

STANDING ORDERS
OF THE
HOUSE OF COMMONS

PRIVATE BUSINESS

2005

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STANDING ORDERS
RELATING TO
PRIVATE BUSINESS
AND
TABLE OF FEES

TOGETHER WITH

PRIVATE LEGISLATION PROCEDURE (SCOTLAND) ACT 1936,
AS AMENDED

STATUTORY ORDERS (SPECIAL PROCEDURE) ACT 1945,
AS AMENDED

STATUTORY ORDERS (SPECIAL PROCEDURE) (SUBSTITUTION)
ORDER 1949

STATUTORY ORDERS (SPECIAL PROCEDURE) ORDER 1962

RULES RELATING TO
PARLIAMENTARY AGENTS AND PETITIONERS

RULES FOR THE PRACTICE AND PROCEDURE OF
THE COURT OF REFEREES

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STANDING ORDERS RELATING TO PRIVATE BUSINESS

DEFINITIONS

1. In these orders, unless the context otherwise requires— Definitions.
(HL 1)

the term “community” means a community for the purposes of the Local Government Act 1972;

5 the term “deposited” with reference to a plan, section, book of reference or ordnance map means deposited in accordance with Standing Order 27 (Deposit of plan, book of reference and section, etc.);

10 the term “district” in relation to England means metropolitan district or non-metropolitan district;

15 the term “the Examiners” means the Examiners of Petitions for Private Bills appointed under Standing Order 69 (Appointment of Examiners of Petitions for Private Bills), and the term “the Examiner” means that one of the Examiners who deals with any particular petition, bill or other matter;

the term “functions” includes powers and duties;

20 the term “lessee” includes a reputed lessee and a person holding an agreement for a lease;

the term “local authority” means any of the following:—

In England,

- 25
- (a) the council of a county,
 - (b) the council of a district,
 - (c) the council of a parish or group of parishes or the parish meeting of a parish

- which has no separate parish council,
- (d) the council of a London borough; 30
 - (e) the Greater London Authority;
- In Scotland, a council for a local government area;
- In Wales,
- (a) the council of a county, 35
 - (b) the council of a county borough,
 - (c) the council of a community or group of communities or the community meeting of a community which has no separate council;
- the term “London,” except where the context otherwise requires, means Greater London; 40
- the term “London borough” includes the City of London, and the term “council of a London borough” includes the Common Council of the City of London; 45
- the term “mechanical power” includes every motive power not being animal power;
- the term “minister of the Crown” means the holder of an office in Her Majesty’s government in the United Kingdom and includes the Treasury; 50
- the term “occupier” applies only to persons whose interest in the premises occupied is not less than that of a quarterly tenant;
- the term “ordnance map” means a map published, prepared or approved by the Ordnance Survey; 55
- the term “owner” includes a reputed owner;
- the term “parish” means a parish for the purposes of the Local Government Act 1972;
- the term “pier” includes quay and wharf; 60

the term “provisional order” includes pilotage order;

65 the term “tramroad” means a tramway laid otherwise than along a street or road and shall for the purpose of these orders be deemed not to be a tramway; and when a bill relates to a tramway laid partly along, and partly not along, a street or road, the provisions of these orders relating to tramways and tramroads respectively shall apply to the parts
70 laid along, and the parts not laid along, a street or road respectively, whatever may be the description of the whole system used in the bill;

75 the term “trolley vehicle system” means a system of traction whereby vehicles adapted for use upon roads without rails are moved by electrical power transmitted thereto from some external source;

80 the term “unitary district” means a non-metropolitan district which is not included in the area of a county council;

80 the term “water company” means a company appointed to be a water undertaker or a sewerage undertaker under Chapter I of Part II of the Water Act 1989;

85 the term “waterway” includes canal and inland navigation.

Other expressions defined in the Interpretation Act 1978 have the same meanings in these orders as if these orders were an Act of Parliament passed after the commencement of that Act.

90 Where the standing orders require anything to be deposited with, or delivered or sent to, the proper officer of a local authority, that requirement shall be satisfied by depositing it with or delivering or sending it to, the chief executive of the authority for transmission (where
95 the chief executive is not the proper officer) to that officer.

Where by virtue of any Act of Parliament or order in council any functions of any minister have, whether before or after the date of making of these orders, been transferred to some other minister, references in any standing order to the minister from whom the functions have been transferred shall, so far as the standing order relates to the subject matter of the transferred functions have effect as if for such references there were substituted references to the minister to whom the functions have been transferred; and references to any “ministry” shall be construed accordingly. For the purposes of this order “minister” shall include any government department. 100 105

References in any standing order to registered post, a registered letter or to the registration of such letters shall be construed as including a reference to the recorded delivery service, a letter sent by that service and the acceptance by an officer of the Post Office of letters for recorded delivery, respectively. 110

For the purposes of Standing Orders 50(1) and 52(4) distances from one of the termini of a railway, tramroad or tramway (as the case may be) may be marked at intervals of two hundred metres. 115

Deposit of documents etc. at offices of government departments and public bodies—

1A.—(1) Any reference in a provision of these orders to a document, or to a copy or copies of a document, being deposited in accordance with this order is a reference to the document, or to a copy or copies of the document, being deposited— 5

(a) at the offices of such government departments and public bodies as may be specified in the list, and

(b) if the context so admits, in such quantities as may be so specified. 10

(2) In paragraph (1) above—

“document” includes any bill, plan, section, book of reference, ordnance map, environmental or other statement or estimate;

15 “the list” means the list which, for the purposes of this order, is compiled and maintained by the Private Bill Office under the direction of the Chairman of Ways and Means.

20 (3) The provisions of these orders which contain such references as are mentioned in paragraph (1) above are—

- (a) Standing Order 27(5),
- (b) Standing Order 27A(1),
- (c) Standing Order 29,
- 25 (d) Standing Order 30,
- (e) Standing Order 30A(1),
- (f) Standing Order 31,
- (g) Standing Order 32,
- (h) Standing Order 34,
- 30 (i) Standing Order 37,
- (j) Standing Order 39,
- (k) Standing Order 45(3), and
- (l) Standing Order 47(1).

PETITIONS FOR BILLS

5 **2.** No private bill shall be presented to the House unless a petition for the same, headed by the short title of the bill and signed by the parties, being promoters of the bill, or some of them, has been previously presented to the House, with a printed copy of the proposed bill annexed.

Petitions for bills.
(HL 2)

Presentation of
petitions for bills.

2A. Every petition for a private bill shall be presented to the House by being deposited in the Private Bill Office.

No such petition shall be received after 27th November (or if that day is a Saturday or a Sunday, the first Monday following that day) unless it has been endorsed by the Chairman of Ways and Means.

5

3. [Repealed 30th July 1952]

ORDERS COMPLIANCE WITH WHICH IS TO BE INQUIRED
INTO BY THE EXAMINERS

Notices by advertisement

Contents of
notice.
(HL 4)

4.—(1) Whenever an application is intended to be made to bring in a private bill a notice shall be published as provided in Standing Order 10 (Publication of notice in newspapers) and shall contain a concise summary of the purposes of the bill, but without detailed particulars and without any reference to provisions of an ancillary, subsidiary, or consequential nature intended to give effect to any such purpose:

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Provided that in the case of a bill whereby it is proposed to authorise the promoters to amalgamate with any company, or to sell or lease their undertaking to any authority, company or other person, or to purchase or take on lease the undertaking of any authority, company or other person, or to enter into a working agreement or traffic arrangement with any authority, company or other person, the notice shall name the authority, company or other person with, to, or from whom it is proposed that the amalgamation, sale, purchase, lease, agreement, or arrangement is to be made.

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(2) The notice shall also state

25 (a) that on and after 4th December copies of the bill, or as the case may be copies of part of the bill, may be inspected, and at a reasonable price obtained, at the offices required by the next following order, which offices shall be named in the notice.

30 (b) the time within which objection may be made by deposit of a petition in the office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons; and

(c) that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoters.

35 (3) The notice shall be headed by the short title of the bill, and shall be subscribed with the name of the person responsible for the publication of the notice.

5 **4A.**—(1) The promoters shall on and after 4th December make available for inspection, and for sale at a reasonable price, copies of the bill at an office in London and, if it affects Wales, at an office in Cardiff and, if it affects Scotland, at an office in Edinburgh and, if it affects Northern Ireland, at an office in Belfast and

Copies of bill to be made available.
(HL 4A)

10 (a) if the bill is promoted by, or alters functions of, a local authority, other than a parish council or parish meeting or community council or community meeting, at an office in the area of the authority;

15 (b) if the bill alters functions of a parish council or parish meeting or community council or community meeting, at an office in the district in which the parish or (in Wales) in the county or county borough in which the community is situated;

(c) if the bill is not promoted by a local

authority, at an office in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area in which the promoters' principal office is situated; 20

(*d*) if the bill authorises the construction of works to which Standing Order 27 (Deposit of plan, book of reference, and section, etc.) applies, or the compulsory acquisition of lands or of rights to use lands, or extends the time limited by a former Act for any of those purposes, at an office in each of the counties, metropolitan districts, unitary districts, or London boroughs or (in Wales) the counties or county boroughs or (in Scotland) the local government areas in which the works are to be or the lands are situated. 25 30

(2) It shall be sufficient compliance with sub-paragraph (*a*) or sub-paragraph (*b*) of the foregoing paragraph to make available for inspection and for sale in the area of the local authority, or, as the case may be, in the district, or (in Wales) in the county or county borough, copies of such part only of the bill as alters functions of the local authority or, as the case may be, of the parish or community council or parish or community meeting. 35 40

(3) It shall be sufficient compliance with sub-paragraph (*d*) of paragraph (1) of this order to make available for inspection and for sale in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area copies of such part only of the bill as authorises the construction of works or the compulsory acquisition of lands or of right to use lands in that county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area or as extends the time limited by a former Act for any of those purposes. 45 50 55

(4) The offices of a local authority, if situated outside the area of that authority, shall for the purposes of this order be deemed to be in that area.

60 (5) A bill that alters functions of a member or an officer of a local authority shall for the purposes of this order be deemed to alter functions of that authority.

5.—(1) In the case of bills in respect of which plans are required to be deposited under Standing Order 27 (Deposit of plan, book of reference, and section, etc.), the notice shall also contain—

Further
particulars in
case of certain
bills.
(HL 5)

5 (a) the names of the districts in England and the counties or county boroughs in Wales, and parishes or communities, in which is situate any work or land in respect of which plans are required to be so deposited; and

10 (b) a statement of the officers with whom plans, sections (if any) and books of reference have been deposited in accordance with the requirements of Standing Orders 27 (Deposit of plan, book of reference, and section, etc.) and 36 (Deposit of copy of plan, etc., in certain cases with certain local authorities); and

15 (c) where it is proposed by the bill to authorise the construction of works, a general description of the nature of the works; and

20 (d) where it is proposed by the bill to authorise the compulsory acquisition of the surface of or of rights to use the surface of—

(i) any common or commonable land; or
 (ii) any public park or public open space; or
 25 (iii) any protected square mentioned in the schedule to the London Squares Preservation Act 1931; the name or, if it has no name, the description of the common or commonable land,

park, open space or protected square, the district, and parish or community in which it is situate, and an estimate of the area of so much of such surface as is proposed to be compulsorily acquired or used; 30

(e) where it is proposed by the bill to stop up or divert any specified public footpath or bridleway, a general description of that footpath or bridleway; and 35

(f) where it is proposed by the bill to confer powers authorising any alteration or disturbance of the surface of any street or road in connection with the construction of a tramway, tramroad, trolley vehicle system or an underground railway, a general description of the roads or streets which may be affected by the exercise of the power and of the circumstances in which, and the extent to which, it is envisaged that the power may be exercised. 40 45

(2) This order shall apply to a London borough as if it were a district.

Particulars in case of gas works, burial ground, etc., bills.
(HL 6)

6.—(1) In the case of a bill whereby it is proposed to authorise the construction of gas works or sewage works, or works for the manufacture or conversion of the residual products of gas or sewage, or a station for generating electricity, or the making, construction or extension of a sewage farm, cemetery, burial ground, crematorium, destructor, or hospital for infectious diseases, the notice shall state the name of the district in England or the county or county borough in Wales and the parish or community, in which such works, generating station, farm, cemetery, burial ground, crematorium, destructor, or hospital are intended to be made, constructed or extended. 5 10

(2) This order shall apply to a London borough as if it were a district. 15

7. In the case of a bill whereby it is proposed to authorise the construction of a tramway, the notice shall specify by reference to the deposited plans at what point or points (if any), and on which side of the street or road, it is proposed to lay such tramway, so that for a distance of 10 metres or upwards a less space than 3 metres, or if it is intended to run thereon carriages or trucks adapted for use upon railways, a less space than 3.3 metres, shall intervene between the outside of the footpath on either side of the street or road and the nearest rail of the tramway.

Particulars in case of tramway bill.
(HL 7)

8. In the case of a bill whereby it is proposed to authorise the construction of a tramway or tramroad, the notice shall specify the gauge to be adopted and the motive power to be employed.

Particulars in case of tramway and tramroad bills.
(HL 8)

9. In the case of a bill whereby it is proposed to authorise the diversion into any existing or intended waterway, cut, reservoir or aqueduct, or into any intended variation, extension or enlargement thereof, of any water from any existing waterway, cut, reservoir or aqueduct, whether the water is to be abstracted directly or indirectly from any such waterway, cut, reservoir or aqueduct, or from any feeder thereof, and whether under any agreement with the proprietors thereof or otherwise, the notice shall contain the name or description of every such last-mentioned waterway, cut, reservoir or aqueduct.

Particulars in case of waterway, etc., bills.
(HL 9)

10.—(1) The notice shall be published in the newspapers prescribed by the next following paragraph once in each of two consecutive weeks with an interval of at least six clear days between publications, the second publication being not later than 11th December.

Publication of notice in newspapers.
(HL 10)

(2) The newspapers referred to in the foregoing paragraph are the following:

(a) if the bill is promoted by, or alters functions of, a local authority, a newspaper or newspapers circulating in the area of the authority; 10

(b) if the bill is not promoted by a local authority, a newspaper or newspapers circulating in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area in which the promoters' principal office is situated; 15

(c) if the bill authorises the construction of works to which Standing Order 27 (Deposit of plan, book of reference, and section, etc.) applies, or the compulsory acquisition of lands or of rights to use lands, or extends the time limited by a former Act for any of those purposes, a newspaper or newspapers circulating in each of the counties, metropolitan districts, unitary districts, or London boroughs or (in Wales) the counties or county boroughs or (in Scotland) the local government areas in which the works are to be, or the lands are, situated. 20 25

(3) Where part only of a bill alters functions of a local authority, it shall be sufficient compliance with paragraph (1) of this order to publish, in a newspaper or newspapers circulating in the area of the authority, so much only of the notice as relates to that part. 30

(4) Where part only of a bill authorises the construction of works or the compulsory acquisition of lands or of rights to use lands in a county, metropolitan district, unitary district, or London borough, or extends the time limited by a former Act for any of those purposes, it shall be sufficient compliance with paragraph (1) of this order to publish, in a newspaper or 35 40

newspapers circulating in the county, metropolitan district, unitary district or London borough so much only of the notice as relates to that part.

45 (5) A bill that alters functions of a member or an officer of a local authority shall for the purposes of this order be deemed to alter functions of that authority.

(6) This order shall apply to Greater London as if it were a county.

10A.—(1) If the bill—

Publication of
notice relating
to works bills
(HL 10A)

5 (a) authorises the construction of works to which Standing Order 27 (Deposit of plan, book of reference, and section, etc.) applies, or the compulsory acquisition of lands or of rights to use lands, or

(b) extends the time limited by a former Act for any of those purposes,

10 the notice shall be displayed for two consecutive weeks ending not later than 11 December at a place of public resort in each of the counties, metropolitan districts, unitary authorities, or London boroughs or (in Wales) the counties or county boroughs or (in Scotland) the local
15 government areas in which the works are to be, or the lands are, situated.

(2) For the purposes of paragraph (1), “place of public resort” include a public library and a local government office.

11. Not later than 11th December there shall be published once in the London Gazette and, if any powers are sought by the bill which affect Scotland or Northern Ireland, also once in the Edinburgh Gazette or

Publication of
notice in the
Gazette.
(HL 11)

in the Belfast Gazette, as the case may be, a short notice stating— 5

(a) the short title of the bill;

(b) the time within which objection may be made by deposit of a petition in the office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoters. 10

(c) the offices at which copies of the bill may be inspected and obtained mentioned in the full notice; 15

(d) in the case of a bill in respect of which plans are required to be deposited under Standing Order 27 (Deposit of plan, book of reference, and section, etc.) the officers with whom plans have been deposited either under that order or under Standing Order 36 (Deposit of copy of plan, etc., in certain cases with certain local authorities). 20

Provided that a notice published in the Edinburgh Gazette or in the Belfast Gazette need contain such only of the particulars referred to in the foregoing paragraphs (c) and (d) as relate to Scotland or to Northern Ireland, as the case may be. 25

Posting of notices
in case of
tramway etc.,
bills.
(HL 12)

12.—(1) In the case of a bill whereby it is proposed, in connection with the construction of a tramway or a trolley vehicle system or an underground railway or tramroad, to alter or disturb the surface of any street or road— 5

(a) not later than 12th November application shall be made in writing to every authority having control of any street or road the surface of which it is proposed to alter or disturb for directions as to the manner in which notice of such proposed alteration or disturbance is to be posted in the street or road; 10

15 (b) not later than 20th November notice of such proposed alteration or disturbance shall be posted in every such street or road in the manner directed by the said authority or, if no directions have been received from the said authority within seven days after the said application, in some conspicuous position in the street or road;

20 (c) the said notice shall be kept posted as aforesaid for not less than fourteen consecutive days.

25 (2) Where it is proposed to alter or disturb the surface of any street or road in connection with the construction of a tramway or an underground railway or tramroad, the notice posted under this order in the street or road shall also state the place or places at which the plans of the tramway, railway or tramroad will be or have been deposited for public inspection under Standing Orders 30 27 (Deposit of plan, book of reference, and section, etc.) and 36 (Deposit of copy of plan, etc., in certain cases with certain local authorities) with local government officers for areas comprising the street or road or any part thereof.

5 **12A.** In the case of a bill whereby it is proposed to stop up or divert any specified public footpath or bridleway, not later than 20th November notice of the proposal shall be displayed in a prominent position at the ends of the part of the footpath or bridleway proposed to be stopped up or diverted.

Posting of notices in case of stopping up, etc., of public footpaths or bridleways. (HL 12A)

Notices to owners, lessees and occupiers

13. On or before 5th December in the case of a bill whereby it is proposed to authorise the compulsory acquisition of land or of rights to use land, or to extend the time limited by any former act for any such purpose,

Notice to owners, etc. (HL 13)

or to render any land or house liable to the imposition of an improvement charge, notice in writing of the proposal shall be given to the owner, lessee, and occupier of each parcel of land or house affected, in the form, as nearly as may be, set forth in Appendix A to these orders unless, in the case of an owner or lessee, his identity cannot after reasonable enquiry be ascertained.

