultation” insert “and other pre-designation”

(h)

★ Page 24, line 18, leave out “9 months” and insert “12 months”

(i)

★ Page 24, line 32, at end insert “, or—

- (c) at the request of the Speaker’s Committee, where the request—
 - (i) is made by notice given to the Secretary of State, and
 - (ii) gives details of the changes to the statement that the Speaker’s Committee propose should be made.

(2A) Where a request is made in accordance with subsection (2)(b) or (c), the Secretary of State must inform the Commission or the Speaker’s Committee (as the case may be) how the Secretary of State proposes to deal with the request.”

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- (j)
- ★ Page 25, line 2, leave out “4C(2) (consultation requirements)” and insert “4C(2) to (3C) (consultation and pre-designation requirements)”
- (k)
- ★ Page 25, line 29, leave out “4C(3)(b)” and insert “4C(3D)(a)”

Lords Amendment No. **86**

Kemi Badenoch

To move, That this House disagrees with the Lords in their Amendment.

Elections Bill: Programme (No. 2)

Kemi Badenoch

That the following provisions shall apply to the Elections Bill for the purpose of supplementing the Order of 7 September 2021 (Elections Bill (Programme)):

Consideration of Lords Amendments

1. Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement.
2. That the Lords Amendments be considered in the following order, namely: 22, 23, 86, 1 to 21, 24 to 85, 87 to 126.

Subsequent stages

3. Any further Message from the Lords may be considered forthwith without any Question being put.
 4. Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
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