
Report Stage: Thursday 9 March 2023

Procurement Bill [Lords], As Amended (Amendment Paper)

This document lists all amendments tabled to the Procurement 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 Any withdrawn amendments are listed at the end of the document.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 to 8

Sir Iain Duncan Smith
Sarah Champion
Sir Chris Bryant
Tim Loughton
Damian Green
Mr Marcus Fysh
Priti Patel
Bob Blackman
Craig Mackinlay
Ms Marie Rimmer
Wera Hobhouse

Bob Seely
Mr Alistair Carmichael
Mr David Davis
Charlotte Nichols

Sir Bernard Jenkin
Richard Drax
Andrew Lewer
Jim Shannon

NC1

To move the following Clause—

“Removal from the procurement supply chain of physical surveillance equipment produced by companies subject to the National Intelligence Law of the People’s Republic of China

- (1) Within six months of the passage of this Act, the Secretary of State must publish a timeline for the removal from the Government’s procurement supply chain of physical surveillance equipment produced by companies subject to the National Intelligence Law of the People’s Republic of China.
 - (2) The Secretary of State must lay the timeline before Parliament.”
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Richard Burgon

4

★ Clause 19, page 13, line 31, at end insert—

“(aa) must disregard any tender from a supplier that does not guarantee the payment of at least the Real Living Wage to all its

own employees and contracted staff and those of any sub-contractors;”

Member’s explanatory statement

This amendment, together with Amendments 5 to 8, is designed to ensure that no public contract can be let unless the supplier guarantees the payment of the Real Living Wage to all those involved in the delivery of the contract.

Richard Burgon

5

★ Clause 41, page 28, line 26, at end insert—

“(3A) A contracting authority may not award a contract under this section to a supplier that does not guarantee the payment of at least the Real Living Wage to all its own employees and contracted staff and those of any sub-contractors.”

Member’s explanatory statement

See explanatory statement to Amendment 4.

Sarah Olney

1

Clause 42, page 29, line 14, at end insert—

“(3A) Provision under subsection (1) must not confer any preferential treatment on suppliers connected to or recommended by members of the House of Commons or members of the House of Lords.”

Member’s explanatory statement

This amendment is intended to prevent the future use of “VIP lanes” for public contracts.

Richard Burgon

6

★ Clause 43, page 30, line 3, at end insert—

“(5A) A contracting authority may not award a contract under subsection (1) to a supplier that does not guarantee the payment of at least the Real Living

Wage to all its own employees and contracted staff and those of any sub-contractors.”

Member’s explanatory statement

See explanatory statement to Amendment 4.

Angela Rayner
Florence Eshalomi

2

Clause 44, page 30, line 16, at end insert—

- “(4) Any Minister of the Crown, Member of Parliament, Member of the House of Lords or senior civil servant involved in recommending a supplier for a contract under section 41 or 43 must make a public declaration to the Cabinet Office of any private financial interest in that supplier within 10 working days.”

Member’s explanatory statement

This amendment would implement a recommendation by the National Audit Office that any contracts awarded under emergency provisions or direct awards should include transparency declarations.

Richard Burgon

7

★ Clause 45, page 31, line 6, at end insert—

- “(aa) permit the award of a public contract to a supplier that does not guarantee the payment of at least the Real Living Wage to all its own employees and contracted staff and those of any sub-contractors.”

Member’s explanatory statement

See explanatory statement to Amendment 4.

Richard Burgon

8

★ Clause 122, page 82, line 5, at end insert—

““Real Living Wage” means the hourly wage rates for London and for outside London calculated annually by the Resolution Foundation and overseen by the Living Wage Commission (or their successor bodies);”

Member’s explanatory statement

This amendment inserts a definition of the Real Living Wage for the purposes of Amendments 4 to 7.

Marie Rimmer

3

Schedule 7, page 116, line 10, at end insert—

“Involvement in forced organ harvesting

14A(1) A discretionary exclusion ground applies to a supplier if a decision-maker determines that the supplier or a connected person has been, or is, involved in—

- (a) forced organ harvesting,
 - (b) unethical activities relating to human tissue, including anything which involves the commission of an offence under sections 32 (prohibition of commercial dealings in human material for transplantation), 32A (offences under section 32 committed outside UK) or 33 (restriction on transplants involving a live donor) of the Human Tissue Act 2004, or under sections 20 (prohibition of commercial dealings in parts of a human body for transplantation) or 20A (offences under section 20 committed outside UK) of the Human Tissue (Scotland) Act 2006, or
 - (c) dealing in any device or equipment or services relating to conduct mentioned in paragraphs (a) or (b).
- (2) “Forced organ harvesting” means killing a person without their consent so that their organs may be removed and transplanted into another person.”

Member’s explanatory statement

This amendment is designed to give a discretionary power to exclude suppliers from being awarded a public contract who have participated in forced organ harvesting or unethical activities relating to human tissue, including where they are involved in providing a service or goods relating to such activities.

Order of the House

[9 January 2023]

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

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 23 February 2023.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and on 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 a conclusion at the moment of interruption on that day.

Programming committee

6. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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