Notice to frontagers in case of tramways.
(HL 14)

14. On or before 5th December in the case of a bill whereby it is proposed to authorise the construction of a tramway, notice in writing of the proposal shall be given to the owner, lessee, and occupier of each house, shop, or warehouse abutting upon any part of any street or road where, for a distance of 10 metres or upwards, it is proposed that a less space than 3 metres or, if it is intended to run on the tramway carriages or trucks adapted for use upon railways, a less space than 3.3 metres, shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway.

Notice to owners and lessees of railways, etc., affected by proposed tramway or trolley vehicle system.
(HL 15)

15.—(1) On or before 5th December, in the case of a bill whereby it is proposed to authorise the construction of a tramway, or trolley vehicle system either—

- (a) crossing any railway, tramroad, tramway or trolley vehicle system on the level or by means of a bridge, or
- (b) crossing any canal by means of a bridge; or
- (c) otherwise affecting or interfering with any railway, tramroad, tramway, trolley vehicle system or canal;

notice in writing of the proposal shall be given to the owner, and (if leased) also to the lessee, of the railway, tramroad, tramway, trolley vehicle system or canal to be crossed or affected.

15 (2) Where the bill proposes to authorise the construction of a tramway, the notice shall also state the place or places at which the plans of the tramway have been or will be deposited for public inspection.

5 **16.—(1)** On or before 5th December in the case of a bill whereby it is proposed to authorise the impounding of the waters of, or the abstraction of water from, any stream at a point at which the stream is not navigable, notice in writing of the proposal shall be given to the owner, lessee, and occupier of each mill, factory or other work using the waters of the stream at any point within a distance, to be measured along the course of the stream, of 32 kilometres below the point at which the water is intended to be impounded or abstracted, unless, within a less distance than 32 kilometres, the waters flow into or unite with a navigable stream, and then only to the owner, lessee, and occupier of each such mill, factory or other work as aforesaid which is situate between the said point and the point at which the waters of the stream flow into or unite with the navigable stream; and the notice shall state the name (if any) by which the stream is known at the point at which the water is intended to be impounded or abstracted, and also the district in England, London borough or county or county borough in Wales, and the parish or community, in which such point is situate, and the time and place of deposit of plans, sections, and books of reference with the proper officers of councils of counties, metropolitan districts, unitary districts or London boroughs or (in Wales) counties or county boroughs.

Notice to mill-owners, etc., where water is to be impounded or abstracted.
(HL 16)

(2) This order shall apply to Greater London as if it were a county and the Greater London Authority were the council of the county.

Notice to owners and occupiers of houses in case of gas works, burial ground, etc., bills.
(HL 17)

17. On or before 5th December in the case of a bill whereby it is proposed to authorise the construction of gas works or sewage works, or works for the manufacture or conversion of the residual products of gas or sewage, or a station for generating electricity, or the making, construction or extension of a sewage farm, cemetery, burial ground, crematorium, destructor, or hospital for infectious diseases, notices in writing of the proposal shall be given to the owner, lessee and occupier of each dwelling house situate within 275 metres of the land intended to be used for any such purpose. 5
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Notice to owners, etc., in case of relinquishment of works.
(HL 18)

18. On or before 5th December in the case of a bill whereby the whole or any part of a work authorised by any former Act, but not constructed, is proposed to be relinquished, notice in writing of the proposal shall be given to the owner, lessee, and occupier of each parcel of land in which any part of the said work proposed to be relinquished might have been situate. 5

Notice to owners, etc., in case of alteration or repeal of protective provisions.
(HL 19)

19. On or before 11th December in the case of a bill whereby any express statutory provision then in force for—
(a) the protection of the owner, lessee, or occupier of any specifically designated property, or 5
(b) the protection or benefit of any public trustees or commissioners, corporation or other person, specifically named in such provision,
is proposed to be altered or repealed, notice in writing of the proposal shall be given to the person or each of the persons for the time being entitled to enforce such statutory provision, unless after reasonable inquiry the identity of any such persons cannot be ascertained. 10

5 **19A.** On or before 11th December in the case of a bill containing provisions the effect of which is to confer power to disregard an order or undertaking then in force made by or given to a court, notice in writing of the proposal shall be given to the person at whose instance the order was made or the undertaking was given or his personal representative unless after reasonable inquiry his identity cannot be ascertained.

Notice in case of alteration of court order. (HL 19A)

5 **19B.—(1)** On or before 11th December in the case of a bill whereby it is proposed to vary the rights of all or any of the debenture holders of any local authority, or of any company within the meaning of the Companies Act 1985 or otherwise constituted, notice in writing of the proposal shall be given to each of the debenture holders whose rights it is proposed to vary.

Notice to debenture holders. (HL 19B)

10 (2) A bill for the purposes of this order shall be deemed to vary the rights of the holder of a debenture only if it authorises—

(a) in the case of an irredeemable debenture, its redemption;

15 (b) in the case of a redeemable debenture, the alteration of the date or the terms on which it may be redeemed;

(c) the creation or issue of any debenture with priority over, or ranking *pari passu* with, the first-named debenture contrary to the terms on which that debenture was created or issued.

20 (3) In this order “debenture” means any debenture, debenture stock, mortgage or other similar security issued by a local authority or company, whether or not it entitles the holders thereof to a charge on the whole or any part of the property of the authority or company;
25 and “debenture holder” shall be construed accordingly.

Notice to owners,
etc. in case of
alteration or
repeal of
provision relating
to nuisance.
(HL 20)

20. On or before 11th December in the case of a bill whereby any express statutory provision relating to nuisance arising on any lands is proposed to be altered or repealed, notice in writing of the proposal shall be given to the owner, lessee and occupier of each dwelling-house situate within 275 metres of the said lands unless after reasonable inquiry the identity of any such persons cannot be ascertained.

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Notice in case of
application for
compulsory
running powers.
(HL 21)

21. On or before 11th December in the case of a bill whereby any compulsory running powers are proposed to be taken over any railway or tramroad, notice in writing of the proposal shall be given to the person owning or working such railway or tramroad.

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Mode of giving
notice.
(HL 22)

22.—(1) Notices under Standing Orders 13 (Notice to owners, etc.) to 21 (Notice in case of application for compulsory running powers) shall be given—

(a) by delivering the notice personally to the party entitled thereto or by leaving it at his usual place of abode or (in his absence from the United Kingdom) by delivering it personally to his agent, or (where that party is a local authority, or a company, society, association or other body, howsoever constituted) by delivering the notice personally to the proper officer, clerk or secretary thereof; or

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(b) by forwarding the notice by post in a registered letter, addressed with a sufficient direction to—

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(i) the principal office of the party (being a local authority, company, society, association or other body); or

(ii) in any other case the usual place of abode of the party or (in his absence from the United Kingdom) of his agent,

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and posted on or before the third day previously to the day required for delivery thereof personally, at such places, at such hours, and according to such regulations as the Post Office may from time to time have appointed for the posting and registration of such letters.

(2) This order, in its application to a local authority being a parish or community council, shall have effect as if the reference to the proper officer of the authority included a reference to the chairman thereof and as if the reference to the principal office of the authority included a reference to the usual place of abode of the proper officer or chairman thereof, and, in its application to a local authority being a parish or community meeting, shall have effect as if the reference to the proper officer of the authority and the principal office thereof were a reference to the chairman thereof and his usual place of abode.

(3) Every such notice shall be accompanied by a copy of paragraph (1) of Standing Order 163 (Presentation of bills) and Standing Orders 171 (Presentation of petitions relating to private bills), 171A (Petitions against private bills) and 209 (Time for delivering notices, etc.)

23. In all cases the written acknowledgment of the party to whom a notice has been given shall, in the absence of other proof, be sufficient evidence of the giving of the notice; and in case of a notice forwarded by a registered letter, the production of the post office receipt for the letter shall be sufficient evidence of the due delivery thereof, if it appears that the letter was properly and sufficiently directed, and that it was not returned by the post office as undelivered.

Evidence of
notice.
(HL 23)

Notice on
Sunday, etc.,
invalid.
(HL 24)

24. No notice under the preceding orders given on Sunday, Christmas Day, Good Friday, or any bank holiday, or before 8 am or after 8 pm of any day, shall be deemed valid, except in the case of delivery of letters by post.

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Consents of local and highway authorities

Consents in case
of tramway bill.
(HL 25)

25.—(1) In the case of a bill whereby it is proposed to authorise the construction of a tramway, the promoters shall obtain the consent of the local authority of each area through which it is proposed to construct the tramway, and, where as respects any street or road the local authority is not the highway authority, the consent of the highway authority shall also be necessary in any case where power is sought to break up that street or road:

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Provided that, where it is proposed to construct a continuous line of tramway in two or more areas, and any local or highway authority having jurisdiction in any of those areas does not consent thereto, the consents of the local and highway authority, or of the local and highway authorities, having jurisdiction over two-thirds of the length of the proposed line of tramway, shall be deemed to be sufficient.

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(2) In this order “road” has the same meaning as in the Tramways Act 1870 and “local authority” means the council of a London borough, district in England or county or county borough in Wales.

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Consents
required under
the Greater
London
Authority Act
1999.

25A.—(1) In the case of a bill promoted by the Greater London Authority, Transport for London or the London Development Agency there shall be deposited in the Private Bill Office on or before 27th

5 November the following documents, as appropriate,
namely—

(a) where the relevant consent provision applies
to the bill, copies of the pre-deposit consents;

10 (b) where the relevant consent provision does
not apply, a statement to that effect.

(2) The relevant consent provision for the purposes of
paragraph (1) above is—

15 (a) in the case of a bill promoted by the Greater
London Authority, paragraph 6 of Schedule 5 to
the Greater London Authority Act 1999 (“the
1999 Act”);

(b) in the case of a bill promoted by Transport
for London, paragraph 5 of Schedule 13 to the
1999 Act;

20 (c) in the case of a bill promoted by the London
Development Agency, paragraph 5 of Schedule 6A
to the Regional Development Agencies Act 1998
 (“the 1998 Act”) (as inserted by Schedule 25 to the
1999 Act).

25 (3) In the case of a bill promoted by the council of a
London borough, Transport for London or the London
Development Agency there shall be deposited in the
Private Bill Office on 11th December or as soon as
practicable thereafter the following documents, as
30 appropriate, namely—

(a) where the relevant consent provision applies
to the bill—

(i) copies of the pre-deposit consents and post-
deposit confirmations of consents; or

35 (ii) if confirmation of consent has not been
given, a statement that the relevant withdrawal
provision applies; or

(iii) if confirmation of consent is given
conditionally on the amendment of the bill, a

statement that the relevant amendment provision applies; 40

(b) where the relevant consent provision does not apply, a statement to that effect.

Paragraph (a)(ii) does not apply to a bill promoted by the council of a London borough. 45

In this paragraph “pre-deposit consent” includes a consent given in accordance with the relevant consent provision after deposit of the bill.

(4) The relevant consent provision for the purposes of paragraph (3) above is— 50

(a) in the case of a bill promoted by the council of a London borough, section 79(2) of the 1999 Act;

(b) in the case of a bill promoted by Transport for London, section 167(2) of the 1999 Act; 55

(c) in the case of a bill promoted by the London Development Agency, section 26A(2) of the 1998 Act.

(5) The relevant withdrawal provision for the purposes of paragraph (3) above is— 60

(a) in the case of a bill promoted by Transport for London, section 167(3) of the 1999 Act.

(b) in the case of a bill promoted by the London Development Agency, section 26A(3) of the 1998 Act. 65

(6) The relevant amendment provision for the purposes of paragraph (3) above is—

(a) in the case of a bill promoted by the council of a London borough, section 79(4) of the 1999 Act; 70

(b) in the case of a bill promoted by Transport for London, section 167(4) of the 1999 Act;

(c) in the case of a bill promoted by the London Development Agency, section 26A(4) of the 1998 Act.

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Documents required to be deposited, etc., and the times and places of deposit, etc.

26. No deposit required by the following orders shall be deemed valid if made on Sunday, Christmas Day, Good Friday, or any bank holiday, or before 8 a.m. or after 8 p.m. of any day. (see also Standing Order 209 (Time for delivering notices, etc.))

Deposit on Sunday, etc., invalid. (HL 26)

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27.—(1) In the case of a bill whereby it is proposed—

(a) to authorise the construction of works to which this order applies, or the alteration of any such works authorised by a former Act; or

Deposit of plan, book of reference, and section, etc. (HL 27)

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(b) to authorise the compulsory acquisition of any lands or buildings or of rights to use any lands or buildings; or

(c) to render liable to the imposition of an improvement charge any lands or buildings;

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there shall, on or before 20th November, be deposited with the proper officer of the council of each county, metropolitan district, unitary district, or London borough or (in Wales) of each county or county borough or (in Scotland) of each local government area in which

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any such works, lands or buildings are situate a plan of the works or alteration of works, and of the lands or buildings, and a book of reference thereto, and also, where the construction or alteration of works is proposed to be authorised, a section of the works to be

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constructed or the alteration to be made:

Provided that it shall be sufficient (at the option of the promoters) to deposit with the proper officer of the council of each county, metropolitan district, unitary district, and London borough and (in Wales) of each county or county borough or (in Scotland) of each local government area so much only of the said plan and section and book of reference as relates to the works, lands or buildings in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area: 25 30

Provided also that, in the case of a bill whereby it is proposed to revive the powers granted by a former Act for the construction or alteration of works, the deposit of a plan and section of the works shall not be required if— 35

(a) the former Act was passed not more than ten years previously to the deposit of the petition for the bill; or

(b) the lands in or upon which the works are proposed to be constructed or altered have been acquired by, or are vested in the promoters; or 40

(c) the construction or alteration of the works has been commenced.

(2) In the case of a bill whereby it is proposed to authorise the construction of a railway or tramroad, there shall be deposited with such plans an ordnance map on the scale of 1/50,000 with the line of the railway or tramroad delineated thereon so as to show its general course of direction. 45 50

(3) Any such plan, section, book of reference and ordnance map may, instead of being deposited as aforesaid, be sent by registered post to the office of the proper officer of the council of the county, metropolitan district, unitary district, or London borough or (in 55

Wales) of the county or county borough or (in Scotland) of the local government area, and if so sent shall be posted on or before 17th November.

60 (4) The proper officer or chief executive of the council
of each county, metropolitan district, or London
borough or (in Wales) each county or county borough
or (in Scotland) each local government area, shall make
on every plan, section and book of reference deposited
with him a memorial in writing denoting the date and
65 hour when it was lodged at his office, and shall at all
reasonable hours of the day permit any person to inspect
it and to make copies thereof or extracts therefrom.

70 (5) On or before 20th November, one copy of every such
plan, section, book of reference and ordnance map shall be
deposited in the Private Bill Office, and copies of the same
shall be deposited in accordance with Standing Order 1A.

(6) The works to which this order applies are works
of any of the following descriptions:—

- Aqueduct.
- 75 Archway.
- Bridge.
- Canal.
- Cut.
- Dock.
- 80 Drainage—where it is not provided in the bill that the
cut shall not be more than 3.4 metres wide at the
bottom.
- Embankment for re-claiming land from the sea or any
tidal river.
- 85 Ferry.
- Harbour.
- Motor road.
- Navigation.

| | |
|-----------------------|-----|
| Pier. | |
| Port. | 90 |
| Public carriage road. | |
| Railway. | |
| Reservoir. | |
| Sewer. | |
| Street. | 95 |
| Subway. | |
| Tramroad. | |
| Tramway. | |
| Tunnel. | |
| Waterwork. | 100 |

(7) This order shall apply to Greater London as if it were a county and the Greater London Authority were the council of the county.

Environmental
assessment.
(HL 27A)

27A.—(1) Subject to paragraph (8) below, in the case of a bill authorising the carrying out of works the nature and extent of which are specified in the bill on land so specified, there shall be deposited on or before 4th December in the Private Bill Office and at the public departments at which copies of the bill are required to be deposited under Standing Order 39 (Deposit of copies of bills at Treasury and other public departments, etc.), either—

(a) a copy or copies (as specified by paragraph (2) below) of an environmental statement containing, in relation to the works authorised by the bill

(i) the information referred to in Part II of Schedule 4 to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (S.I. 1999, No. 293) (referred to below as “Schedule 4”), and so much of the information referred to in Part I of that

20 Schedule as is reasonably required to assess the
environmental effect of the works and as the
promoters can reasonably be expected to
compile; or

(ii) such of that information as the Secretary
of State may in any particular case direct, or

25 (b) a copy or copies (as so specified) of a
direction by the Secretary of State that no such
statement is necessary in relation to the works
authorised by the bill.

(2) Copies shall be deposited in accordance with
Standing Order 1A.

30 (3) Where any such works authorised by a bill relate
to two or more distinct projects each project may be
treated separately for the purposes of paragraph (1)
above: and the references in sub-paragraphs (a) and (b)
35 of that paragraph to the works authorised by the bill
shall accordingly be construed, where the paragraph
applies separately to each project, as references to the
works comprised in that project.

40 (4) Notwithstanding any direction given as
mentioned in paragraph (1)(a) above, any
environmental statement of which copies are deposited
under this order shall contain the summary (referred to
below as “the non-technical summary”) required by
paragraph 6 of Part I and paragraph 5 of Part II of
Schedule 4.

45 (5) Where the Secretary of State has given a direction
as mentioned in paragraph (1)(a) above, a copy of the
direction shall be deposited with every copy of the
environmental statement deposited under this order;
and every copy of a direction so deposited or deposited
50 under paragraph (1)(b) above shall be accompanied by
a statement by the Secretary of State of his reasons for
giving the direction.

(6) Copies of every environmental statement deposited under this order shall be made available for inspection, and for sale at a reasonable price, on and after 4th December, at the offices at which copies of the bill are required to be made available under Standing Order 4A (Copies of bill to be made available); and there shall also be made available separately on and after that date at those offices, for inspection and for sale at a reasonable price, copies of the non-technical summary. 55 60

(7) The reference to Schedule 4 in this order is a reference to that schedule as amended from time to time and includes a reference to the corresponding provision of any regulations which re-enact the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 1999, with or without amendment; and references to particular paragraphs of Schedule 4 shall be construed accordingly. 65

(8) This order does not require the deposit of copies of an environmental statement in relation to any works for which planning permission has been granted. 70

28. [Repealed 29th July 1964]

Deposit of map
in case of
tramway, etc.,
bill.
(HL 29)

29. In the case of a bill whereby it is proposed to authorise the construction of a tramway or the establishment or extension of a trolley vehicle system, two copies of an ordnance map on a scale of not less than 1/10,000, with the line of the proposed tramway or trolley vehicle system marked thereon, shall, on or before 20th November, be deposited in the Private Bill Office and in accordance with Standing Order 1A. 5

Deposit of map
in case of bill for
supply of
electricity.
(HL 30)

30. In the case of a bill whereby it is proposed to authorise the supply of electricity, an ordnance map on a scale of not less than 1/50,000, with the proposed area of supply marked thereon, shall, on or before 20th

5 November, be deposited in accordance with Standing Order 1A.

5 **30A.**—(1) In the case of a bill whereby it is proposed that any water may be taken, collected, or impounded for the purpose of a water supply the promoters shall, on or before 20th November, deposit in accordance with Standing Order 1A and also at the Private Bill Office, an ordnance map on the scale of not less than 1/50,000, showing by a distinguishing mark the position of each reservoir, well, conduit, or other work proposed to be authorised by the bill; and where the proposed source of supply is a river, stream, or lake, showing by a clearly marked line the catchment area or gathering ground from which the waters are derived.

