
Committee Stage: Tuesday 22 October 2024

House of Lords (Hereditary Peers) Bill (Amendment Paper)

This document lists all amendments tabled to the House of Lords (Hereditary Peers) 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 Any withdrawn amendments are listed at the end of the document.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.

Sir Gavin Williamson

1

Joy Morrissey
Mr Richard Holden
Simon Hoare
Nick Timothy
Gareth Bacon

Dr Ben Spencer
Sir Ashley Fox

David Mundell
John McDonnell

Sir Alec Shelbrooke
Graham Stringer

Clause 5, page 4, line 21, after “Peers” insert “and Bishops”

Member's explanatory statement

This amendment is consequential on NC1. It would amend the short title of the Bill.

Sir Gavin Williamson

7

Dr Ben Spencer

Clause 5, page 4, line 21, leave out “(Hereditary Peers)”

Member's explanatory statement

This amendment is consequential on NC3, NC4, NC5 and NC6. It would amend the short title of the Bill.

Sir Gavin Williamson

NC1

Joy Morrissey
Mr Richard Holden
Simon Hoare
Nick Timothy
Gareth Bacon

Dr Ben Spencer
Sir Ashley Fox

David Mundell
John McDonnell

Sir Alec Shelbrooke
Graham Stringer

To move the following Clause—

“Exclusion of bishops

- (1) No-one shall be a member of the House of Lords by virtue of being a bishop or Archbishop of the Church of England.
- (2) No bishop or Archbishop of the Church of England is entitled to receive, in that capacity, a writ of summons to attend, or sit and vote in, the House of Lords.
- (3) Nothing in this section prevents a person who is, or has been, a bishop or Archbishop of the Church of England from receiving, and exercising the entitlements under, a peerage for life in accordance with section 1 of the Life Peerages Act 1958.
- (4) Nothing in this section prevents a person who is, or has been, a bishop or Archbishop of the Church of England from being permitted to enter the House of Lords for the purpose only of leading prayers in accordance with arrangements made by that House.”

Member's explanatory statement

This new clause provides that bishops of the Church of England will no longer be entitled to membership of the House of Lords.

Sir Gavin Williamson

NC2

Joy Morrissey
Mr Richard Holden
Simon Hoare
Nick Timothy
Gareth Bacon

Dr Ben Spencer
Sir Ashley Fox

David Mundell
John McDonnell

Sir Alec Shelbrooke
Graham Stringer

To move the following Clause—

“Exclusion of bishops: consequential amendments etc.

- (1) In the House of Lords Precedence Act 1539—
 - (a) omit section 3 (places of the Archbishops and Bishops);
 - (b) in section 6 (place of the King’s Chief Secretary) omit the words after “aforemencioned”.

- (2) The Bishops Act 1878 is repealed.
- (3) In the Welsh Church Act 1914 omit section 2(3) (writs of summons to be issued to bishops not disqualified by the 1914 Act for sitting in the House of Lords).
- (4) In the House of Commons Disqualification Act 1975, in section 1(1) omit paragraph (za) (disqualification of Lords Spiritual).
- (5) In the Northern Ireland Act 1998, in section 36(6) omit paragraph (b) (a person is not disqualified for membership of the Assembly by reason only that he is a Lord Spiritual).
- (6) In the Scotland Act 1998, in section 16(1) omit paragraph (b) (a person is not disqualified from being a member of the Scottish Parliament because he is a Lord Spiritual).
- (7) In the House of Commons (Removal of Clergy Disqualification) Act 2001, in section 1, omit subsection (2) (Lords Spiritual disqualified from being a Member of the House of Commons).
- (8) In the Constitutional Reform and Governance Act 2010, in section 41, omit subsection (6)(b) (members entitled to receive writs of summons to attend the House of Lords by virtue of being an archbishop or bishop); but this subsection is without prejudice to the continued application of that provision in relation to tax years beginning before the commencement of this Act.
- (9) In the House of Lords Reform Act 2014, in section 4(3), omit "or as a Lord Spiritual".
- (10) The Lords Spiritual (Women) Act 2015 is repealed.
- (11) In the enactment formula used for Acts passed after the passing of this Act, where the phrase "by and with the advice and consent of the Lords Spiritual and Temporal, and Commons" appears, the phrase "by and with the advice and consent of the Lords and Commons" is to be used instead."

Member's explanatory statement

This new clause makes repeals and amendments to other Acts consequential on NC1, as well as providing for changes to words of enactment.

Sir Gavin Williamson

NC3

Dr Ben Spencer

To move the following Clause—

"Mandatory retirement at the age of 80

- (1) A member of the House of Lords who reaches the age of 80 during a Session of Parliament ceases to be a member of the House of Lords at the end of that Session.
- (2) No-one shall be eligible for a peerage for life to be conferred in accordance with section 1 of the Life Peerages Act 1958 after they reach the age of 80.

- (3) A member of the House of Lords who has reached the age of 80 shall not be entitled to receive a writ to attend the House under section 1 of the Life Peerages Act 1958 or by virtue of the dignity conferred by virtue of appointment as a Lord of Appeal in Ordinary.”

Member's explanatory statement

This new clause provides that peers who are over the age of 80 will no longer be entitled to membership of the House of Lords at the end of the parliamentary session they turn 80 and that no one can be appointed a Life Peer after they reach that age.

