

# Deregulation Bill

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SEVENTH  
MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

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*The amendments to be considered in Grand Committee have been marshalled in accordance with the Instruction of 30th July 2014, as follows –*

Clause 68	Clauses 79 to 82
Schedule 18	Schedule 20
Clauses 69 to 78	Clauses 83 to 91
Schedule 19	

*The following Clauses and Schedules (together with Amendments 1 to 6 tabled to them) were considered in Committee of the Whole House on 21st October, and reported to the House –*

Clauses 1 to 3	Clause 9
Schedule 1	Schedule 3
Clauses 4 to 8	Clauses 10 to 12
Schedule 2	

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

## **Schedule 18**

LORD WALLACE OF SALTAIRE

**82** Page 175, line 13, leave out “A” and insert “Subject to subsection (3A), a”

**83** Page 175, line 20, at end insert –

“(3A) For the purposes of section 3C however, and the meaning of “regulated substance” in or in relation to that section, a “regulated explosives precursor” –

- (a) is a substance listed in Part 1 of Schedule 1A, and
- (b) includes a mixture or another substance in which a substance listed in that Part is present,

but, in each case, only if the substance or mixture is not excluded.”

Amendment  
No.

**Schedule 18** – *continued*

- 84 Page 178, line 18, at end insert –  
 “( ) The Secretary of State may by regulations make provision modifying this section so far as it applies to any supplies that involve despatch of the substance to Northern Ireland or export of it from the United Kingdom.”
- 85 Page 184, line 12, leave out “this Act” and insert “section 3A(3) or (4), 3B(3), 3C(8) or 7(2)”
- 86 Page 184, line 38, at end insert –  
 “(12) In relation to an offence committed before section 85(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force –  
 (a) the reference in subsection (1)(b)(i) to a fine is to be read as a reference to a fine not exceeding the statutory maximum;  
 (b) the reference in subsection (4)(a) to a fine is to be read as a reference to a fine not exceeding level 5 on the standard scale.”
- 87 Page 187, line 33, leave out from “charge,” to end of line 35

BARONESS SMITH OF BASILDON

*Baroness Smith of Basildon gives notice of her intention to oppose the Question that Schedule 18 be the Eighteenth Schedule to the Bill.*

**Clause 71**

BARONESS DONAGHY  
BARONESS KING OF BOW

*The above-named Lords give notice of their intention to oppose the Question that Clause 71 stand part of the Bill.*

**Clause 72**

LORD KENNEDY OF SOUTHWARK

*Lord Kennedy of Southwark gives notice of his intention to oppose the Question that Clause 72 stand part of the Bill.*

**After Clause 73**

LORD WALLACE OF SALTAIRE

- 87ZA Insert the following new Clause –  
**“NHS foundation trusts and NHS trusts: acquisitions and dissolutions etc**  
 (1) The National Health Service Act 2006 is amended as follows.

Amendment  
No.

**After Clause 73 – continued**

- (2) In section 56A (acquisitions), after subsection (4) insert –
- “(4A) Where the regulator proposes to grant the application, it may by order make provision for the transfer of employees of B to A on the grant of the application.”
- (3) After section 56A (acquisitions) insert –
- “56AA Acquisitions under section 56A: supplementary**
- (1) On the grant of an application under section 56A –
- (a) any order made by the regulator under section 56A(4A) takes effect,
  - (b) the property and liabilities of the acquired NHS foundation trust or NHS trust are transferred to the acquiring NHS foundation trust (other than rights and liabilities which may be dealt with by order under section 56A(4A)),
  - (c) the acquired NHS foundation trust or NHS trust is dissolved, and
  - (d) where the acquired trust is an NHS trust, the NHS trust order establishing it is revoked.
- (2) So far as may be necessary for the purposes of subsection (1)(b) –
- (a) anything done before the grant of the application by or in relation to the acquired trust is to be treated (on and after the grant) as having been done by or in relation to the acquiring trust;
  - (b) any reference in a document to the acquired trust is to be read as a reference to the acquiring trust.
- (3) Anything (including legal proceedings) that, immediately before the grant of the application, is in the process of being done by or in relation to the acquired trust may continue to be done afterwards by or in relation to the acquiring trust.
- (4) In subsection (1) –
- (a) “liabilities” includes criminal liabilities;
  - (b) “property” includes trust property.”
- (4) In section 57 (sections 56 to 56B: supplementary), after subsection (3) insert –
- “(3A) The order may include provision for the transfer of employees of the trust or trusts dissolved by the order.”
- (5) In section 64 (orders and regulations under this Chapter) –
- (a) in subsection (4), before paragraph (c) insert –  
“(ba) section 56A(4A),”;
  - (b) in subsection (4A), after “section” insert “56A(4A),”.
- (6) In section 65LA (trusts to be dissolved), in subsection (3)(b), for the words following “trust” to the end substitute “ –
- (i) to an NHS body;
  - (ii) to the Secretary of State;