Deposit of map
in case of bill for
taking water
supply.
(HL 30A)

15 (2) Where, under the powers of any bill it is proposed to supply with water any area not previously included within the promoters' limits of supply, the promoters shall similarly deposit an ordnance map on the scale of 1/50,000, showing respectively the existing limits of supply and the area proposed to be added thereto.

5 **31.** In the case of a bill whereby it is proposed that tidal lands below the level of mean high water springs should be acquired, or in any way affected, a copy of so much of the deposited plan and section (if any) as relates to the said tidal lands shall, on or before 20th November, be deposited in accordance with Standing Order 1A, marked "TIDAL WATERS", and on such copy all tidal waters below the said line shall be coloured blue, and, if the plan includes any proposed bridge across any such tidal waters, the dimensions as regards span and headway of the nearest bridges, if any, across the same tidal waters above and below the proposed bridge shall be marked thereon; and, where it is proposed by the bill to authorise the construction of works to which

Deposit of copy
of plan, etc., in
case of bill
affecting tidal
lands.
(HL 31)

Standing Order 27 (Deposit of plan, book of reference, and section, etc.) applies affecting tidal lands below the said line, the copies so deposited of the plan and section shall be accompanied by an ordnance map with the position and extent or route of the proposed works shown thereon. 15
20

Deposit of copy of plan, etc., in case of bill affecting fisheries. (HL 32)

32.—(1) In the case of a bill whereby it is proposed to authorise the making, extending or enlarging of any dam, weir, or obstruction to the passage of fish in any river or estuary, or of any sewer discharging into any river or estuary, a copy of so much of the deposited plan and section as relates to the proposed dam, weir, obstruction, or sewer, shall, on or before 20th November, be deposited in accordance with Standing Order 1A. 5

(2) A copy of the said portion of the deposited plan and section shall also be delivered on or before the same date at, or sent by registered post to, the principal regional office of the Environment Agency for the area containing the river or estuary affected, and if so sent shall be posted on or before 17th November. 10
15

Delivery of copy of plan, etc., affecting banks, etc., of river. (HL 33)

33.—(1) In the case of a bill whereby it is proposed to authorise the construction of any work to which Standing Order 27 (Deposit of plan, book of reference, and section etc.) applies on the banks, foreshore, or bed of any river, a copy of so much of the deposited plan and section as relates to the portion of the work by which the banks, foreshore, or river bed may be affected, shall be delivered on or before 20th November at, or sent by registered post to, the principal regional office of the Environment Agency for the area containing the river affected, and if so sent shall be posted on or before 17th November. 5
10

15 (2) If the plan includes any proposed tunnel under, or
 bridge over the river, the depth of the tunnel below the
 bed of the river, or the span and headway of the bridge,
 shall be marked thereon; and the copy of the plan shall
 be accompanied by an ordnance map, with the position
 and extent or route of the proposed works shown
 thereon.

5 **34.** In the case of a railway, tramway, or tramroad bill
 and of a bill relating to any waterway, road, bridge,
 tunnel, ferry, harbour, dock or pier, a copy of the
 deposited plan, section, and a book of reference (if any),
 and in the case of a bill whereby it is proposed to
 authorise the construction of a railway or tramroad, also
 a copy of the ordnance map (if any), with the line of
 railway or tramroad delineated thereon, shall, on or
 before 20th November, be deposited in accordance with
 10 Standing Order 1A.

Deposit of copy
 of plan, etc., in
 certain cases with
 certain
 Departments.
 (HL 34)

5 **35.** Where by any bill the construction of a work of
 any kind is proposed to be authorised by which street
 traffic or the regulation of street traffic in the
 Metropolitan Police District may be affected, a copy of
 so much of the deposited plan and section as relates to
 such work shall, on or before 20th November, be
 deposited at the office of the Commissioner of Police of
 the Metropolis.

Deposit of copy
 of plan, etc., in
 certain cases with
 Commissioner of
 Police.
 (HL 35)

5 **36.—(1)** In the case of a bill in respect of which a plan,
 or a plan and section, and a book of reference are
 required by Standing Order 27 (Deposit of plan, book of
 reference, and section, etc) to be deposited, a copy of so
 much of the said plan, or plan and section, as relates to
 any of the areas hereinafter mentioned, and a copy of so
 much of the book of reference as relates to such area,

Deposit of copy
 of plan, etc., in
 certain cases with
 certain local
 authorities.
 (HL 36)

shall, on or before 20th November, be deposited for public inspection with the officers respectively hereinafter mentioned, that is to say, in the case of— 10

(a) any district in England other than a metropolitan district, or unitary district, with the proper officer of the district;

(b) any county or county borough in Wales with the proper officer of the county or borough; 15

(c) any parish having a parish council or community having a community council, with the proper officer of the parish or community council, or, if there is no such officer, with the chairman of that council; 20

(d) any parish or community, not having a parish or community council, with the chairman of the parish or community meeting.

(2) Any such plan, section and book of reference may, instead of being deposited as aforesaid, be sent by registered post to any such officer, and if so sent shall be posted on or before 17th November. 25

(3) The officer of each local authority with whom a copy of so much of the said plan, or plan and section, and book of reference is so deposited shall permit any person at all reasonable hours of the day to inspect them and to make copies thereof or extracts therefrom. 30

Deposit of copy
of plan, etc. in
certain
circumstances
(HL 37)

37. In the case of a bill by which it is proposed to authorise the compulsory acquisition—

(a) of any churchyard, burial ground or cemetery, or any part thereof, or

(b) of rights to use any churchyard, burial ground or cemetery, or any part thereof, or 5

(c) of any other land, or of rights to use any other land,

10 copies of so much of the deposited plan, section (if any) and book of references as relates to the land shall, on or before 20th November, be deposited in accordance with Standing Order 1A.

5 **38.**—(1) Printed copies of every bill for which a petition has been presented shall, on or before 27th November (or when 27th November is a Saturday or a Sunday, on the first Monday following that day), be delivered at the Vote Office for the use of any member of the House and in the Private Bill Office for the use of any agent who may apply for the same.

Deposit of copies
of bill in Vote
Office and
Private Bill
Office.
(HL 38)

(2) There shall be attached to every copy of a bill—

(a) delivered under this standing order,
10 (b) deposited, delivered or sent under any of the standing orders following this order,
(c) made available for inspection and sale under Standing Order 4A (Copies of bill to be made available),

15 a printed memorandum describing the Bill generally and, subject to paragraph below, every clause in the bill.

(3) The printed memorandum shall include a statement of opinion, by or on behalf of the promoters, as to the compatibility of the provisions of the bill with the Convention rights (as defined in the Human Rights Act 1998).
20

(4) Related clauses may be dealt with together in the memorandum and it shall not be necessary to describe clauses providing only for the short title, commencement, interpretation, extent or costs of promotion of the bill.
25

Deposit of copies
of bills
(HL 39)

39. On or before 4th December printed copies shall be deposited in accordance with Standing Order 1A.

40. [Repealed 9th April 1986]

Delivery of
copies of certain
bills to highway
authorities.
(HL 41)

41. A printed copy of every bill whereby it is proposed to authorise any persons other than the highway authority to break up or otherwise interfere with any streets or roads, other than streets or roads shown on the deposited plan, shall be delivered on or before 4th December at, or sent by registered post to, the office of the highway authority liable for the maintenance of such streets or roads, and if so sent shall be posted on or before 1st December.

5

Delivery of
copies of bills
affecting
watercourses to
Environment
Agency.
(HL 42)

42. A printed copy of every bill whereby it is proposed to authorise any persons to impound or abstract water from, or to discharge water into, any watercourse, or to construct works over, or under, or affecting any such watercourse or the banks thereof, shall be delivered on or before 4th December at, or sent by registered post to, the principal regional office of the Environment Agency for the area containing the watercourse affected, and if so sent shall be posted on or before 1st December.

5

10

Delivery of
copies of bills
affecting rivers or
estuaries to
Environment
Agency.
(HL 43)

43. A printed copy of every bill whereby it is proposed to authorise the making, extending or enlarging of any dam, weir or obstruction to the passage of fish in any river or estuary, or of any sewer discharging into any river or estuary, or the abstraction of water from any river, shall be delivered on or before 4th December at, or sent by registered post to, the principal regional office of the Environment Agency for the area containing the river or estuary affected, and if so sent shall be posted on or before 1st December.

5

10

- 44.—(1) Where a bill is one to which, in the event of its originating in this House, Standing Order 64 (Consents of members of companies, etc., not being promoters, in case of certain bills originating in this House) will apply, and any company, society, association or partnership upon which powers are proposed to be conferred or whose constitution is proposed to be altered by the bill as provided in that order carries on (whether under statutory authority or otherwise) an undertaking for the supply of water, either a printed copy of the bill or notice in writing of the provisions thereof to which that order applies, shall be delivered on or before 11th December or sent by registered post (and if so sent shall be posted on or before 8th December) to the proper officer of each local authority whose area comprises the whole or any part of the area within which such company, society, association, or partnership supply or are authorised to supply water.
- 20 (2) In this order “local authority” does not include a parish council or a parish meeting, or a community council or a community meeting.

Delivery of copies of certain bills to local authorities.
(HL 44)

- 45.—(1) On or before 4th December there shall be deposited in the Private Bill Office in the case of a bill in respect of which a plan and section are required under Standing Order 27 (Deposit of plan, book of reference, and section, etc.) to be deposited, an estimate, signed by the person making the same, of the expense of carrying out the works shown on the deposited plan and section; and copies of the estimate shall, on or before that date, be delivered at the Vote Office for the use of members of the House and at the Private Bill Office for the use of any agents who may apply therefor.

Deposit and form of estimates.
(HL 45)

(2) The estimate, if and so far as it relates to any matter included in Appendix B to these orders, shall be in the form set forth in that appendix or as near thereto as circumstances may permit. 15

(3) Where the estimate relates to any railway, tramway, tramroad, trolley vehicles or public service vehicles, waterway, road, bridge, tunnel, ferry, harbour, dock or pier, a copy thereof shall be deposited in accordance with Standing Order 1A. 20

46. [Repealed 24th October 1990]

Deposit of statement as to houses and persons on land to be acquired. (HL 47)

47.—(1) In the case of a bill whereby it is proposed—

(a) to authorise the acquisition compulsorily or by agreement of any specified land on which houses are standing, or

(b) to revive or to extend the time limited for the exercise of any power for such acquisition; 5

the promoters shall, if the total number (so far as can be ascertained) of persons residing in those houses in any area to which this order applies is thirty or more, deposit in the Private Bill Office in accordance with Standing Order 1A on or before 11th December a statement showing— 10

(i) the name of that area;

(ii) the total number of those houses in that area; and

(iii) the total number (so far as can be ascertained) of persons residing in them: 15

Provided that, in the case of a bill whereby it is proposed to revive or to extend the time limited for the exercise of any such powers as aforesaid originally conferred by an Act passed not more than four years before the date of the deposit of the petition for the bill, then, if a statement in pursuance of this order, or of any former standing order corresponding thereto, was deposited in respect of the bill for that Act, the houses 20

25 included in that statement shall be excluded in
determining whether a statement is required under this
order to be deposited in respect of the bill in question.

(2) The areas to which this order applies are districts
in England, London boroughs and counties or county
30 boroughs in Wales.

(3) In this order the expression “house” means any
house or part of a house occupied as a separate dwelling.

*Deposited plans, books of reference, sections and cross
sections*

5 **48.**—(1) Every deposited plan shall be drawn to a
scale of not less than 1/15,000, and shall describe the
lands which may be compulsorily acquired or used or
which are rendered liable to the imposition of an
improvement charge, and, in the case of bills in respect
of which a plan and section are required under Standing
Order 27 (Deposit of plan, book of reference, and
section, etc.) to be deposited, shall also describe the line
or situation of the whole of the work (no alternative line
10 or work being in any case permitted), and the lands in or
through which it is to be constructed or altered or
through which any communication to or from the work
may be made; and where it is the intention of the
promoters to apply for powers to make any lateral
15 deviation from the line of the proposed work, the limits
of such deviation shall be defined upon the plan, and all
lands included within those limits shall be marked
thereon; and, unless the whole of the plan is upon a scale
of not less 1/5,000, there shall be added an enlarged plan
20 upon a scale of not less than 1/5,000 of any building,
yard, courtyard, or land within the curtilage of any
building, or of any ground cultivated as a garden, either
in the line of the proposed work, or included within the
limits of deviation.

Description
of plan.
(HL 48)

(2) Where tunnelling as a substitute for open cutting, or a viaduct as a substitute for solid embankment, is intended, the same shall be marked on the plan, and in the case of tunnelling by a dotted line thereon. 25

(3) Where, under any standing order, a length is required to be stated on the deposited plan, it shall be stated in kilometres and metres. 30

Particulars in
case of
waterways, etc.
(HL 49)

49. In the case of a bill whereby it is proposed to authorise the construction or alteration of any waterway, cut, reservoir, or aqueduct, the deposited plan shall show the brooks and streams to be directly diverted into the intended waterway, cut, reservoir or aqueduct, or into any alteration thereof for supplying the same with water. 5

Particulars in
case of railways
and tramroads.
(HL 50)

50.—(1) In the case of a bill whereby it is proposed to authorise the construction or alteration of any railway or tramroad, the distances in kilometres from one of the termini shall be marked on the deposited plan; and a memorandum of the radius of every curve, except a curve having a radius exceeding 1.6 kilometres in length, shall be noted on the plan. 5

(2) In the case of a bill whereby it is proposed to authorise the construction or alteration of a railway or tramroad so as to form a junction with an existing or authorised line of railway or tramroad, the course of the existing or authorised line shall be shown on the plan for a distance of 750 metres on each side of the proposed junction, on the same scale as the first-mentioned railway or tramroad. 10
15

51. In the case of a bill whereby it is proposed to authorise the diversion, widening or narrowing of any public carriage road, navigable river, canal, railway or tramroad, the course of the diversion, and the extent of the widening or narrowing, shall be marked upon the deposited plan; and, if it be intended to divert any public footpath or bridleway, the course of such diversion shall be marked upon the plan.

Particulars in case of diversion of roads, etc. (HL 51)

52.—(1) In the case of a bill whereby it is proposed to authorise the construction or alteration of a tramway, the deposited plan shall indicate the proposed position of the tramway, in relation to the street or road in which it is to be laid, and, where not along the centre, the distance from an imaginary line drawn along the centre of the street or road.

Particulars in case of tramways. (HL 52)

(2) If it is proposed that the tramway should be laid so that between any points for a distance of 10 metres or upwards the space intervening between the outside of the footpath on either side of the street or road and the nearest rail of the tramway will be less than—

- (a) 3 metres; or
- (b) if it is intended to run on the tramway carriages or trucks adapted for use upon railways, 3.3 metres,

the tramway between those points shall be indicated on the plan by a thick dotted line on the side or sides where the narrow places occur; and the width of the street or road at those places shall also be marked on the plan.

(3) Double lines (including passing places) must be indicated on the plan by a double line, and the distance between the centre lines of each line of tramway marked thereon.

(4) The distances in kilometres from one of the

termini of the tramway shall be marked on the plan, and there shall be stated—

(a) the total length of the street or road upon which the tramway is to be laid, that is to say the length of the route of the tramway; 30

(b) the length of each double and single portion of the tramway and the total lengths of double and single portions respectively.

(5) If the bill relates to more than one tramway, the foregoing provisions shall apply severally to each such tramway. 35

Plan to define improvement and improvement area.
(HL 53)

53. In the case of a bill whereby it is proposed to render any lands or houses liable to the imposition of an improvement charge, the deposited plan shall define the improvement and also the limits of the area within which the charge may be imposed. 5

Contents of book of reference.
(HL 54)

54. The deposited book of reference shall contain the names of the owners, lessees, and occupiers of all lands and houses which may be compulsorily acquired or used, or which are proposed to be rendered liable to the imposition of an improvement charge (unless, in the case of an owner or lessee, his identity cannot after reasonable enquiry be ascertained), and shall describe such lands and houses respectively. 5

Section.
(HL 55)

55.—(1) The deposited section shall be drawn to the same horizontal scale as the deposited plan, and to a vertical scale of not less than 1/1,250, and shall show the surface of the ground marked on the plan, the intended level of the proposed work, the height of every embankment, and the depth of every cutting, and a datum horizontal line. 5

10 (2) The datum line shall be the same throughout the whole length of the work, and any branch thereof, and shall be referred to some fixed point (stated in writing on the section), near some portion of the work, and, in the case of a waterway, cut, public carriage road, railway or tramroad, near one of the termini.

15 (3) The distance of such fixed point above or below an ordnance bench mark in the locality of the proposed works, and near one of the termini, and the height of such bench mark above ordnance datum of Newlyn shall also be stated.

20 (4) Where tunnelling as a substitute for open cutting, or a viaduct as a substitute for solid embankment is intended, the same shall be marked on the deposited section.

25 (5) Wherever the extreme height of any embankment, or the extreme depth of any cutting, is intended to exceed 1.5 metres, the extreme height over, or depth under, the surface of the ground shall be marked in figures upon the section; and if any bridge or viaduct of more than three arches is intended to intervene in any embankment, or if
30 if any tunnel is intended to intervene in any cutting, the extreme height or depth shall be marked in figures on each of the parts into which such embankment or cutting will be divided by such bridge, viaduct, or tunnel.

5 **56.** In the case of a bill whereby it is proposed to authorise the improvement of the navigation of any river, the deposited section shall specify the levels of both banks of such river; and, where any alteration is intended to be made therein, it shall describe the same by metres or parts of a metre.

Section of
improvement
etc., of
navigation.
(HL 56)

Section of
railway or
tramroad.
(HL 57)

57.—(1) In the deposited section of a railway or tramroad the line marked thereon shall correspond with the upper surface of the rails.

(2) Distances on the datum line shall be marked to correspond with those on the deposited plan; a vertical measure from the datum line to the line of the railway or tramroad shall be marked in metres or parts of a metre, at the commencement and termination of the railway or tramroad, and at each change of the gradient or inclination thereof; and the proportion of rate of inclination between every two consecutive vertical measures shall also be marked. 5 10

(3) Wherever a railway or tramroad is intended to cross any waterway, or (otherwise than on the level) any public carriage road, railway or tramroad, the height of the intended railway or tramroad over, or depth under, the surface thereof, and the height and span of each arch of any bridge and viaduct by which the railway or tramroad will be carried over the same, shall be marked in figures on the section at every crossing thereof; and, where the railway or tramroad will be carried across any such public carriage road, railway or tramroad on the level thereof, such crossing shall be so described on the section. 15 20

(4) In the case of a bill whereby it is proposed to authorise the construction or alteration of a railway or tramroad so as to form a junction with an existing or authorised line of railway or tramroad, the gradient of such existing or authorised line shall be shown on the section, for a distance of 750 metres on each side of the point of junction, on the same scale as the first-mentioned railway or tramroad. 25 30

Section of
tramway.
(HL 58)

58. In the deposited section of a tramway the distances shall be marked corresponding with those marked on the deposited plan, and there shall also be

5 marked on the section the gradients of the road on which
the tramway is to be laid.

