

House of Lords (Hereditary Peers) (Abolition of By-Elections) Bill [HL]

AMENDMENTS TO BE MOVED ON REPORT

Clause 2

THE EARL OF CAITHNESS

Page 1, line 8, leave out subsections (2) and (3) and insert –

“(2) In section 2, after subsection (4) insert –

“(4A) Standing Orders relating to the filling of vacancies must provide that any party or group specified in the Standing Orders need not take up its entitlement to fill any vacancy among the people excepted from section 1, and that in this event the vacancy will be allocated to one of the other parties or groups specified in the Standing Orders, by a method specified in the Standing Orders, for that party or group to fill.””

Page 1, line 8, leave out subsections (2) and (3) and insert –

“(2) In section 2, after subsection (4) insert –

“(4A) Standing Orders relating to the filling of vacancies must provide that any party or group specified in the Standing Orders need not take up its entitlement to fill any vacancy among the people excepted from section 1.””

Page 1, line 8, leave out subsections (2) and (3) and insert –

“(2) For section 2(4) substitute –

“(4) Standing Orders must make provision for filling vacancies among the people excepted from section 1 through a nomination and selection process run by the House of Lords Appointments Commission.””

Page 1, line 11, leave out subsection (3) and insert –

“(3) After subsection (4) insert –

“(4A) In the event of a by-election to fill any vacancy arising from the death, retirement, resignation or expulsion of any person excepted from section 1, Standing Orders must make provision for all members of the House of Lords to be entitled to vote in that by-election.””

Clause 2 - continued

Page 1, line 15, leave out “is not to be filled by further exception” and insert “may be filled by further exception, according to Standing Orders”

Page 1, line 15, leave out “not to be filled by further exception” and insert “to be filled by the holding of a by-election, in which all members of the House of Lords are entitled to vote, with further provision to be made by Standing Orders”

Leave out Clause 2 and insert the following new Clause –

“Removal of by-election system

- (1) The House of Lords Act 1999 is amended as follows.
- (2) At the end of section 1 (exclusion of hereditary peers), insert “except a person who was a member of the House of Lords on the day before the House of Lords (Hereditary Peers) (Abolition of By-Elections) Act 2019 was passed”.
- (3) Omit section 2 (exception from section 1).
- (4) In section 3(2) (removal of disqualifications in relation to the House of Commons), for “excepted from section 1 by virtue of section 2” substitute “who is a member of the House of Lords by virtue of section 1”.
- (5) In section 5(2) (commencement and transitional provision), from “who,” to the end substitute “who was a member of the House of Lords on the day before the House of Lords (Hereditary Peers) (Abolition of By-Elections) Act 2019 was passed”.
- (6) In paragraph 1 of Schedule 1, for ““is excepted from section 1 of the House of Lords Act 1999 by virtue of section 2 of that Act”” substitute ““is a member of the House of Lords by virtue of section 1 of the House of Lords Act 1999””.

Clause 3

THE EARL OF CAITHNESS

Page 2, line 2, at end insert –

- “(3) Section 2 comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (4) A statutory instrument containing regulations under subsection (3) may not be made unless the House of Lords has resolved that steps have been taken to implement paragraphs 29, 35, 39 and 48 to 51 of the Burns Report (fixed-term membership for new members).
- (5) In this section, the “Burns Report” means the Report from the Lord Speaker’s committee on the size of the House of Lords, published on 31 October 2017.
- (6) This section comes into force on the day on which this Act is passed.”

Page 2, line 2, at end insert –

- “(3) Section 2 comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.

Clause 3 - continued

- (4) A statutory instrument containing regulations under subsection (3) may not be made unless the House of Lords has resolved that steps have been taken to implement paragraphs 66, 70, 74, 77 and 97 of the Burns Report (political appointments).
- (5) In this section, the “Burns Report” means the Report from the Lord Speaker’s committee on the size of the House of Lords, published on 31 October 2017.
- (6) This section comes into force on the day on which this Act is passed.”

Page 2, line 2, at end insert –

- “(3) Section 2 comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.
- (4) A statutory instrument containing regulations under subsection (3) may not be made unless the House of Lords has resolved that the Prime Minister has implemented paragraphs 53 and 55 of the Burns Report (mechanism for appointments).
- (5) In this section, the “Burns Report” means the Report from the Lord Speaker’s committee on the size of the House of Lords, published on 31 October 2017.
- (6) This section comes into force on the day on which this Act is passed.”

Page 2, line 2, at end insert –

- “(3) Section 2 comes into force after the period of two months beginning with the day on which the condition in subsection (4) is met.
- (4) The condition in this subsection is that –
 - (a) the Secretary of State has commissioned an independent review of the benefits that hereditary peers bring to Parliament, and has laid the report of that review before each House of Parliament, and
 - (b) each House of Parliament has passed a resolution agreeing with the report.
- (5) This section comes into force on the day on which this Act is passed.”

Preamble

THE EARL OF CAITHNESS

Insert the following Preamble –

“Whereas it is no longer intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular basis:”

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6 March 2019