Amendment  
No.

**After Clause 73 – continued**

- (iii) between more than one NHS body or between one or more NHS bodies and the Secretary of State.”
- (7) In that section, in subsection (5), for “to an NHS foundation trust” substitute “to an NHS body”.

**After Clause 78**

87A [Withdrawn]

BARONESS SCOTT OF NEEDHAM MARKET

87B Insert the following new Clause –

**“Births, marriages and death registration: historical searches**

After section 34 of the Births and Deaths Registration Act 1953, insert –

**“34A Historical searches**

- (1) The Registrar General may provide a copy of an historical record held by him, which need not be a certified copy, to any person who makes a search and requests such a copy.
- (2) A copy provided under subsection (1) may not be used in place of a certified copy as proof of an entry in the register.
- (3) For the purposes of this section –
  - (a) an “historical record” means any entry in a register held by the Registrar General which is more than one hundred years old on the date on which such a request is made;
  - (b) a copy of a record which is not a certified copy means a paper, electronic or other duplication as may be prescribed in regulation.
- (4) The Registrar General may charge such fees as appropriate in relation to making and delivering a copy of a record which is not a certified copy, but such a fee shall be no more than £3.00 per record.”

**Schedule 19**

LORD WALLACE OF SALTIRE

88 Page 195, line 33, after “(1)” insert “, if that sub-paragraph comes into force before paragraph 123(c) of Schedule 12 to the Local Audit and Accountability Act 2014,”

Amendment  
No.

**Clause 82**

LORD SHARKEY  
LORD ROOKER  
LORD STEVENSON OF BALMACARA

89 Page 58, line 14, at end insert –

- “(2) This section and paragraphs 1 to 39, 41 and 42 of Schedule 20 may not come into force until the three conditions set out in subsections (3) to (5) are met.
- (3) The first condition is that the Law Commission and the Scottish Law Commission (“the Law Commissions”) have reported on whether each item of legislation to be repealed by paragraphs 1 to 39, 41 and 42 of Schedule 20 is, or may be, of practical use; or is no longer of practical use.
- (4) The second condition is that the reports of the Law Commissions under subsection (3) have been laid before each House of Parliament.
- (5) The third condition is that the Secretary of State has, by regulations made by statutory instrument, removed from the list of legislation to be repealed in Schedule 20 any provisions which the Law Commissions have reported are, or may be, of practical use.
- (6) A statutory instrument containing regulations under subsection (5) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- 17 (7) Paragraph 40 of Schedule 20 comes into force on the day on which this Act is passed.”

LORD NASEBY

[Amendment 90 is an amendment to Amendment 89]

90 Line 17, leave out subsection (7)

**Schedule 20**

LORD WALLACE OF SALTAIRE

91 Page 201, line 8, at end insert –

*“Highways (Assessment of Environmental Effects) Regulations*

- 28A The following Regulations are revoked –
- (a) the Highways (Assessment of Environmental Effects) Regulations 1988 (S.I. 1988/1241);
- (b) the Highways (Assessment of Environmental Effects) Regulations 1994 (S.I. 1994/1002).”

92 Page 201, line 10, at end insert –

*“Sea Fisheries Act 1868 and other fisheries legislation*

- 28B The following Acts are repealed –
- (a) the Sea Fisheries Act 1868, including so far as it extends outside the United Kingdom by virtue of section 70 of that Act;

Amendment  
No.