5 **59.** If any alteration is intended in the water level of
any canal, or in the level or rate of inclination of any
public carriage road, railway or tramroad which will be
crossed by the intended railway or tramroad, the same
shall be stated on the deposited section, and each
alteration shall be numbered, and cross sections, in
10 references to the numbers, on a horizontal scale of not
less than 1/5,000, and on a vertical scale of not less than
1/500, shall be added, which shall show the present
surface of such road, canal, railway or tramroad and the
intended surface thereof when altered; and the greatest
of the present and intended rates of inclination of the
15 portion of the road, railway or tramroad intended to be
altered shall also be marked in figures on the section;
and, where any public carriage road is crossed on the
level, a cross section of that road shall be added, and
every such cross section shall extend for 180 metres on
each side of the centre line of the railway or tramroad.

Cross sections of
roads, etc.
(HL 59)

Bills brought from the House of Lords

5 **60.** A copy of every private bill brought from the
House of Lords in which any amendment has been made
on third reading in that House shall, not later than the
second day after the bill has been read the first time, be
deposited at every office at which it was deposited under
Standing Order 39 (Deposit of copies of bills at Treasury
and other public departments, etc.) or would be required
to be deposited under that order if it had been originally
10 presented in the form in which it was brought from the
House of Lords.

Deposit of copies
of bill brought
from House of
Lords at public
departments, etc.
(HL 60)

Notices and
deposits where
work is altered
while bill is in
House of Lords.
(HL 61)

61.—(1) Whenever during the progress through the House of Lords of any bill originating in that House, in respect of which a plan and section are required under Standing Order 27 (Deposit of plan, book of reference, and section, etc.) to be deposited, any alteration has been made in any work proposed to be authorised by the bill, proof shall be given before the Examiner that not less than two weeks before the bill was brought from the House of Lords—

(a) a plan and section of the alteration, on the same scale and containing the same particulars as the original plan and section, together with a book of reference thereto, have been deposited—

(i) in the Private Bill Office, and

(ii) with the proper officer of the council of every county, metropolitan district, unitary district, or London borough, or (in Wales) of every county or county borough or (in Scotland) of every local government area in which such alteration is proposed to be made; and

(b) a copy of the plan and section of such alteration, so far as it relates to any of the areas mentioned in Standing Order 36 (Deposit of copy of plan, etc., in certain cases with certain local authorities), together with a book of reference thereto, has been deposited with the appropriate officer mentioned in that order.

(2) Proof shall also be given—

(a) that notice of the intention to make such alteration has been published before the bill was read the first time in this House once in the London Gazette, and once in each of two consecutive weeks in a newspaper circulating in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area in which such alteration is situate; and

40 (b) that notice in writing, as nearly as may be in
 the form set forth in Appendix A to these orders,
 was in accordance with the provisions of Standing
 Order 22 (Mode of giving notice) with respect to the
 notices to which that order relates given before the
 bill was read the first time in this House to the
 45 owners, lessees, and occupiers of lands through
 which any such alteration is intended to be made;
 and

(c) that the consent of such owners, lessees, and
 occupiers to the making of such alteration has
 been given.

50 (3) Compliance with this order shall not be necessary
 in the case of alterations made on petition for additional
 provision in the House of Lords.

55 (4) This order shall apply to Greater London as if it
 were a county and the Greater London Authority were
 the council of the county.

*Consents of proprietors or members of companies, and
 of persons named as directors*

5 **62.**—(1) Every bill originating in this House,
 promoted by a company constituted by Act of
 Parliament, shall after it has been read a second time be
 referred to the Examiners and the Examiner shall report
 whether the following order has or has not been
 complied with:—

Consents of
 proprietors of
 statutory
 companies
 promoting bills
 originating in
 this House.
 (HL 62)

The bill, as presented, or proposed to be presented to
 this House, shall be submitted to the proprietors of the
 company at a meeting held specially for that purpose.

10 Such meeting shall be called by notice inserted once in
 each of two consecutive weeks in a newspaper published
 in London or Edinburgh, as the case may be, and in a
 local newspaper circulating in the county, metropolitan

district, unitary district or London borough or (in
 Wales) the county or county borough or (in Scotland)
 the local government area in which the principal office of
 the company is situate, the first of such insertions being 15
 not earlier than 4th December; and also by a circular
 addressed to each proprietor on the register of the
 company at his last known or usual address, and sent by 20
 post to, or delivered at, such address not less than
 twenty-one days before the holding of the meeting,
 stating the offices at which copies of the bill may be
 inspected and obtained, and enclosing a blank form of
 proxy, with proper instructions for its use; and the same 25
 form of proxy and the same instructions, and none
 other, shall be sent to every such proprietor; but no
 intimation shall be sent as to any person in whose favour
 the proxy may be granted; and no other circular or form
 of proxy relating to the meeting shall be sent to any 30
 proprietor from the office of the company, or by any
 director or officer of the company.

The meeting shall be held not earlier than the twenty-
 first day after the first insertion of the notice, and may be 35
 held on the same day as an ordinary general meeting of
 the company.

At the meeting the bill shall be submitted to the
 proprietors aforesaid then present, and approved of by
 proprietors, present in person or by proxy, holding at
 least three-fourths of the paid-up capital of the company 40
 represented by the votes at the meeting, such proprietors
 being qualified to vote at all ordinary meetings of the
 company in right of their holding of such capital. Where
 proprietors hold any shares or stock in respect of which
 they are not entitled to vote at an ordinary meeting, they 45
 may, if their interests may be affected by the bill, tender
 votes in respect of such holdings, which votes shall be
 recorded separately.

50 The names of the proprietors present in person at the
meeting shall be recorded. For this purpose the first
meeting and any adjournment thereof shall be deemed to
be the same meeting.

55 A poll may be demanded by any three proprietors
present in person or by proxy at the meeting and entitled
to vote, or by one proprietor to two proprietors so
present and entitled, if that proprietor or those
proprietors together hold not less than 15 per cent. of the
paid-up capital represented by the proprietors so present
and entitled, and not otherwise.

60 There shall be deposited in the Private Bill Office a
statement of the number of votes if a poll was taken, and
of the number of votes recorded separately.

65 Where the company carries on two or more separate
undertakings and portions of the capital of the company
are allocated so as to be exclusively applicable to the
several undertakings, then, so far as the bill relates to
any such separate undertaking, separate meetings shall
be held of the proprietors of the company and the
70 proprietors of the capital of the company so allocated to
the undertaking, and the provisions of this order
applicable to meetings of proprietors of the company
shall with the necessary modifications apply to meetings
of the proprietors of the portion of the capital of the
company so allocated:

75 Provided that in the case of a bill for which the
petition is presented or intended to be presented after
27th November, the foregoing provisions of this order
shall apply, subject to the following modifications:—

80 (a) the first insertion of the advertisement calling
the meeting shall be not earlier than the date of the
deposit of the petition; and

(b) the circular to proprietors shall be sent by
post or delivered not earlier than the date (as
specified in the notice containing a concise

summary of the purposes of the bill) on and after which copies of the bill may be inspected and obtained. 85

(2) The Examiner shall give not less than two clear days' notice in the Private Bill Office of the day on which any such bill will be examined. 90

(3) This order shall apply to Greater London as if it were a county.

Consents of members of registered companies, etc., promoting bills originating in this House. (HL 63)

63.—(1) Every bill originating in this House, promoted by any company, society, association, or partnership, whether a company within the meaning of the Companies Act 1985 or otherwise constituted (and not being a company to which the preceding order applies), shall after it has been read a second time be referred to the Examiners, and the Examiner shall report whether the following order has or has not been complied with:— 5

(a) In the case of a company within the meaning of the Companies Act 1985, the bill as presented or proposed to be presented to this House shall be approved by a special resolution of the company, and a copy of the resolution shall be deposited in the Private Bill Office. 10 15

(b)(i) In the case of any other such company, society, association, or partnership as aforesaid, the bill as presented or proposed to be presented to this House shall be consented to by three-fourths in number and (where applicable) in value of the proprietors or members of the company, society, association or partnership present in person or by proxy, and voting at a meeting convened by a notice stating the business to be transacted thereat; such consent to be certified in writing by the chairman of the meeting. A copy of the certificate of consent 20 25

shall be deposited in the Private Bill Office.

30 (ii) The names of the proprietors or members present in person at the meeting shall be recorded. For this purpose the first meeting and any adjournment thereof shall be deemed to be the same meeting.

35 (iii) A poll may be demanded by any three proprietors or members present in person or by proxy at the meeting and entitled to vote, or by one proprietor or member or two proprietors or members so present and entitled, if that proprietor or member or those proprietors or members together represent not less than 15 per cent. of the paid-up capital represented by the proprietors or members so present and entitled, and not otherwise.

40 (iv) If a poll is taken, there shall be deposited in the Private Bill Office a statement of the number of votes.

45 (c) So far as any such bill relates to a separate class of proprietors or members of any company, society, association, or partnership, as distinct from the proprietors or members generally, the bill shall be approved or consented to by the proprietors or members generally, and also by the separate class of proprietors or members, and the provisions of this order applicable to the proprietors or members generally shall, with the necessary modification, apply to the separate class of proprietors or members.

(2) The Examiner shall give not less than two clear days' notice in the Private Bill Office of the day on which any such bill will be examined.

Consents of members of companies, etc., not being promoters, in case of certain bills originating in this House. (HL 64)

64.—(1) Where any bill originating in this House contains provisions—

(a) conferring any powers upon; or

(b) altering in any respect the constitution of,

any company, society, association, or partnership (howsoever constituted), named in the bill but not being the promoters thereof, the bill shall after it has been read a second time be referred to the Examiners and Standing Order 62 (Consents of proprietors of statutory companies promoting bills originating in this House) or Standing Order 63 (Consents of members of registered companies, etc., promoting bills originating in this House) (as the case may require) shall apply as if such company, society, association, or partnership were the promoters of the bill, and as if in the order in question for references to the bill there were substituted references to the said provisions:

Provided that—

(i) failure to comply with the requirements of Standing Order 62 (Consents of proprietors of statutory companies promoting bills originating in this House) or Standing Order 63 (Consents of members of registered companies, etc., promoting bills originating in this House) as applied by this standing order shall affect only such provisions as aforesaid, and shall not affect any other provisions of the bill; and

(ii) that this order shall not apply to any bill in so far as the provisions thereof relate to a proposal for—

(a) the compulsory acquisition by or transfer to the promoters thereof of the whole or part of the undertaking or assets of; or

(b) the imposition of any duty or obligation upon, or the limitation of any power of,

any such company, society, association, or partnership as aforesaid, nor shall it apply to provisions in the bill for the protection of the company, society, association or partnership.

(2) Nothing in this order shall affect the obligations of the promoters of the bill under Standing Order 62 (Consents of proprietors of statutory companies promoting bills originating in this House) or Standing Order 63 (Consents of members of registered companies, etc., promoting bills originating in this House).

65. In the case of every bill brought from the House of Lords in which provisions have been inserted in that House, empowering the promoters thereof, being a company constituted by Act of Parliament, to execute, undertake, or contribute towards any work other than that for which it was originally established, or to sell or lease their undertaking, or any part thereof, or to enter into any agreements with any other company for the working, maintenance, management, or use of the railway or works of either company, or any part thereof, or to amalgamate their undertaking, or any part thereof, with any other undertaking, or to purchase any other undertaking, or part thereof, or any additional lands, or to abandon their undertaking, or any part thereof, or authorising or enacting the dissolution of the promoting company, or in which any such provisions originally contained in the bill have been materially altered in that House, the Examiner shall report whether the following order has or has not been complied with:

The bill, as brought from the House of Lords, shall be submitted to the proprietors of the promoting company, at a meeting held specially for that purpose.

Such meeting shall be called by notice inserted once in each of two consecutive weeks in a newspaper published in London or Edinburgh, as

Consents of proprietors of statutory companies promoting certain bills originating in House of Lords. (HL 65)

the case may be, and in a local newspaper circulating in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area in which the principal office of the company is situate: and also by a circular addressed to each proprietor on the register of the company at his last-known or usual address, and sent by post to, or delivered at, such address, not less than ten days before the holding of the meeting, stating the offices at which copies of the bill may be inspected, and enclosing a blank form of proxy, with proper instructions for its use and the same form of proxy and the same instructions, and none other, shall be sent to every such proprietor; but no intimation shall be sent as to any person in whose favour the proxy may be granted; and no other circular or form of proxy relating to the meeting shall be sent to any proprietor from the office of the company or by any director or officer of the company.

The meeting shall be held not earlier than the seventh day after the last insertion of the notice, and may be held on the same day as an ordinary general meeting of the company.

At the meeting the bill shall be submitted to the proprietors aforesaid then present, and approved by proprietors present in person or by proxy, holding at least three-fourths of the paid-up capital of the company represented by the votes at the meeting, such proprietors being qualified to vote at all ordinary meetings of the company in right of their holding of such capital. Where proprietors hold any shares or stock in respect of which they are not entitled to vote at an ordinary meeting, they may, if their interests may be affected by the bill, tender votes in respect of such holdings, which votes shall be recorded separately.

65 The names of the proprietors present in person at the meeting shall be recorded. For this purpose the first meeting and any adjournment thereof shall be deemed to be the same meeting.

70 A poll may be demanded by any three proprietors present in person or by proxy at the meeting and entitled to vote, or by one proprietor or two proprietors so present and entitled, if that proprietor or those proprietors together hold not less than 15 per cent. of the paid-up capital of the company represented by the proprietors so present and entitled, and not otherwise.

75 There shall be deposited in the Private Bill Office a statement of the number of votes if a poll was taken, and of the number of votes recorded separately.

80 Where the company carries on two or more separate undertakings and portions of the capital of the company are allocated so as to be exclusively applicable to the several undertakings, then, so far as the bill relates to any such separate undertaking, separate meetings shall be held of the proprietors of the company and the proprietors of the capital of the company so allocated to the undertaking, and the provisions of this order applicable to meetings of proprietors of the company shall, with the necessary modifications, apply to meetings of the proprietors of the portion of the capital of the company so allocated:

95 Provided that, if such an approval as is mentioned in Standing Order 62 (Consents of proprietors of statutory companies promoting bills originating in this House) has been given to the bill as presented or proposed to be presented to the House of Lords, and by the terms of such approval the bill has been approved subject to such additions, alterations and variations as Parliament may think fit to make therein, it shall not be necessary for the purposes of this order to obtain any further approval in

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respect of any provisions inserted in the bill in the House of Lords, unless the committee on the bill decide that, regard being had to the nature and effect of such provisions, further evidence of the approval of such provisions on the part of the proprietors of the company is required. 105

Consents of members of registered companies, etc., promoting certain bills originating in House of Lords. (HL 66)

66.—(1) In the case of every bill brought from the House of Lords, in which provisions have been inserted in that House empowering or requiring the promoters thereof being a company, society, association, or partnership, whether a company within the meaning of the Companies Act 1985, or otherwise constituted (and not being a company to which the preceding order applies), to do any act not authorised by the memorandum and articles of association, or other instrument constituting or regulating the company, society, association, or partnership, or authorising or enacting the abandonment of the undertaking, or any part of the undertaking, of such company, society, association, or partnership, or the dissolution thereof, or in which any such provisions originally contained in the bill have been materially altered in that House, the Examiner shall report whether the following order has or has not been complied with:— 5 10 15

(a) In the case of a company within the meaning of the Companies Act 1985, the bill as brought from the House of Lords shall be approved by a special resolution of the company, and a copy of the resolution shall be deposited in the Private Bill Office. 20

(b) In the case of any other such company, society, association, or partnership as aforesaid, the bill as brought from the House of Lords shall be consented to by three-fourths in number and (where applicable) in value of the proprietors or members of the company, society, association, or partnership, present, in person or by proxy, and 25 30

voting at a meeting convened by a notice stating the business to be transacted thereat, such consent to be certified in writing by the chairman of the meeting. A copy of the certificate of consent shall be deposited in the Private Bill Office.

(i) The names of the proprietors or members present in person at the meeting shall be recorded. For this purpose the first meeting and any adjournment thereof shall be deemed to be the same meeting.

(ii) A poll may be demanded by any three proprietors or members present in person or by proxy at the meeting and entitled to vote, or by one proprietor or member or two proprietors or members so present and entitled, if that proprietor or member or those proprietors or members together represent not less than 15 per cent. of the paid-up capital represented by the proprietors or members so present and entitled, and not otherwise.

(iii) If a poll is taken, there shall be deposited in the Private Bill Office a statement of the number of votes.

(2) If such approval by a special resolution or consent as is mentioned in Standing Order 63 (Consents of members of registered companies, etc., promoting bills originating in this House) has been given to the bill as presented or proposed to be presented to the House of Lords, and by the terms of the resolution or consent the bill has been approved or consented to subject to such additions, alterations and variations as Parliament may think fit to make therein, it shall not be necessary for the purposes of this order to obtain any further approval or consent in respect of any provisions inserted in the bill in the House of Lords, unless the committee on the bill decide that, regard being had to the nature and effect of such provisions, further evidence of the approval or

consent to such provisions on the part of the proprietors or members of the company, society, association, or partnership is required. 70

(3) So far as any such bill relates to a separate class of proprietors or members of the company, society, association, or partnership as distinct from the proprietors or members generally, such bill shall be approved or consented to by the proprietors or members generally, and also by the separate class of proprietors or members; and the provisions of this order applicable to the proprietors or members generally, shall, with the necessary modifications apply to the separate class of proprietors or members. 75 80

Consents of members of companies, etc., not being promoters, in case of certain bills originating in House of Lords. (HL 67)

67.—(1) In the case of every bill brought from the House of Lords in which provisions have been inserted in that House—

- (a) conferring any powers upon; or
- (b) altering in any respect the constitution of 5

any company, society, association, or partnership (howsoever constituted) named in the bill but not being the promoters thereof, or in which any such provisions originally contained in the bill have been materially altered in that House, Standing Order 65 (Consents of proprietors of statutory companies promoting certain bills originating in House of Lords) or Standing Order 66 (Consents of members of registered companies, etc., promoting certain bills originating in House of Lords) (as the case may require) shall apply as if— 10 15

- (a) the company, society, association, or partnership were the promoters of the bill;
- (b) the said provisions were the provisions referred to in the order in question;
- (c) in the order in question for references to the bill there were substituted references to the said provisions of the bill; and 20

25 (d) the reference to Standing Order 62 (Consents of proprietors of statutory companies promoting bills originating in this House) or Standing Order 63 (Consents of members of registered companies, etc., promoting bills originating in this House) were a reference to that order as applied by this order:

30 Provided that this order shall not apply to any bill in so far as the provisions so inserted or altered relate to a proposal for—

 (a) the compulsory acquisition by or transfer to the promoters thereof of the whole or part of the undertaking or assets of; or

35 (b) the imposition of any duty or obligation upon or the limitation of any power of,

any such company, society, association, or partnership as aforesaid, nor shall it apply to provisions in the bill for the protection of the company, society, association, or partnership.