Sir Gavin Williamson

NC4

Dr Ben Spencer

To move the following Clause—

“Minimum contribution in the House of Lords

- (1) A member of the House of Lords who is a peer and does not participate in the proceedings of the House of Lords or its committees during a period of eight consecutive sitting weeks ceases to be a member of the House.
- (2) A person participates in the proceedings of the House of Lords for the purposes of subsection (1) if they undertake any activity which qualifies for financial support allowance under the scheme agreed by the House of Lords and then in force.
- (3) Subsection (1) does not apply to a peer if—
- (a) the peer was disqualified from sitting or voting in the House, or suspended from its service, for the whole or part of eight consecutive sitting weeks, or
 - (b) they fall within the terms of a Standing Order of the House of Lords providing for exemptions from the provisions of subsection (1) for reasons related to parental leave, illness, bereavement or other specified circumstances.”

Member's explanatory statement

This new clause provides a minimum participation requirement for members of the House of Lords of one contribution every eight sitting weeks. A member who does not meet the minimum contribution requirement can no longer be a member of the House of Lords.

Sir Gavin Williamson

NC5

Dr Ben Spencer

To move the following Clause—

“Consultation on proposals for an alternative second chamber

- (1) The Secretary of State must, within six months of the passing of this Act, publish a consultation paper examining alternatives to the current House of Lords.

- (2) The consultation shall include, but is not limited to, proposals to—
 - (a) replace the current House of Lords with a wholly or partly elected chamber,
 - (b) abolish the House of Lords with no replacement, and
 - (c) change the appointment process for members of the House of Lords.
- (3) The Secretary of State must, within 18 months of the publication of the paper under subsection (1), lay before both Houses of Parliament—
 - (a) a report on the outcome of the consultation, and
 - (b) a statement setting out the Secretary of State’s response to that outcome.”

Member's explanatory statement

This new clause instructs the Secretary of State to undertake a consultation on alternative proposals for a second chamber and to report back to Parliament within a designated time period.

Sir Gavin Williamson

NC6

Dr Ben Spencer

To move the following Clause—

“Code of conduct on financial interests

- (1) The Lord Speaker must, within six months of the passing of this Act, lay before the House of Lords a code of conduct relating to the registration of Members of the House of Lords’ financial interests (“the Code of Conduct on Financial Interests”) for approval by resolution of the House of Lords.
- (2) If a Code of Conduct on Financial Interests laid before the House of Lords under subsection (1) has not been approved by the House of Lords within three months of being laid, the Lord Speaker must lay a revised Code of Conduct on Financial Interests for approval by resolution of the House of Lords.
- (3) If a revised Code of Conduct on Financial Interests laid under subsection (2) has not been approved by the House of Lords within three months of being laid, the Lord Speaker must lay a further revised Code of Conduct on Financial Interests which shall come into effect as if it had been approved by resolution of the House of Lords.
- (4) The Lord Speaker may, at any time after the approval of the Code of Conduct on Financial Interests, lay before the House of Lords a new Code of Conduct on Financial Interests for approval by resolution of the House of Lords, in respect of which the provisions of subsections (2) and (3) shall also apply.
- (5) The Lord Speaker must, in drawing up and revising the Code of Conduct on Financial Interests, have regard to any rules for the registration of financial interests in the House of Commons then in force.
- (6) The Code of Conduct on Financial Interests laid under subsection (1) must include provision about the registration and disclosure of interests including—

- (a) employment and earnings;
 - (b) donations received;
 - (c) gifts, benefits and hospitality received;
 - (d) land and property owned; and
 - (e) shareholdings.
- (7) The Lord Speaker must, on the same day as a Code is laid before the House of Lords under subsections (1), (2), (3) or (4), lay a report before the House of Lords on any difference that exists between the Code of Conduct and any rules for the registration of financial interests in the House of Commons.
- (8) Before laying the Code of Conduct on Financial Interests under subsection (1), the Lord Speaker must consult any relevant Committee of the House of Lords."

Member's explanatory statement

This new clause would require the Leader of the House of Lords to lay a Code of conduct for Members of the House of Lords' financial interests before the House of Lords for its approval. The Code must be drawn up with regard to any relevant rules in the Commons.

Sir Gavin Williamson

2

Joy Morrissey
Mr Richard Holden
Simon Hoare
Nick Timothy
Gareth Bacon

Dr Ben Spencer
Sir Ashley Fox

David Mundell
John McDonnell

Sir Alec Shelbrooke
Graham Stringer

Title, after first "Lords, insert "to provide for bishops of the Church of England no longer to be entitled to membership of the House of Lords;"

Member's explanatory statement

This amendment is consequential on NC1. It would amend the long title of the Bill.

Sir Gavin Williamson

3

Dr Ben Spencer

Title, after first "Lords" insert "to make provision for mandatory retirement from the House of Lords;"

Member's explanatory statement

This amendment is consequential on NC3. It would amend the long title of the Bill.

Sir Gavin Williamson

4

Dr Ben Spencer

Title, after first "Lords" insert "to make provision for the expulsion of Members of the House of Lords for non-participation;"

Member's explanatory statement

This amendment is consequential on NC4. It would amend the long title of the Bill.

Sir Gavin Williamson

5

Dr Ben Spencer

Title, after "peerages" insert "to establish a consultation on proposals for an alternative second chamber;"

Member's explanatory statement

This amendment is consequential on NC5. It would amend the long title of the Bill.

Sir Gavin Williamson

6

Dr Ben Spencer

Title, after "peerages" insert "to establish a code of conduct on financial interests for Members of the House of Lords;"

Member's explanatory statement

This amendment is consequential on NC6. It would amend the long title of the Bill.

Order of the House

[15 October 2024]

That the following provisions shall apply to the House of Lords (Hereditary Peers) Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee, on Consideration and on Third Reading

2. Proceedings in Committee of the whole House shall (so far as not previously concluded) be brought to a conclusion five hours after their commencement.
3. Any proceedings on Consideration and proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion six hours after the commencement of proceedings in Committee of the whole House.

4. 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

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