**Schedule 20**— *continued*

- (b) the Fisheries Act 1891;
- (c) the British Fishing Boats Act 1983, including so far as it extends outside the United Kingdom by virtue of an Order in Council under section 10 of that Act.

- 28C (1) The following amendments are made in consequence of paragraph 28B.
- (2) In the Fishery Limits Act 1976, in Schedule 2, omit paragraph 7.
  - (3) In the Debtors (Scotland) Act 1987, in Schedule 6, omit paragraph 24.
  - (4) In the Merchant Shipping Act 1995, in Schedule 13, omit paragraphs 2, 9 and 68.
  - (5) In the Statute Law (Repeals) Act 1998, in Schedule 2, omit paragraph 9.
  - (6) In the Tribunals, Courts and Enforcement Act 2007, in Schedule 13, omit paragraph 67.”

LORD GRANTCHESTER  
LORD TREES

**92A** Page 201, line 29, leave out paragraphs 31 and 32

LORD GRANTCHESTER

**92B** Page 202, line 12, leave out paragraph 37

**Clause 83**

LORD GREAVES

*Lord Greaves gives notice of his intention to oppose the Question that Clause 83 stand part of the Bill.*

**Clause 84**

LORD McNALLY  
BARONESS THORNTON

**93** Page 58, line 38, at end insert—  
“(d) a regulatory function of the Equality and Human Rights Commission”

LORD ROOKER

**94** Page 58, line 38, at end insert—  
“( ) The first time the Minister consults under subsection (2), the Minister must consult on specifying the regulatory functions of the Planning Inspectorate in the first order to be made under subsection (1), but only to the extent consistent with subsection (3).”

Amendment  
No.

### Clause 87

LORD WALLACE OF SALTAIRE

- 95 Page 60, line 24, after “amends” insert “or modifies”  
96 Page 60, line 29, after “amend” insert “or modify”

### Clause 89

LORD WALLACE OF SALTAIRE  
LORD ROOKER

- 97 Page 61, line 13, after “(2)” insert “and (*Motor racing: consequential amendments*)(6) to (9))”  
98 Page 61, line 14, at end insert—  
“( ) Section (*Motor racing: consequential amendments*)(10) to (13)) extends only to Scotland.”

### Clause 90

LORD WALLACE OF SALTAIRE

- 99 Page 61, line 21, leave out subsection (1) and insert—  
“(1) The following provisions come into force on the day on which this Act is passed—  
(a) section 31;  
(b) section 32;  
(c) section 34;  
(d) section 67;  
(e) sections 84, 85(1), (2) and (4) to (8) and 86;  
(f) sections 87 to 89, this section and section 91.  
(1A) The following provisions also come into force on the day on which this Act is passed but only so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations—  
(a) section 1;  
(b) section 38;  
(c) sections 46 to 48;  
(d) Parts 1 and 4 of Schedule 1, Schedules 2, 4 and 8, Part 6 of Schedule 9 and Schedule 18 (and the sections to which those Schedules relate).”
- 100 Page 61, line 22, at end insert—  
“( ) Sections (*Designation of urban development areas: procedure*) and (*Establishment of urban development corporations: procedure*) come into force on the day on which this Act is passed.”
- 101 Page 61, line 25, at end insert “(so far as not already in force by virtue of subsection (1A))”

**Amendment  
No.****Clause 90 – continued****102**

Page 61, line 29, at end insert –

“( ) section (*Road traffic legislation: use of vehicles in emergency response by NHS*) and Schedule (*Road traffic legislation: use of vehicles in emergency response by NHS*);”

LORD SHARKEY  
LORD ROOKER

**103**

Page 61, line 38, leave out paragraph (n)

**104**

Page 62, line 5, at end insert –

“( ) Section 82 and Schedule 20 come into force in accordance with subsections (2) to (7) of section 82.”

LORD WALLACE OF SALTIRE

**105**

Page 62, line 6, leave out “The remaining” and insert “Except as provided by subsections (1) to (4), the”



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*14th November 2014*

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