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 (2) Nothing in this order shall affect the obligations of the promoters of the bill under Standing Order 65 (Consents of proprietors of statutory companies promoting certain bills originating in House of Lords) or Standing Order 66 (Consents of members of registered companies, etc., promoting certain bills originating in House of Lords).

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5 **68.** Where in any bill brought from the House of Lords for the purpose of establishing a company for carrying on any work or undertaking any person is specified as manager, director or proprietor of the Company, or otherwise concerned in carrying the bill into effect, proof shall be given before the Examiner that that person has subscribed his name to the petition for the bill, or to a printed copy of the bill, as brought from the House of Lords.

Proof of consent of directors, etc., who are named in bill.
(HL 68)

EXAMINERS OF PETITIONS FOR PRIVATE BILLS

Appointment of
Examiners of
Petitions for
Private Bills.
(HL 69)

69. There shall be one or more officers of this House, to be called “THE EXAMINERS OF PETITIONS FOR PRIVATE BILLS,” who shall be appointed by the Speaker.

Examination of
petitions for bills.
(HL 72)

70. Every petition for a private bill shall stand referred to the Examiners and the Examiner shall report to the House whether Standing Orders 4 (Contents of notice) to 59 (Cross sections of roads, etc.), so far as applicable, have or have not been complied with; and, when they have not been complied with, he shall also report to the House the facts upon which his decision is founded, and any special circumstances connected with the case.

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Date of
commencement
of examination of
petitions for bills.
(HL 70)

71. The examination of the petitions for private bills which have been presented on or before 27th November shall commence on 18th December or, if that day is a Saturday or a Sunday, on the first Monday following that day.

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Notice of
examination of
petitions for bills.
(HL 71)

72. The Examiner shall give not less than seven clear days’ notice in the Private Bill Office of the day appointed for the examination of each petition for a bill; and if the promoters do not appear at the time when a petition comes on to be heard, he shall strike it off the General List of Petitions and shall not re-insert it except by order of the House.

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Examination of
petitions for
additional
provision.
(HL 73)

73.—(1) A petition for additional provision in a private bill shall stand referred to the Examiners and the Examiner shall report to the House whether the standing orders have or have not been complied with and, when

5 they have not been complied with, he shall also report
the facts upon which his decision is founded and any
special circumstances connected with the case.

10 (2) The Examiner shall give not less than two clear
days' notice in the Private Bill Office of the day on which
the petition will be examined.

5 **74.**—(1) Bills brought from the House of Lords and
bills presented by leave of this House in lieu of other bills
which have been withdrawn after they have been read
the first time shall be referred to the Examiners, and the
Examiner shall report to the House whether such
standing orders as have not been previously inquired
into have or have not been complied with, and, when
they have not been complied with, he shall also report
the facts upon which his decision is founded and any
10 special circumstances connected with the case.

Examination of
bills brought
from House of
Lords, etc.
(HL 74)

(2) The Examiner shall give not less than two clear
days' notice in the Private Bill Office of the day on which
any such bill will be examined.

74A. The promoters of a private bill shall be entitled
to be heard before the Examiner by themselves or their
agents.

Right of
promoters to be
heard before
Examiner.

5 **75.**—(1) Subject to the provisions of paragraph (2) of
this order any parties shall be entitled to appear and to
be heard by themselves or their agents, upon a memorial
addressed to the Examiners and signed by those parties
or their agents complaining of a non-compliance with
the standing orders, if the matter complained of is
specifically stated in the memorial, and the party (if any)

Memorials
complaining of
non-compliance
with standing
orders.
(HL 76)

who may be specially affected by the non-compliance with the standing orders or his agent has signed the memorial and has not withdrawn his signature: 10

Provided that in reference to petitions for additional provision in private bills, to bills brought from the House of Lords and to bills presented by leave of this House in lieu of other bills which have been withdrawn, the Examiner shall be at liberty to entertain the memorial, although neither the party (if any) who may be specially affected by the non-compliance with the standing orders nor his agent has signed it. 15

(2) No party shall be heard by the Examiner unless his memorial has been deposited in the Private Bill Office— 20

(a) in the case of a petition for a bill deposited in that office on or before 27th November, on or before 17th December;

(b) in the case of a petition for a bill deposited in that office after 27th November, not later than the fourth day before the day appointed for the examination of the petition or, if the House is not sitting on that day, then on or before the next day on which the House sits; 25
30

(c) in the case of a petition for additional provision in a private bill, a bill referred to the Examiners after second reading, a bill brought from the House of Lords or a bill presented by leave of this House in lieu of another bill which has been withdrawn, before 12 noon on the day preceding the day appointed for the examination of the petition or bill as the case may be. 35

(3) With each memorial there shall be deposited two copies thereof for the use of the Examiners. 40

5 **76.** Any proprietor or member of any company, society, association, or partnership who has by himself, or by any person authorised to act for him in that behalf, dissented at any meeting called in pursuance of Standing Orders 62 (Consents of proprietors of statutory companies promoting bills originating in this House) to 67 (Consents of members of companies, etc., not being promoters, in case of certain bills originating in House of Lords), shall be entitled to appear and be heard by himself or his agent, upon a memorial addressed to the Examiners and signed by him or his agent complaining of non-compliance with any of those standing orders.

Right of audience before Examiner of proprietors dissenting at meeting under Standing Orders 62 to 67.
(HL 77)

5 **76A.** Any memorialist may withdraw his memorial, on a requisition to that effect being deposited in the Private Bill Office, signed by him or his agent; and where any such memorial is deposited by or on behalf of more than one person, any of those persons may withdraw from the memorial by a similar requisition, signed and deposited as aforesaid.

Withdrawal of memorials.
(HL 79)

77. The Examiner may admit affidavits in proof of the compliance with the standing orders.

Proof by affidavit.
(HL 80)

78. [Repealed 12th November 1951]

5 **79.** If the Examiner feels doubts as to the due construction of any standing order in its application to a particular case, he shall make a special report of the facts, without deciding whether the order has or has not been complied with.

Examiner to make special report in certain cases.
(HL 81)

Daily list of cases
before
Examiners.

80. [Repealed 28th November 2002]

CHAIRMAN OF WAYS AND MEANS AND COUNSEL TO THE
SPEAKER

Division of bills
between this
House and
House of Lords.
(HL 90)

81. The Chairman of Ways and Means or the Counsel to the Speaker shall, on or before 8th January each year, hold a conference with the Chairman of Committees of the House of Lords or with his Counsel for the purpose of determining in which House of Parliament the respective private bills should first be considered.

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Examination of
bills by
Chairman of
Ways and
Means.
(HL 91)

82. The Chairman of Ways and Means, with the assistance of the Counsel to the Speaker, shall examine all private bills, whether opposed or unopposed, and call the attention of the House, and also of the chairman of the committee of every opposed private bill, to all points which may appear to him to require it; and copies of all private bills shall be laid by the agent before the said Chairman and Counsel not later than the day after the Examiner has examined the petition for the bill.

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83. [Repealed 12th November 1951]

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Copies of filled-
up bill to be laid
before Chairman
of Ways and
Means, etc.
(HL 123)

84. One clear day before the day appointed for the consideration of any private bill by a committee there shall be laid before the Chairman of Ways and Means and the Counsel to the Speaker, by the agent for the bill, copies of the bill as proposed to be submitted to the committee, signed by the agent, together with copies of any estimates deposited in accordance with Standing Order 45 (Deposit and form of estimates):

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Provided that, in the case of an opposed or

10 recommitted bill, such copies as aforesaid shall be so laid
not less than two clear days before the day so appointed.

5 **85.**—(1) The Chairman of Ways and Means shall be
at liberty, at any time, to report to the House any special
circumstances relative to any private bill which may
appear to him to require it, or to inform the House that,
in his opinion, any unopposed private bill should be
treated as an opposed private bill.

Power of
Chairman of
Ways and Means
to report special
circumstances,
etc., to House.
(HL 91, 92)

10 (2) Without prejudice to the generality of paragraph
(1) of this standing order, where in the case of a private
bill which has been read a first time no report from a
minister of the Crown has been presented to the House
under Standing Order 169A, the Chairman of Ways and
Means may, if he thinks fit, direct the attention of the
House to that fact.⁴

5 **86.** Not less than three clear days before the
consideration of any private bill ordered to lie upon the
table, a copy of the bill, as amended in committee, shall
be laid by the agent before the Chairman of Ways and
Means and the Counsel to the Speaker.

Copy of bill as
amended in
committee to be
laid before
Chairman of
Ways and
Means, etc.

5 **87.** Where the promoters intend to offer any clause,
or to propose any amendment, on the consideration of
any private bill ordered to lie upon the table, or any
verbal amendment on the third reading of any private
bill, the same shall be submitted by the agent to the
Chairman of Ways and Means and the Counsel to the
Speaker on the day on which notice is given thereof in
the Private Bill Office.

Submission to
Chairman of
Ways and
Means, etc., of
amendments
proposed by
promoters.
(HL 148)

⁴ Subsection (2) is inserted with effect from 27th November 2001.

Copy of Lords amendments, etc., to be laid before Chairman of Ways and Means, etc. (HL 150)

88. A copy of all amendments made in the House of Lords to any private bill originating in this House, and of all amendments to such amendments intended to be proposed by the promoters in this House, shall be laid by the agent before the Chairman of Ways and Means and the Counsel to the Speaker before 2 p.m. on the day before that on which it is proposed to consider the Lords amendments.

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COURT OF REFEREES

Constitution of Court of Referees on private bills.

89.—(1) There shall be a Court of Referees on private bills consisting of the Chairman of Ways and Means (who, when present, shall be ex officio chairman of the court), the Deputy Chairmen of Ways and Means and the Counsel to the Speaker with not less than seven other persons, who shall be members of this House, and shall be appointed by the Speaker for such periods as he may think fit.

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(2) Three referees shall be sufficient to constitute the court.

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Jurisdiction of Court of Referees. (HL 114)

90. The Court of Referees shall decide upon all petitions against private bills, as to the rights of the petitioners to be heard upon such petitions, without prejudice, however, to the power of the committee to which the bill is referred to decide upon any question as to such rights arising incidentally in the course of its proceedings.

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Rules of practice and procedure of Court of Referees.

91.—(1) The practice and procedure of the Court of Referees, its times of sitting, order of business, and the forms and notices required in its proceedings, shall be

5 prescribed by rules, to be framed by the Chairman of Ways and Means, subject to alteration by him as occasion may require.

(2) All such rules and alterations, when made, shall be laid on the table of the House.

5 **91A.** A petitioner against a private bill shall be entitled to be heard before the Court of Referees by himself, his counsel, or agents in support of his right to be heard upon his petition and the promoters of the bill shall be entitled to be heard by themselves, their counsel or agents in opposition thereto; but not more than one counsel shall appear before the Court in support of a right to be heard upon his petition or in opposition thereto.

Right of audience before Court of Referees.

92. It shall be competent to the Court of Referees, if it thinks fit, to admit petitioners to be heard upon their petitions against a private bill, on the ground of competition.

Competition to be a ground of locus standi.

5 **93.** Where a bill is promoted by an incorporated company, society, association or partnership, members thereof shall not be entitled to be heard before the committee against the bill, unless their interests as affected thereby are distinct from the general interests of the company, society, association or partnership:

Locus standi of members of companies, etc. (HL 115)

10 Provided that any proprietor or member of any company, society, association, or partnership who has, by himself or by any person authorised to act for him in that behalf, dissented at any meeting called in pursuance of any of Standing Orders 62 to 67, or at any meeting called in pursuance of any similar standing order of the

House of Lords, shall be permitted to be heard by the committee on the bill on a petition presented to this House.

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94. [Repealed 23rd July 1953]

Power of Court of Referees to allow locus standi to associations, etc. (HL 117)

95.—(1) Where any society or association, sufficiently representing any trade, business, or interest in a district to which any bill relates, petition against the bill, alleging that such trade, business, or interest will be injuriously affected by the provisions contained therein, it shall be competent to the Court of Referees, if it thinks fit, to admit the petitioners to be heard on such allegations against the bill or any part thereof.

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(2) Without prejudice to the generality of the foregoing paragraph, where any society, association or other body, sufficiently representing amenity, educational, travel or recreational interests, petition against a bill, alleging that the interest they represent will be adversely affected to a material extent by the provisions contained in the bill, it shall be competent to the Court of Referees, if it thinks fit, to admit the petitioners to be heard on such allegations against the bill or any part thereof.

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Power of Court of Referees to allow locus standi to local authorities or inhabitants. (HL 118)

96. It shall be competent to the Court of Referees, if it thinks fit, to admit the petitioners, being the local authority of any area the whole or any part of which is alleged in the petition to be injuriously affected by a bill or any provisions thereof, or being any of the inhabitants of any such area, to be heard against the bill or any provisions thereof.

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5 **97.** The council of any district in England or London borough or county or county borough in Wales alleging in its petition that the district, borough or county (as the case may be) may be injuriously affected by the provisions of any bill relating to the lighting or water supply thereof, or the raising of capital or the borrowing of money for any such purpose, shall be entitled to be heard against the bill.

Locus standi of certain local authorities against lighting and water bills. (HL 119)

5 **98.—(1)** The council of any county or (in Wales) any county or county borough alleging in its petition that its administrative area, or any part thereof, may be injuriously affected by the provisions of any bill relating to the water supply of any area, whether situate within or without that area, shall be entitled to be heard against the bill.

Locus standi of county councils against water and tramway bills. (HL 120)

10 (2) The council of any county, metropolitan district, unitary district, or London borough or (in Wales) any county or county borough alleging that its administrative area or any part thereof may be injuriously affected by the provisions of any bill proposing to authorise the construction or reconstruction of any tramway along any road to the maintenance and repair of which that council contributes, within its administrative area, shall be entitled to be heard against the bill.

20 (3) This order shall apply to Greater London as if it were a county and the Greater London Authority were the council of the county.

5 **99.** Where any authority charged with the control of waters, or where the owners, lessees, or occupiers of any land, petition against a bill alleging that under its provisions the river or any water or water supply of which they may legally avail themselves will be diminished or injuriously affected, it shall be competent

Power of Court of Referees to allow locus standi to river authorities and owners, etc., of land.

to the Court of Referees, if it thinks fit, to admit the petitioners to be heard against the bill or any part thereof.

Power of Court of Referees to allow locus standi to land drainage authorities.

100. Where any drainage body within the meaning of the Land Drainage Act 1991 petitions against a bill, alleging that the area or district of the authority will be injuriously affected by the provisions of the bill authorising the abstraction or impounding of water, or the discharge of water into watercourses, within that area or district, it shall be competent to the Court of Referees, if it thinks fit, to admit the petitioners to be heard against the bill or any part thereof.

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Power of Court of Referees to allow locus standi to conservators of forests, commons, or open spaces.

101. It shall be competent to the Court of Referees, if it thinks fit, to admit the petitioners, being the conservators constituted under Act of Parliament or under a scheme or an order of the Secretary of State for Environment, Food and Rural Affairs, having the control, regulation, or management of any forest, common, or open space alleged to be injuriously affected by a bill, to be heard against the bill.

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Locus standi of owners, etc., against tramway bills.

102. The owner, lessee, or occupier of any house, shop, or warehouse in any street or road along which it is proposed to construct any tramway, who alleges in any petition against a private bill that the construction or use of the tramway proposed to be authorised thereby will injuriously affect him in the use or enjoyment of his premises, or in the conduct of his trade or business, shall be entitled to be heard on such allegations before any committee to which the bill is referred, and it shall be competent to the Court of Referees, if it thinks fit, to admit the petitioners, being the owners, lessees, or occupiers of any house, shop, or warehouse having its access materially dependent on such street or road, and

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15 making the aforesaid allegations, to be heard against the bill.

STANDING ORDERS COMMITTEE

5 **103.**—(1) There shall be a committee, to be designated “The Standing Orders Committee,” consisting of the Chairman of Ways and Means (who, when present, shall be ex-officio chairman of the committee), the Deputy Chairmen of Ways and Means, and eight members nominated by the Committee of Selection; three shall be a quorum, and the committee shall have the assistance of the Counsel to the Speaker.

Appointment of Standing Orders Committee.
(HL 84, 85)

10 (2) Unless the Committee of Selection otherwise orders, the members nominated to the committee shall continue to be members of the committee for the remainder of the Parliament.

5 **104.**—(1) All reports from the Examiner in which he has reported that the standing orders have not been complied with shall be referred to the Standing Orders Committee; and that committee shall report to the House whether such standing orders ought or ought not to be dispensed with, and whether in its opinion the parties should be permitted to proceed with their bill, or any portion thereof, and upon what terms and conditions, if any.

Reference to Standing Orders Committee of reports from Examiner of non-compliance with standing orders, etc.
(HL 87)

10 (2) All special reports from the Examiner as to the construction of a standing order shall be referred to the Standing Orders Committee, and that committee shall determine, according to its construction of the standing order, and on the facts stated in such report, whether the standing orders have or have not been complied with, and it shall then either report to the House, that the standing orders have been complied with, or, as the case may be, shall proceed to consider the question of

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dispensing with the standing orders, and report to the House as provided in the preceding paragraph of this Order. 20

Reference to Standing Orders Committee of petitions for dispensing with standing orders.

105. Every petition praying that any of the standing orders of the House relating to private bills be dispensed with, and all petitions opposing any such petition, shall stand referred to the Standing Orders Committee, and that committee shall report to the House whether any such order ought or ought not to be dispensed with, and, if dispensed with, upon what terms and conditions, if any. 5

Reference to Standing Orders Committee of petitions for reinsertion of petitions in General List.

106. Every petition for the reinsertion in the General List of Petitions of a petition for a private bill, and all petitions opposing any such petition, shall stand referred to the Standing Orders Committee, and that committee shall report to the House whether the petition for the bill ought or ought not to be so reinserted and, if reinserted, upon what terms and conditions, if any. 5

Duties of Standing Orders Committee in reference to proposed amendments on consideration.

107. When any clause or amendment proposed on the consideration of any private bill ordered to lie upon the table stands referred to the Standing Orders Committee, it shall report to the House whether or not the clause or amendment is such as may properly be adopted by the House or whether the bill should be recommitted. 5

Hearing of parties by Standing Orders Committee.

107A.—(1) The following parties may be heard before the Standing Orders Committee if the committee thinks fit—
 (a) On consideration of a report from the Examiner that the standing orders have not been complied with or a special report from the 5

Examiner in respect of a private bill or a petition for a private bill or for additional provision in a private bill—

- 10 (i) the promoters of the bill,
 (ii) any memorialist who has appeared before the Examiner.

15 (b) On consideration of a petition praying that any of the standing orders of the House may be dispensed with or of a petition for the reinsertion of a petition for a private bill in the General List of such petitions—

- 20 (i) the petitioner,
 (ii) any parties who have presented petitions in opposition to the petition.

(2) Any party who is allowed to be heard in virtue of the foregoing paragraph shall be entitled to be represented by his agent.

108. [Repealed 30th July 1952]

COMMITTEE OF SELECTION

109. There shall be a committee, to be called the Committee of Selection, consisting of nine Members, of whom three shall be a quorum: and every private bill on committal shall stand referred to the committee.

Appointment of
Committee of
Selection.
(HL 95)

5 **110.** The Committee of Selection may, if it thinks fit, form into groups all opposed private bills which, in its opinion, it may be expedient to submit to the same committee, and the groups so formed shall be published with the Votes.

Power of
Committee of
Selection to form
groups of
opposed bills.
(HL 95)

Reference to
committees of
opposed and
unopposed bills.
(HL 104, 121)

111.—(1) The Committee of Selection shall refer every opposed private bill which stands referred to it, or any group of such bills, to a committee of four members not locally or otherwise interested in the bill or bills referred to it, and shall at the same time nominate one of the members as chairman. 5

(2) The Committee of Selection shall refer every unopposed bill which stands referred to it to the Committee on Unopposed Bills which shall consist of seven members, namely the Chairman of Ways and Means, the Deputy Chairmen of Ways and Means, and four members selected by the Chairman of Ways and Means from a panel to be appointed by the Committee of Selection at the commencement of every session. 10

(3) The Committee of Selection shall not treat any bill as an opposed bill unless a petition in which the petitioner prays to be heard against the bill has been presented in accordance with Standing Order 171A (Petitions against private bills) or Standing Order 235 (Petitions in favour of or against draft provisional orders) and has not been withdrawn, or the Chairman of Ways and Means has informed the House that in his opinion the bill ought to be treated as an opposed bill. 15
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Reference back
to Committee of
Selection of
unopposed bills
when treated as
opposed.

112. When the Chairman of Ways and Means has in pursuance of Standing Order 85 (Power of Chairman of Ways and Means to report special circumstances, etc., to House) informed the House that, in his opinion, an unopposed bill ought to be treated as an opposed bill, the bill shall again stand referred to the Committee of Selection. 5

5 **113.** The Committee of Selection shall, subject to the provisions of Standing Order 177 (Interval between committal of bill and sitting of committee) in regard to the interval between the committal of a private bill and the sitting of the committee thereupon, fix the time for holding the first sitting of every committee to which has been referred an opposed private bill, or a group of private bills.

Committee of Selection to appoint first sitting of committee on opposed bill. (HL 95)

114. The Committee of Selection shall name the bill or bills which are to be taken into consideration at the first sitting of the committee on any group of bills.

Committee of Selection to name bill or bills to be considered at first sitting of committee. (HL 108)

5 **115.** To each member appointed to be a member of a committee on any opposed private bill or group of private bills the Committee of Selection shall give notice of his appointment and transmit to him a blank form of the declaration which under Standing Order 120 (Declaration by members of committee on opposed bill) he is required to sign, with a request that it may forthwith be returned properly filled up and signed.

Notice to members of committees.

5 **116.** The Committee of Selection shall report to the House the name of every member from whom it has not received within a reasonable time such declaration as is mentioned in the last preceding order, filled up and signed as therein mentioned, or, in lieu thereof, an excuse which it deems sufficient.

Non-return of declaration.

117. The Committee of Selection shall have the power of discharging from a committee any member or members appointed by it and of substituting an equal number of other members.

Power of Committee of Selection to change membership of committees.

Power of
Committee of
Selection to send
for persons, etc.

118. The Committee of Selection shall have power, in the execution of its duties, to send for persons, papers and records.

COMMITTEES ON OPPOSED BILLS

119. [Repealed 12th November 1951]

Declaration by
members of
committee on
opposed bill.
(HL 96)

120. Each member of a committee on an opposed private bill, or a group of private bills, shall, before he is entitled to attend and vote in such committee, sign the following declaration:

I, having been selected by the Committee of Selection to serve as a member of the Committee on theBill or on Group..... of Private Bills, hereby declare, that I have no personal or constituency interest in the said bill or any bill included in the said group; that I recognise my obligation to attend every meeting of the Committee; and that I will never vote on any question which may arise without having duly heard and attended to the evidence relating thereto. 5
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And no such committee shall proceed to business until the said declaration has been so signed by each of such members.

Quorum of
committee on
opposed bill.
(HL 106)

121.—(1) A committee on an opposed private bill shall not be allowed to proceed if more than one of its members is absent, unless by special leave of the House, and if at any time during the sitting of the committee more than one of the members is absent, the chairman shall suspend the proceedings; and if at the expiration of one hour from the time fixed for the meeting of the committee, or from the time when the chairman so suspended the proceedings, more than one member is 5

10 absent, the committee shall be adjourned to the next day
 on which the House sits, and then shall meet at the hour
 at which the committee met on the day of such
 adjournment.

15 (2) If, at any time after the committee has been
 formed, the required quorum of members cannot attend
 in consequence of any of the members having become
 incapacitated by illness or otherwise from continuing to
 serve on the committee, the chairman shall report the
 20 circumstances of the case to the House, in order that
 such measures may be taken by the House as will enable
 the members still remaining on the committee to proceed
 with the business referred to it, or as the emergency of
 the case may require.

122.—(1) If the chairman of a committee on an
 opposed private bill is absent from the committee, the
 member next in rotation on the list of members who is
 present shall act as chairman.

Absence of
 chairman or
 members of
 committee on
 opposed bill.
 (HL 105)

5 (2) A member of any such committee shall not absent
 himself from his duties thereon, except in the case of
 illness or by leave of the House.

123. In the case of an opposed bill promoted by a
 local authority containing clauses by which it is
 proposed to create powers relating to police, sanitary or
 other local government matters in conflict with,
 5 deviation from, or excess of, the provisions of the
 general law, the committee to whom the bill is referred
 shall, when considering such clauses as aforesaid, have
 the assistance of the Counsel to the Speaker.

Committees on
 certain bills to
 have assistance of
 Counsel to the
 Speaker.

Order in which bills are to be considered by committee. (HL 107)

124. The committee on each group of bills shall take first into consideration the bill or bills named by the Committee of Selection to be taken into consideration at the first sitting of the committee, and the committee shall, from time to time, appoint the day on which it will enter upon the consideration of each of the remaining bills, and on which it will require the parties severally promoting or opposing the same to enter appearances; and not less than two clear days' notice of such appointment shall be given by the clerk attending the committee; and if the committee defers the consideration of any bill, notice shall be given of the day to which the same is deferred.

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Adjournment of committee on opposed bill. (HL 108)

125. Every committee on an opposed private bill shall report to the House the cause of any adjournment over any day on which the House is to sit.

Reference to committee of petitions against bill. (HL 109)

126. There shall stand referred to the committee on an opposed private bill—

(a) every petition presented in accordance with Standing Order 171A (Petitions against private bills) against the bill, and

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(b) every petition which has been deposited in the Private Bill Office and in which the petitioners complain of any amendment as proposed in the filled-up bill, or of any proposed additional provision or of any matter which has arisen during the progress of the bill before the committee,

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being a petition in which the petitioners have prayed to be heard by themselves, their counsel or agents: and copies of all such petitions shall be laid before each member of the committee.

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5 **127.**—(1) The promoters of an opposed private bill shall be entitled to be heard before the committee on the bill, by themselves, their counsel or agents, in favour of the bill and against any petitions against the bill which stand referred to the committee under Standing Order 126 (Reference to committee of petitions against bill).

Right of audience before committees on opposed bills. (HL 110)

10 (2) Any petitioners whose petitions stand referred as aforesaid shall, subject to the rules and orders of the House, and to the prayer of their petition, be entitled to be heard upon their petition by themselves, their counsel or agents.

5 **128.** No petition against a private bill shall be taken into consideration by the committee on the bill, which does not distinctly specify the ground on which the petitioner objects to any of the provisions thereof; and the petitioner shall be heard only on the grounds so stated; and, if it appears to the committee that such grounds are not specified with sufficient accuracy, it may direct that it shall be provided with a more specific statement, in writing, but limited to such grounds of objection so inaccurately specified.

Petition against bill must distinctly specify grounds of objection. (HL 111)

129. [Repealed 12th November 1951]

130. A petitioner against a bill originating in the House of Lords who has discussed clauses in that House shall not on that account be precluded from opposing the preamble of the bill in this House.

Rights of petitioners in case of bills brought from House of Lords. (HL 112)

5 **131.** In the case of any opposed private bill, in which no party has appeared on a petition against the bill or on a petition complaining of amendments as proposed in the filled-up bill, or all parties who have so appeared have withdrawn their opposition before the evidence of

Non-appearance of petitioners. (HL 113)

the promoters has been commenced, the committee to which the bill has been referred shall forthwith refer back the bill, with a statement of the facts, to the Committee of Selection which shall treat it as an unopposed bill.

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Printing of
minutes of
evidence.
(HL 110)

131A. Whenever copies of the minutes of the evidence taken before a committee on an opposed private bill are required they shall be reproduced at the expense of the parties and the cost of reproduction shall be divided among the several parties in such proportions as may be specified by the Private Bill Office:

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Provided that the minutes may be printed instead of duplicated if the Chairman of Ways and Means has given authority for printing, on an application made to him by the promoters of the bill not less than six clear days before the first meeting of the committee.

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THE COMMITTEE ON UNOPPOSED BILLS

Committee on
unopposed bills.

132.—(1) The Chairman of Ways and Means shall, when present, be ex officio chairman of the Committee on Unopposed Bills.

(2) The committee shall have the assistance of the Counsel to the Speaker.

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(3) The quorum of the committee shall be three.

(4) The Chairman of Ways and Means shall have power to select from the panel appointed under paragraph (2) of Standing Order 111 (Reference to committees of opposed and unopposed bills) one member to act as chairman at every sitting of the committee at which neither the Chairman of Ways and Means nor either Deputy Chairman is present, and at any such sitting the member so selected shall be a

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- 15 member of the committee in addition to the four members selected under paragraph (2) of Standing Order 111 (Reference to committees of opposed and unopposed bills).

- 5 **133.** No member of a committee on any unopposed private bill in which he is locally or otherwise interested shall have a vote on any question that may arise, but every such member shall be entitled to attend and take part in the proceedings of the committee.
- Member of committee on unopposed bills if interested not to vote.

- 134.** The promoters of an unopposed private bill shall be entitled to be heard before the committee in favour of the bill by themselves or their agents.
- Right of audience before committee on unopposed bills.
(HL 122)

COMMITTEES ON BILLS, WHETHER OPPOSED OR UNOPPOSED

General provisions

- 135.** All questions before committees on private bills shall be decided by a majority of votes, and whenever the votes are equal the chairman shall have a second or a casting vote.
- Decision of questions in committees on bills.
- 136.** A committee on a private bill shall not, without express authority from the House, receive evidence other than that which may be adduced by or on behalf of any parties entitled to be heard.
- Reception of evidence by committees on bills.
(HL 124)

County council
bills conferring
powers on
district councils:
proof of need.
(HL 124A)

136A.—(1) A committee on a private bill promoted by the council of a county shall not hear evidence that a provision in the bill that alters functions of the council of a district in the county is acceptable to that district council unless the evidence comprises proof, as required by paragraph (3) of this order, that the inclusion in the bill of that provision has been approved by that district council in the manner required by paragraph (2) of this order. 5

(2) Approval for the purposes of paragraph (1) of this order shall be by resolution passed by a majority of the whole number of the members of the council of the district at a meeting thereof held after ten clear days' notice of the meeting, and of the purposes thereof, has been given by advertisement in one or more local newspapers circulating in the district, such notice being given in addition to the ordinary notice required to be given for the convening of a meeting of the council. 10 15

(3) The proof referred to in paragraph (1) of this order shall be a document purporting to be a copy of the resolution referred to in paragraph (2) of this order together with a certificate purporting to be signed by the proper officer of the council to the effect that the copy is a true copy and that the resolution was passed by the majority, and after the notice mentioned in that paragraph. 20 25

(4) A provision that alters functions of a member or an officer of the council of a district shall for the purposes of this order be deemed to alter functions of that council. 30

(5) This order shall apply to Greater London as if it were a county, the Greater London Authority were the council of the county and the councils of London boroughs were councils of districts in the county.

137. At the first sitting of the committee for the consideration of any private bill, copies of the bill, as proposed to be submitted to it, shall be laid before each member of the committee.

Copies of filled-up bill to be laid before committee.

138. The clerk attending a committee on a private bill shall enter on the minutes of the proceedings of the committee the names of the members attending the committee, and, if any division takes place in the committee, the names of members voting in such division, distinguishing on which side of the question they respectively vote.

Record of members' attendances and votes.

139. A committee on a private bill shall not examine into the compliance or non-compliance with Standing Order 4 (Contents of notice) to 68 (Proof of consent of directors, etc., who are named in bill).

Committee on bill not to inquire into compliance with certain orders.
(HL 125)

140. [Repealed 22nd July 1959]

141. The chairman of a committee on a private bill shall sign, with his name at length, a printed copy of the bill (to be called the committee bill), on which the amendments made in the committee are to be fairly written; and also sign, with the initials of his name, the several clauses added in the committee.

Chairman to sign committee bill, etc.

142.—(1) Unless the parties promoting the bill have informed the committee that it is not their intention to proceed with the bill, the chairman of a committee on a private bill, when reporting the bill to the House, shall report whether the allegations of the bill have been found to be true.

Chairman to report on allegations of bill, etc.

(2) Where any alteration has been made in the preamble of the bill, the chairman shall report such alteration, together with the grounds of making it, and shall report whether the allegations contained in the preamble of the bill, as amended, have been found to be true. 10

(3) Where the parties promoting the bill have informed the committee that it is not their intention to proceed with the bill, the chairman shall report to the House accordingly when reporting the bill. 15

143. [Repealed 12th November 1951]

Reports by
ministers of the
Crown.
(HL 127)

144.—(1) All reports upon a private bill, or its objects, which are—

(a) made by a minister of the Crown, and

(b) presented to the House by being deposited in the Private Bill Office, shall stand referred to the committee on the bill. 5

(2) Where a recommendation is made in any such report, the committee—

(a) may, if it thinks fit, hear a person nominated by the minister in explanation of the recommendation, and 10

(b) shall note the recommendation in its report and, if it does not agree to such recommendation shall state its reasons for dissenting.

Minutes of
proceedings.

145. The minutes of the proceedings of a committee on a private bill shall be brought up and laid on the Table of the House, with any report of the bill.

145A. The minutes of the evidence taken before a committee on a private bill shall be laid on the Table of the House and ordered to be published.

Minutes of evidence to be laid upon the Table.

Fencing of bridges, and railway, tramroad and tramway bills

146. Where in any bill it is proposed to construct a bridge for carrying a public carriage-road the bill shall require the erection of a good and sufficient fence on each side of the bridge.

Fencing of bridges.
(HL 131)

147. The committee on a bill shall not allow the construction of a railway or tramroad whereon carriages are moved by mechanical power so as to cross a railway, tramway, tramroad or public carriage-road on the level, or the construction of a tramway so as to cross a railway on the level, unless a report thereupon has been made by or under the authority of the Secretary of State responsible for the time being for transport matters and unless the committee on the bill, after considering such report, and, if it thinks fit, hearing an officer of the Department responsible for the time being for transport matters in explanation thereof, recommends such level crossing, with the reasons and facts upon which its opinion is founded; and in every clause authorising a level crossing the number of lines of rails authorised to be made at such crossing shall be specified.

Level crossings.

148. [Repealed 25th October 1967]

149. [Repealed 23rd July 1953]

150. In every railway, tramroad, or tramway bill, the length of each railway, tramroad and tramway shall be set forth in a clause describing the works, with a

Specification of length of railway, etc.
(HL 135)

statement in the case of each tramway whether it is a single or a double line.

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151. [Repealed 1st August 1961.]

Distance between passing vehicles when used on tramway.

152. Where on the plan deposited in respect of any tramway bill double lines (including passing places) are indicated, provision shall be made in the bill to secure that the distance between the sides of the widest carriages and engines to be used on the tramway when passing one another shall not be less than 38 centimetres.

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Restriction of powers for construction, acquisition or taking on lease of tramway by local authority.
(HL 138)

153.—(1) No powers shall be given to any local authority to construct, acquire, take on lease, or work any tramway or portion of tramway, beyond the limits of their area, unless such tramway or portion of tramway is in connection with a tramway belonging to or authorised to be constructed, acquired, or worked by the local authority, and unless the committee on the bill determines that, having regard to the special local circumstances, such construction, acquisition, taking on lease, or working ought to be sanctioned.

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(2) In every case in which the committee so determines, it shall specify what portion of the tramway will be situate beyond the area of the local authority to which the power of construction, acquisition, or taking on lease is given, and shall insert a clause for the protection of the local authority of the area in which such tramway or portion of tramway will be situate in the terms (subject to such modifications as may be necessary) of section 43 of the Tramways Act 1870, unless the committee reports that the insertion of such a clause is not required, with the reasons on which its opinion is founded.

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154. Where a local authority are empowered to work any tramways belonging to, or authorised to be constructed or acquired by them, the committee on the bill may, if it thinks fit in the special circumstances of the case, empower the local authority to enter into agreements for running powers over any tramways in connection with the tramways so worked or to be worked by them:

Running powers
in tramway bills.
(HL 139)

Provided that in any such case the committee on the bill shall make provision—

(a) that no such agreement shall have effect until approved by the Secretary of State responsible for the time being for transport matters;

(b) that all enactments, bye-laws and regulations relating to the use of or the running of carriages upon the tramways, and the taking of tolls and charges therefor, shall, so far as applicable and with the necessary modifications, extend and apply to, and shall be observed by, the local authority exercising such running powers;

(c) that such running powers shall in no case be exclusive, and shall cease unconditionally at the expiration of seven years from the date of the agreement;

(d) that further agreements for the exercise of such running powers may be made from time to time with the approval of the Secretary of State responsible for the time being for transport matters for any period not exceeding seven years, provided that such powers shall cease unconditionally at the expiration of the period for which the same are given; and

(e) that all questions in dispute as to the construction of, or arising in consequence of, such agreements shall be determined by arbitration.

And the committee shall report the circumstances specially to the House

Expenditure by local authorities

155. [Repealed 24th October 1990.]

156. [Repealed 24th October 1990.]

Modification of practice as to charges on public revenue.

156A. In the case of a private bill, it shall not be necessary to comply with the standing orders and practice of this House relating to provisions authorising charges upon the public revenue, by reason only that the bill contains provisions authorising expenditure by a local authority which would or might be taken into account in determining the sums payable by way of Revenue Support Grant under the enactments relating to local government in England and Wales or in Scotland.

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156B. [Repealed 24th October 1990.]

Agreements

Agreement to be annexed to bill.

157. Where it is sought by any bill to give parliamentary sanction to any agreement, the agreement shall be annexed to the bill as a schedule thereto, and shall be printed in extenso.

Charitable or educational institutions

Bills affecting charities or educational foundations.
(HL 142)

158.—(1) In the case of any bill containing provisions whereby it is proposed—

(a) to direct any application of the property of any charity, or to affect the patronage or the

5 constitution of any charity, or the right of any
charity to any property; or,

(b) to set up, or to take power to set up, or to take
over or interfere in the management of, any school
or other educational foundation or institution, or
10 to levy any rate or raise money for any such
purpose,

notice in writing of the bill shall be given to the Attorney
General, and no such bill shall be taken into
consideration by the committee on the bill until a report
15 from the Attorney General on the bill has been presented
to the House (by being deposited in the Private Bill
Office).

(2) This order shall not apply to any Scottish charity
or educational foundation, or institution, nor to any bill
20 which affects the property of a charity to the extent only
that it is proposed thereby to authorise the compulsory
acquisition or affection of such property under the
Lands Clauses Acts or the Compulsory Purchase Act
1965.

25 **159.** [Repealed 24th October 1990.]

Water bills

160.—(1) In the case of a bill whereby it is proposed
to authorise the impounding by means of a dam
constructed across a river or stream, or the abstraction
by other means, of the whole or any part of the water of
5 a river or stream, the committee on the bill shall—

Compensation
water, etc.
(HL 144)

(a) where such a dam is to be constructed,
inquire into the expediency of making provision, so
far as may be practicable, for giving a flow of water
in compensation for the water impounded, and for
10 securing that the whole or a minimum amount of
such compensation water shall be given in a

continuous flow throughout the twenty-four hours of every day; and

(b) in any other case, inquire into the expediency of making provision for limiting the amount of water to be abstracted, either to a specified quantity in a specified period or so as to secure that the flow in the river or stream at a specified point below the point of abstraction shall not be reduced below a specified amount or rate; 15 20

and shall report to the House accordingly.

(2) In determining whether any and, if so, what provision should be made in either of the cases aforesaid, the committee shall have regard—

(a) to the character and flow of the river or stream; 25

(b) to the extent to which it is used for industries, fisheries and other undertakings;

(c) to the probability of future industrial development; 30

(d) to the minimum flow required in the interest of public health; and

(e) to the protection of the rights and interests of riparian and other landowners.

Gas works, burial ground, etc., bills

Limits of gas works, burial ground, etc., to be defined. (HL 145)

161. In the case of a bill whereby it is proposed to authorise the construction of gas works or sewage works, or works for the manufacture or conversion of the residual products of gas or sewage or a station for generating electricity, or the making, constructing or extending of a sewage farm, cemetery, burial ground, crematorium, destructor, or hospital for infectious diseases, there shall be inserted a clause defining the lands in or upon which such works, generating station, 5

10 farm, cemetery, burial ground, crematorium, destructor
or hospital are intended to be made, constructed or
extended.

162. [Repealed 24th October 1990.]

PRACTICE OF THE HOUSE WITH REGARD TO PRIVATE
BILLS

5 **163.**—(1) Where, in respect of a petition for a private
bill, the Examiner has reported that the standing orders
have been complied with the bill shall be presented to the
House on 21st January or, if the House is not sitting on
that day, on the first sitting day thereafter, or, if the
report from the Examiner is laid on the table of the
House on or after 21st January, on the first sitting day
after the report was so laid.

Presentation of
bills.

10 (2) Where, in respect of a petition for a private bill,
the Examiner has reported that the standing orders have
not been complied with, and the House, on
consideration of a report from the Standing Orders
Committee that the standing orders ought to be
15 dispensed with, gives leave to the parties to proceed with
the bill, the bill shall be presented to the House not later
than the following day, or, if such leave was given before
21st January, on that day, or, if the House is not sitting
on that day, on the first sitting day thereafter.

20 (3) Where, in respect of a petition for a private bill,
the Examiner has made a special report, then—

25 (a) if the Standing Orders Committee
determines that the standing orders have not been
complied with and the House, upon consideration
of a report from that committee that the standing
orders ought to be dispensed with, gives leave to the
parties to proceed with the bill, the bill shall be
presented to the House within the time limited by
paragraph (2) of this order;

(b) if the Standing Orders Committee reports that the standing orders have been complied with, the bill shall be presented to the House not later than the following day or, if the report was made before 21st January, on that day, or, if the House is not sitting on that day, on the first sitting day thereafter. 30 35

(4) A private bill shall be presented to the House by being deposited in the Private Bill Office and shall be laid by one of the clerks of that office on the table of the House on the next sitting day.

(5) In this order the expression “sitting day” means a day on which the House sits. 40

House copy of bill.

164. For presentation to the House a private bill shall be printed on paper of a size to be determined by the Speaker, and shall be enclosed in a cover of parchment upon which the title of the bill is clearly set out; and the short title of the bill, as first entered on the Votes, shall correspond with that at the head of the advertisement. This copy of the bill shall be called the House copy. 5

Matters to be expressed in titles of certain bills.

164A. In the case of any bill to which, in the event of its originating in this House, Standing Order 64 (Consents of members of companies, etc., not being promoters, in case of certain bills originating in this House) will apply, the name of any company, society, association or partnership not being promoters of the bill, upon which powers are proposed to be conferred, or whose constitution is proposed to be altered by the bill, shall be expressed in the title of the bill. 5

165. [Repealed 12th November 1951.] 10

5 **166.**—(1) A private bill shall, when laid on the table of the House, be deemed to have been read the first time on the day on which it is so laid, and shall be recorded in the Journal of the House as having been so read, and shall be ordered to be read a second time.

First reading.

(2) A private bill brought from the House of Lords shall be deemed to have been read the first time on the day on which it is received and shall be recorded in the Journal of this House as having been so read.

5 **166A.**—(1) A petition for additional provision in a private bill shall have annexed thereto a printed copy of the provisions proposed to be added.

Petitions for additional provision.

5 (2) No such petition shall be received unless it has been endorsed by the Chairman of Ways and Means.

(3) No such petition shall be received in the case of a bill brought from the House of Lords.

5 **167.** All petitions praying that any of the standing orders of the House relating to private bills may be dispensed with, and all petitions for the re-insertion of petitions for private bills in the General List of such petitions, and all petitions opposing the same, shall be presented to the House by being deposited in the Private Bill Office.

Presentation of petitions for dispensing with standing orders, etc.

5 **168.** Subject to the provisions of Standing Order 156A (Modification of practice as to charges on public revenue) all charges in any way affecting the public revenue, which occur in the clauses of any private bill, shall be printed in italics in the bill when presented to the House.

Charges affecting public revenue to be printed in italics.

Attachment of
financial
memoranda to
certain bills.

169. Every private bill which involves, or in respect of which there has been promised, a grant from any government department shall, on presentation to the House, have bound with it a printed statement in the form of a financial memorandum describing the grant and the amount thereof: 5

Provided that, for the purposes of this order, a provision of a bill shall not be deemed to involve a grant from any government department by reason only that it contains any such provision as is mentioned in Standing Order 156A (Modification of practice as to charges on public revenue). 10

Reports
concerning
human rights.
(HL 98A)

169A. In the case of a private bill originating in this House or brought from the House of Lords, a report from a minister of the Crown on the statement of opinion required by Standing Order 38(3) shall be presented to the House (by being deposited in the Private Bill Office) not later than the second sitting day after that on which the bill was read a first time. 5

Interval between
first and second
reading.
(HL 99)

170. There shall be not less than four clear days between the first and second reading of any private bill.

Presentation of
petitions relating
to private bills.

171. Every petition in favour of or against any private bill, or otherwise relating thereto, shall be presented to the House by being deposited in the Private Bill Office, and there shall be endorsed thereon the short title by which the bill is entered in the Votes, and a statement that the petition is in favour of or against the bill, or otherwise as the case may be, together with the name of the member, party or agent depositing the same. 5

5 **171A.**—(1) Every petition against a private bill originating in this House to which paragraph (1) of Standing Order 163 (Presentation of bills) applies, and which is not a bill the examination of the petition for which has been adjourned until after 20th January, shall be presented on or before 30th January; and every petition against any other private bill shall be presented not later than the tenth day after the first reading of the bill or, if the House is not sitting on that day, on or before the next day on which the House sits.

Petitions against private bills.

(2) This order shall not apply—

(a) to any petition presented against a bill after it has been reported from a committee; or

(b) to any petition against a personal bill; or

15 (c) to any petition in which the petitioners complain of any amendment as proposed in a filled-up bill, or of any proposed additional provision or of any matter which has arisen during the progress of a bill before a committee.

5 **172.** A copy of any petition deposited in the Private Bill Office praying to be heard against, or otherwise relating to, a private bill shall, on application and payment by any party interested, be supplied to him by the agent concerned for the petition not later than the day following that on which the application and payment is received.

Supply of copies of petitions. (HL 102)

5 **173.** Any petitioner may withdraw his petition, on a requisition to that effect being deposited in the Private Bill Office, signed by him or his agent, and where any such petition is deposited by or on behalf of more than one person, any of those persons may withdraw from the petition by a similar requisition, signed and deposited as aforesaid.

Withdrawal of petitions. (HL 79, 103)

Time and manner
of taking private
business.

174.—(1) On Mondays, Tuesdays, Wednesdays and Thursdays the time for private business shall end not later than a quarter of an hour after the House sits and business entered upon and not disposed of at that hour shall be deferred to such time as the Chairman of Ways and Means may appoint. Business not reached shall stand over to the next sitting, or in the case of opposed business until the next sitting other than a Friday.

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(2) During the time of private business opposed business shall not be proceeded with but shall be deferred to such time, other than a Friday, as the Chairman of Ways and Means may appoint.

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(3) Opposed business shall include any proceedings on a private bill or a confirming bill which have been deferred under paragraph (2) of this order, so long as a notice of an amendment stands upon the order paper in the form of a notice of motion (other than a notice of motion in the name of the Chairman of Ways and Means) on second reading, consideration or third reading for such bill:

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Provided that no such notice of motion shall stand on the paper for more than seven days unless renewed.

(4) No opposed business shall be taken on a Friday.

(5) Business deferred under paragraphs (1) and (2) of this order shall be considered at the time of private business on the day appointed unless the Chairman of Ways and Means directs that such business shall be set down at a time three hours before the moment of interruption on any specified Monday, Tuesday, Wednesday or Thursday, and business so set down (including any motion contingent directly or otherwise upon any item of such business) shall be taken in such order as the Chairman of Ways and Means may determine:

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35 Provided that business so set down shall be distributed as nearly as may be proportionately between the sittings on which government business has precedence and other sittings.

40 (6) On any day specified under paragraph (5) of this order at a time three hours before the moment of interruption or as soon thereafter as any motion for the adjournment of the House under Standing Order No. 20 (Adjournment on specific and important matter that should have urgent consideration) has been disposed of,
45 the business set down by direction of the Chairman of Ways and Means shall be entered upon and may be proceeded with subject to the provisions of Standing Order No. 9 (Sittings of the House).

5 **175.** Where it is sought by a proposed instruction to authorise or require a committee on a private bill to make an amendment in the bill, the Speaker, if he is of the opinion that the amendment is such that it could not have been inserted except upon petition for additional provision, shall decline to propose the question on the instruction to the House.

Instructions to committees on bills. (HL 93)

176. [Repealed 12th November 1951.]

5 **177.** There shall be an interval of not less than six clear days between the committal of an opposed private bill and the sitting of the committee thereon, except that, in the case of an opposed personal bill, the interval shall be not less than three clear days.

Interval between committal of bill and sitting of committee.

178. Every private bill reported from a committee, if amended in the committee, shall be ordered to lie upon the table; but, if not amended in committee, it shall be ordered to be read the third time:

Procedure on report of bill from committee.

Provided that if the committee reports that the allegations of the bill have not been proved to its satisfaction or that the parties promoting the bill have informed the committee that it is not their intention to proceed therewith, the bill shall be ordered to lie upon the table. 5
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Printing of bill as amended in committee. (HL 128)

179. Every private bill, as amended in committee, shall be printed at the expense of the promoters and copies thereof delivered to the Vote Office for the use of members of the House, not less than three clear days before the consideration of such bill; and, in the case of a bill originating in this House, a copy thereof as so amended, printed and covered in like manner as the House copy deposited under Standing Order 163 (Presentation of Bills), shall be deposited in the Private Bill Office, and shall become the House copy in lieu of the copy deposited under the said standing order. 5
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Deposit of copies of bill at public departments, etc., before consideration. (HL 147)

180. Not less than three clear days before the consideration of a private bill ordered to lie upon the table, a copy of the bill as amended in committee shall be deposited at every department or office at which it was deposited under Standing Order 39 (Deposit of copies of bills at Treasury and other public departments, etc.) or Standing Order 232 (Deposit of copies of substituted bill at public departments, etc.) or would be required to be deposited under those orders if it has been originally introduced as amended in committee. 5
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Interval between report and consideration of bill, etc.

181. In the case of a private bill ordered to lie upon the table, there shall be an interval of not less than three clear days between the report and the consideration of the bill, and, where any bill does not contain the several provisions required by the standing orders or contains 5

any provisions which contravene standing orders, the Chairman of Ways and Means shall, before the consideration of the bill takes place, so inform the House or signify the same in writing to the Speaker.

5 **182.** If the Chairman of Ways and Means informs the House or signifies in writing to the Speaker that, in his opinion, a clause or amendment intended to be proposed by the promoters on the consideration of a private bill
 10 ordered to lie upon the table is such that it ought not to be entertained by the House without referring the same to the Standing Orders Committee, the clause or amendment shall stand referred to that committee, and no further proceeding shall be had in relation thereto until the report of that committee is brought up.

Reference to Standing Orders Committee of proposed amendments on consideration.

5 **183.—**(1) Where the promoters intend to offer any clause or to propose any amendment on the consideration of a private bill ordered to lie upon the table, and the Chairman of Ways and Means considers
 10 that prints of the clause or amendment should be made available to members, he may give directions for the printing thereof, and, where any clause of the bill is proposed to be amended, the directions may include a requirement that the clause as proposed to be amended shall be printed in extenso with every addition or substitution in distinctive type, and the omissions included in brackets and underlined.

Printing of proposed amendments on consideration. (HL 148)

(2) The expense of printing any such amendment or clause shall be borne by the promoters of the bill.

184. No amendments, not being merely verbal, shall be made to any private bill on the third reading.

Amendments on third reading.

Printing of bill
after third
reading.
(HL 149)

185. Every private bill originating in this House, after it has been read the third time, shall be printed fair at the expense of the parties applying for the same; and a copy thereof, printed and covered in like manner as the House copy, shall be deposited in the Private Bill Office, and shall be the copy of the bill sent to the House of Lords.

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Printing of Lords
amendments.

186.—(1) Where amendments to a private bill originating in this House have been made by the House of Lords, and the Chairman of Ways and Means considers that prints thereof should be made available to members, he may give directions for the printing thereof at the expense of the promoters, and, where any clause has been amended, the directions may include a requirement that the clause as amended shall be printed in extenso with every addition or substitution in distinctive type, and the omissions included in brackets and underlined.

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(2) When the promoters intend to propose any amendments to the Lords amendments, Standing Order 183 (Printing of proposed amendments on consideration) shall apply as if they were amendments intended to be proposed on the consideration of a bill ordered to lie upon the table.

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187. [Repealed 30th July 1952.]

Motions for
dispensing with
standing orders.

188. Except in cases of urgent and pressing necessity, no motion shall be made to dispense with any standing order of the House without due notice thereof.

SUSPENSION AND REVIVAL OF BILLS

188A.—(1) Paragraph (2) applies where—

Suspension
of Bills

(a) this House resolves that the promoters of a bill originating in this House should have leave to suspend any further proceedings on the bill in order to proceed with it, if they think fit, in the next session of Parliament, and any conditions attached to the leave have been met; and

(b) the House of Lords concur with the resolution, or have previously passed a resolution to the like effect as the resolution of this House.

(2) The bill shall be deposited in the Private Bill Office on the fifth sitting day in the next session together with a declaration, signed by the agent, stating that the bill is the same in every respect as the bill at the last stage of the proceedings on it in this House in the current session.

(3) Paragraph (4) applies where—

(a) this House resolves that the promoters of a bill originating in the House of Lords should have leave to suspend any further proceedings on the bill in order to proceed with it, if they think fit, in the next session of Parliament, and any conditions attached to the leave have been met; and

(b) the House of Lords subsequently pass a resolution to the like effect as the resolution of this House.

(4) If the bill is brought from the House of Lords in the next session, the agent for the bill shall deposit in the Private Bill Office a declaration, signed by the agent, stating that the bill is the same in every respect as the bill which was brought from the House of Lords in the current session.

(5) The following provisions of this Order apply in either case.

(6) The bill shall be deemed to have passed through every stage through which it has passed in the current session, and shall be recorded in the Journal of the House as having passed those stages, and no new fees shall be charged to those stages. 35

(7) These Standing Orders shall apply to the bill in the next session only in regard to any stage through which the bill has not passed in the current session. 40

(8) If there is any petition outstanding—

(a) any such petition which has been presented (if not withdrawn) shall stand referred to any committee on the bill in the next session; 45

(b) any minutes of evidence taken before a committee on the bill in the current session shall stand referred to any committee on the bill in the next session;

(c) no petitioners shall be heard before any committee on the bill in the next session unless their petition has been presented within the time stipulated for the deposit of petitions in the current session or deposited pursuant to Standing Order 126(b); 50 55

(d) Standing Order 127 shall have effect as if the words “under Standing Order 126 (Reference to committee of petitions against bill)” were omitted.

(9) In this order “the current session” means the session in which the resolution of this House is passed and “the next session” shall be construed accordingly. 60

Revival of bills

188b.—(1) Paragraphs (2) and (3) apply where—

(a) this House resolves that the promoters of a bill which—

(i) originated in this House in an earlier

5 session of this Parliament or in the last
Parliament; and

(ii) had not received the Royal Assent,
should have leave to proceed with the bill in the
current session; and

10 (b) the House of Lords concur with the
resolution, or have previously passed a resolution
to the like effect as the resolution of this House.

(2) The petition for the bill shall be deemed to have
been deposited and all Standing Orders applicable to it
15 shall be deemed to have been complied with.

(3) The bill shall be deposited in the Private Bill Office
not later than the fifth day on which the House sits after
the passing of the resolution of this House, or (as
applicable) the concurrence of the House of Lords, and
20 a declaration, signed by the agent, shall be annexed to
the bill stating that it is the same in every respect as the
bill at the last stage of the proceedings on it in this House
in the last session or the last Parliament or, as the case
may be, the bill passed by this House.

25 (4) Paragraph (5) applies where—

(a) this House resolves that the promoters of a
bill which—

(i) originated in the House of Lords in an
earlier session of this Parliament or in the last
30 Parliament; and

(ii) had not received the Royal Assent,
should, have leave to proceed with the bill in the
current session; and

35 (b) the House of Lords subsequently pass a
resolution to the like effect as the resolution of
this House.

(5) If the bill is brought from the House of Lords in
the current session, the agent for the bill shall deposit in

the Private Bill Office a declaration, signed by the agent, stating that the bill is the same in every respect as the bill which was brought from the Lords in the last session or the last Parliament. 40

(6) The following provisions of this Order apply in either case.

(7) The bill shall be deemed to have passed through every stage through which it has passed in the last session or the last Parliament, and shall be recorded in the Journal of the House as having passed those stages, and no new fees shall be charged to those stages. 45

(8) If there is any petition outstanding— 50

(a) any such petition which has been presented (if not withdrawn) shall stand referred to any committee on the bill in the current session;

(b) any minutes of evidence taken before a committee on the bill in the last session or last Parliament shall stand referred to any committee on the bill in the current session; 55

(c) no petitioners shall be heard before any committee on the bill in the current session unless their petition has been presented within the time stipulated for the deposit of petitions in the last session or last Parliament or deposited pursuant to Standing Order 126(b); 60

(d) Standing Order 127 shall have effect as if the words “under Standing Order 126 (Reference to committee of petitions against bill)” were omitted. 65

(9) In this Order “current session” means the session of Parliament in which the resolution of this House is passed and “this Parliament” means the Parliament in which the resolution of this House is passed; “the last Parliament” and “the last session” shall be construed accordingly.’ 70

189. [Repealed 12th November 1951.]

5 **190.**—(1) Each day, as soon as the House is ready to proceed to private business, the Clerk at the Table shall read from the Private Business List the short titles of the several bills set down therein, and if upon the reading of any such title as aforesaid, no motion is made with respect to that bill the bill shall be set down in the Private Business List for the next day on which the House shall sit.

Procedure at time of private business.

10 (2) Any bills set down in the Private Business List in pursuance of notices given by the agents therefor shall be arranged in the following order: consideration of Lords amendments, third readings, consideration of bills ordered to lie upon the table, second readings. They shall be followed by the orders of the day, if any, relating to private bills arranged in the same order.⁷

5 **191.** This House will not insist on its privileges with regard to any provision of a private bill brought from the House of Lords, or returned by that House with amendments, on the ground that that provision authorises or affects—

Tolls and charges not in the nature of a tax.

- 10 (a) any toll or charge for services performed (not being in the nature of a tax); or
 (b) any local rate; or
 (c) any council tax or the non-domestic rate; or
 (d) the sums payable by way of Revenue Support Grant under the enactments relating to local government in England and Wales or in Scotland.

PERSONAL BILLS

191A.—(1) In the case of a bill brought from the House of Lords relating to the estate, property, status or style, or otherwise relating to the personal affairs of an

Personal bills.

⁷ The Standing Order will take effect from 27th November 2001.

individual, if the Chairman of Ways and Means reports that the bill is of such a nature as aforesaid and is, in his opinion, such that Standing Orders 4 to 61 and 65 to 68 should not apply thereto, the order referring the bill to the Examiners shall be discharged, and the bill shall be ordered to be read a second time. 5

(2) Bills in respect of which the Chairman of Ways and Means has so reported are in these standing orders termed personal bills, and the proceedings in reference thereto shall be subject to such general or special directions (if any) as may be given from time to time by the Speaker. 10
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PRACTICE IN THE PRIVATE BILL OFFICE

Private Bill Office registers.

192.—(1) Registers shall be kept in the Private Bill Office, in which in respect of every private bill the clerks appointed for the business of that office shall enter the name and place of business of the parliamentary agent soliciting the bill and all the proceedings from the petition to the passing of the bill. 5

(2) The entries as to proceedings shall specify briefly:—

(a) each day's proceeding before the Examiner or in the House, or in any committee to which the bill may be referred; 10

(b) the day and hour on which the Examiner or the committee is appointed to sit; and

(c) the day and hour to which the proceedings before the Examiner or committee are adjourned. 15

(3) The registers shall be open to public inspection daily in the said office.

192A.—(1) Any petition required to be deposited in the Private Bill Office shall be prepared and signed in strict conformity with the rules and orders of the House:

Rules for petitions.

Provided that—

5 (a) a petition may be prepared otherwise than in writing by hand; and

10 (b) except in the case of a petition for a private bill or a petition for additional provision in a private bill, a petition may be signed on behalf of the petitioner by his agent.

(2) A petition signed by the petitioner’s agent shall, when so deposited, be accompanied by a written authority of the petitioner or petitioners authorising the agent to sign the petition on his or their behalf.

193. The receipt of every document required by the standing orders of the House to be deposited in the Private Bill Office shall be acknowledged by one of the clerks of the said office by endorsement upon the document when deposited.

Acknowledgment of receipt of documents.

194. A list of all petitions for private bills shall be kept in the Private Bill Office in the order of their deposit, which list shall be called the “General List of Petitions for Private Bills”, and each petition therein shall be numbered.

General List of Petitions for Bills.

194A. Every petition for a private bill deposited in the Private Bill Office, together with the printed copy of the proposed bill annexed thereto, shall be open to the inspection of all parties.

Inspection of petitions for bills.

5 **195.** [Repealed 12th November 1951.]

Custody of
House copy of
bill.

196. The House copy of a private bill shall be in the custody of the clerks of the Private Bill Office.

Examination of
bills.

197. Between the first and second readings of a private bill, the bill shall be examined by the clerks of the Private Bill Office as to its conformity with the rules and standing orders of the House.

Notice of second
reading.

198.—(1) Not less than three clear days' notice in writing of the day proposed for the second reading of a private bill shall be given to the clerks in the Private Bill Office by the agent for the bill; and no such notice shall be given until the day after that on which the bill has been ordered to be read a second time.

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(2) In the case of a bill originating in this House, no such notice shall be given for a day later than the eighth day after that on which the bill has been read the first time:

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Provided that when the House has resolved to adjourn to a day beyond such eighth day notice for the second reading may be given for the day to which the House has adjourned or the following day.

Notice of
committee.

199. Not less than—

(a) four clear days' notice in the case of an opposed bill,

(b) one clear days' notice in the case of a recommitted bill, and

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(c) one days' notice in the case of an unopposed bill,

of the day and hour appointed for the first sitting of the committee on the bill shall be given to the clerks in the Private Bill Office by the clerk to the Committee of

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Selection with regard to all opposed bills, and, with regard to all other bills, by the clerk attending the committee to whom the bill is either referred or recommitted; and, where the first sitting of the committee on a bill is deferred, notice thereof shall be given by such clerk as aforesaid on the day on which the sitting is deferred.

199A. Notice, in writing, shall be given by the clerk attending a committee on a private bill to the clerks in the Private Bill Office of the day and hour to which that committee is adjourned.

Notice of adjournment of committees.

200.—(1) In the case of an opposed bill a filled-up bill as proposed to be submitted to the committee, and, in the case of a recommitted bill, a filled-up bill as proposed to be submitted to the committee on re-committal, signed in each case by the agent for the bill, shall be deposited in the Private Bill Office, not less than five clear days before the sitting of the committee on the bill; and a copy of the proposed amendments shall, not less than one clear day before the sitting of the committee on the bill, be furnished by the promoters to such parties petitioning against the bill as may apply for it.

Deposit of filled-up bill.

(2) In the case of an unopposed bill, a filled-up bill signed by the agent for the bill shall be deposited in the Private Bill Office before the day appointed for the consideration of the bill by the committee.

201. Not less than one clear day's notice in writing of the day proposed for the consideration of a private bill ordered to lie upon the table shall be given to the clerks in the Private Bill Office by the agent for the bill.

Notice of consideration of bill.

Delivery of
committee bill to
Private Bill
Office.

202. After the report of the committee on any bill is made out, the clerk attending the committee shall deliver into the Private Bill Office the committee bill, signed and initialled by the chairman.

Examination of
bill printed as
amended.

203. The House copy of every private bill printed as amended in committee and deposited under the provisions of Standing Order 179 (Printing of bill as amended in committee) in the Private Bill Office shall be examined with the committee bill by the clerks of that office, and the examining clerks shall endorse thereon a certificate of such examination.

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Notice of
amendments on
consideration of
bill, or on third
reading.

204. When it is intended by the promoters to offer any clause or to propose any amendment on the consideration of any private bill ordered to lie upon the table, or any verbal amendment on the third reading of any private bill, not less than one clear day's notice thereof shall be given to the clerks in the Private Bill Office.

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Opposed business
(consideration
and third
reading).

204A. When an order of the day has been read for the consideration or further consideration, as amended, of a private bill set down by direction of the Chairman of Ways and Means at a time three hours before the moment of interruption, the question, That the bill, as amended, be now considered (or be now further considered) shall not be put: but (unless the Chairman of Ways and Means names a future day for the consideration or further consideration of the bill, or a motion is made to recommit the bill in whole or in part), the House—

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(a) shall forthwith proceed to consider any amendments proposed on consideration of the bill which have been selected by the Speaker; and

15 (b) may, if there are no such amendments or when the amendments have been disposed of, proceed to the third reading of the Bill, notwithstanding the provisions of Standing Order 205 (Notice of third reading).

5 **205.** Subject to the provisions of Standing Order 204A (Opposed business (consideration and third reading)), not less than one clear day's notice, in writing, shall be given by the agent for the bill to the clerks in the Private Bill Office, of the day proposed for the third reading of a private bill; and no such notice shall be given until the day after that on which the bill has been ordered to be read the third time.

Notice of third reading.

5 **206.** The amendments (if any) which are made on the consideration of any private bill ordered to lie upon the table, and on the third reading of any private bill, shall be entered by one of the clerks in the Private Bill Office upon the House copy of the bill as amended in committee; which clerk shall sign the said copy so amended, in order to its being deposited and preserved in the said office.

Entry of amendments on House copy of bill.

5 **207.** The copy of every private bill after it has been printed fair, deposited in the Private Bill Office under Standing Order 185 (Printing of bill after third reading) shall, before the same is sent to the House of Lords, be examined by the clerks in the said office with the bill as read the third time, and the examining clerks shall endorse thereon a certificate of such examination.

Examination of bills before transmission to House of Lords.

208. Not less than one clear day's notice in writing of the day proposed for taking into consideration the amendments made by the House of Lords to a private

Notice of consideration of Lords amendments.

bill shall be given to the clerks in the Private Bill Office by the agent for the bill, and if any amendments thereto are intended to be proposed by the promoters, a copy of such amendments shall also be deposited, and notice given thereof, not less than one clear day previous to the day on which the amendments made by the House of Lords are proposed to be taken into consideration; and no such notice shall be given until the day after that on which the bill has been returned from the House of Lords.

Opposed business
(Lords
amendments).

208A. When an order of the day has been read for consideration or further consideration of Lords amendments to a private bill set down by direction of the Chairman of Ways and Means at a time three hours before the moment of interruption, the question, That the Lords amendments be now considered (or be now further considered) shall not be put: but (unless the Chairman of Ways and Means names a future day for the consideration or further consideration of the Lords amendments) the House shall forthwith proceed to consider the same.

Time for
delivering
notices, etc.
(HL 201)

209.—(1) All notices required to be given to the clerks in the Private Bill Office and all deposits required to be made in that office shall be delivered or made between 11 am and 5 pm (or, on a Friday, between 9.30 am and 3 pm) on any day on which the House sits, and between 11 am and 1 pm on any day on which the House does not sit; and after any day on which the House has adjourned beyond the following day, no notice shall be given for the first day on which it is next to sit.

(2) When the time for delivering notices, or making deposits, expires on a Saturday or Sunday, Christmas Day, Good Friday or any bank holiday, the time shall be extended to the next day following which is not such a day.

210. The clerks in the Private Bill Office shall daily prepare, and cause to be hung up in the lobby of the House, lists of all private bills upon which a committee is appointed to sit, specifying the hour of meeting and the room where the committee will sit.

Daily list of committees sitting.

BILLS FOR CONFIRMING PROVISIONAL ORDERS

211. In the eight following orders a bill to confirm with or without amendment any one or more provisional orders is referred to as a confirming bill: but except as provided by Standing Order 228A (Application of certain orders to confirmation bills) nothing in those orders shall apply to provisional orders issued under the Private Legislation Procedure (Scotland) Act 1936, or to bills to confirm such provisional orders, and nothing in those orders shall apply to orders within the meaning of the Statutory Orders (Special Procedure) Act 1945, being orders in relation to which that Act applies, or to bills to confirm such orders.

Meaning of "confirming bill". (HL 178)

212. Whenever plans, sections, books of reference, or maps are deposited with any public department in relation to—

Deposit of duplicate plans, etc., in Private Bill Office. (HL 179)

(a) any provisional order, or

(b) any order which becomes provisional at a time after it was made,

being an order by which it is proposed to authorise the compulsory acquisition of land or of rights to use land or the construction or alteration of works, copies of those documents shall also be deposited in the Private Bill Office—

(i) in the case of any such order as is mentioned in paragraph (a) of this order, on the same day as the deposit is made with the public department or, if such deposit is made after a prorogation of Parliament and before 20th November in any year, on or before 20th November; 15

(ii) in the case of any such order as is mentioned in paragraph (b) of this order, on or before the date of the presentation to either House of Parliament of a bill for confirming the order. 20

Application of
Standing Order
47 to provisional
orders.
(HL 180)

213. Where a provisional order proposed to be confirmed by a confirming bill contains or revives, or extends the time limited for the exercise of, any power to acquire land in such circumstances that, had it been a private bill, Standing Order 47 (Deposit of statement as to houses and persons on land to be acquired) would have applied, that order shall apply as if the expression “bill” included a provisional order. 5

Examination of
confirming bills
by Examiners.
(HL 181)

214.—(1) A confirming bill, after it has been read the first time, shall be referred to the Examiners, and the Examiner shall report to the House whether the two preceding standing orders (if applicable) have or have not been complied with, and, when they have not been complied with, he shall also report the facts on which his decision is founded and any special circumstances connected with the case; and Standing Orders 75 (Memorials complaining of non-compliance with standing orders) and 104 (Reference to Standing Orders Committee of reports from Examiner of non-compliance with standing orders, etc.), shall apply in relation to the examination of confirming bills in like manner as to the examination of petitions for private bills subject to the following modifications:— 15

(a) Parties shall be entitled to appear and be heard upon a memorial provided that such memorial has been deposited before 12 noon on the day before the day appointed for the examination of a confirming bill together with two copies of the memorial for the use of the Examiners.

(b) The Examiner shall be entitled to entertain a memorial against a confirming bill although neither the party (if any) who may be specially affected by non-compliance with standing orders nor his agent has signed it.

(2) Where in the House of Lords provisions have been inserted in a confirming bill to which the standing orders of this House would apply if the bill were a private bill, the Examiner shall inquire whether in respect of those provisions the standing orders have been complied with, and report to the House accordingly.

(3) Not less than two clear days' notice of the day on which a confirming bill will be examined shall be given in the Private Bill Office by the Examiner, but he shall not give such notice until after the bill has been printed by order of this House.

215. Standing Order 90 (Jurisdiction of Court of Referees) shall apply in relation to petitions against confirming bills in like manner as it applies in relation to petitions against private bills, and the proceedings of the Court of Referees shall be conducted in like manner as in the case of private bills, and shall be subject to the same rules and orders of the House so far as they are applicable, and accordingly Standing Orders 91 (Rules of practice and procedure of Court of Referees), 91A (Right of audience before Court of Referees) and 92 (Competition to be a ground of locus standi) to 102 (Locus standi of owners, etc., against tramway bills) shall apply as if a confirming bill were a private bill.

Locus standi of petitioners against confirming bills.

Presentation of
confirming bills.
(HL 182)

216. No confirming bill shall be presented to the House after 15th May in any year in the course of a session which has begun in a previous year.

Proceedings in
committees on
confirming bills.
(HL 184, 185)

217.—(1) Every confirming bill on committal shall stand referred to the Committee of Selection.

(2) Standing Orders 110 (Power of Committee of Selection to form groups of opposed bills) to 122 (Absence of chairman or members of committee on opposed bill), 124 (Order in which bills are to be considered by committee) to 138 (Record of members' attendances and votes), 141 (Chairman to sign committee bill, etc.), 145 (Minutes of proceedings), 199 (Notice of committee) to 200 (Deposit of filled-up bill) and 210 (Daily lists of committees sitting) shall, so far as they are applicable, apply as respects confirming bills as if they were private bills; subject, however, to the following modifications:—

(a) In the case of a bill originating in this House every petition against the bill presented on or before the seventh day after notice is given of the day on which the bill will be examined or, if the House is not sitting on that day, on or before the next day on which the House sits, shall stand referred to the committee on the bill.

(b) Where some one or more only of the orders to be confirmed by the bill are opposed, the Committee of Selection may, if it thinks fit, refer the bill to a committee constituted as provided in paragraph (2) of Standing Order 111 (Reference to committees of opposed and unopposed bills) who shall divide the bill into two bills, the one to confirm the opposed orders and the other to confirm the unopposed orders, and shall refer the former back to the Committee of Selection.

(3) The committee on a confirming bill shall report in respect of each order to be confirmed by the bill whether the same ought to be confirmed.

218. Confirming bills shall be set down for consideration in a separate list after private business arranged as prescribed for private bills in Standing Order 190 (Procedure at time of private business), and for the purposes of Standing Order 174 (Opposed business) opposed proceedings on confirming bills shall be treated as opposed private business.

Proceedings in House on confirming bills.

219. The following standing orders shall apply to confirming bills in like manner as to private bills, that is to say:—

Application of certain orders to confirming bills. (HL 186)

Standing Orders 76A (Withdrawal of memorials), 85 (Power of Chairman of Ways and Means to report special circumstances, etc., to the House), 156A (Modification of practice as to charges on public revenue), 169 (Attachment of financial memoranda to certain bills), 171 (Presentation of petitions relating to private bills), 172 (Supply of copies of petitions), 173 (Withdrawal of petitions), 177 (Interval between committal of bill and sitting of committee), and 191 (Tolls and charges not in the nature of a tax).

220. [Repealed 9th April 1986.]

221. [Repealed 9th April 1986.]

222. [Repealed 9th April 1986.]

223. [Repealed 9th April 1986.]**PUBLIC BILLS ORDERED TO BE EXAMINED BY THE
EXAMINERS**

Examination of
public bills by
Examiners.
(HL 83)

224.—(1) Where a public bill (not being a bill to confirm a provisional order) is whilst pending in this House ordered to be examined by the Examiners with respect to the applicability thereto of the standing orders, the Examiner shall decide whether or not the bill is of such a nature that Standing Orders 4 to 68 should apply to it and if he decides that those Standing Orders should so apply he shall report to the House whether or not they have been complied with, and when they have not been complied with, he shall also report to the House the facts upon which his decision is founded and any special circumstances connected with the case. 5 10

(2) The Examiners may inquire into compliance with Standing Orders 62 to 68 at any time after the order for the examination of the bill. 15

(3) The Examiner shall give not less than two clear days' notice in the Private Bill Office of the day on which the bill will be examined.

(4) Parties shall be entitled to appear and to be heard by themselves or their agents upon a memorial addressed to the Examiners and signed by those parties or their agents alleging that the standing orders are applicable to the bill and have not been complied with, provided that such memorial has been deposited in the Private Bill Office before 12 noon on the day before that appointed for the examination of the bill, together with two copies of the memorial for the use of the Examiners; and the member in charge of the bill shall be entitled to be heard by himself or his agents. 20 25

(5) In the case of a bill originating in this House the Examiner shall have leave to report to the House of 30

Lords (if that House thinks fit so to order) whether any standing orders of that House compliance with which, in the case of a private bill, is to be proved before one of the
 35 Examiners are applicable to the bill, and, if applicable, whether or not they have been complied with.

(6) Where a public bill originating in the House of Lords is whilst pending in that House referred to the Examiners for examination as to the applicability thereto of the standing orders of that House, the
 40 Examiner shall (if that House thinks fit to give him leave) report to this House whether any such standing orders of this House as aforesaid are applicable to the bill and, if applicable, whether or not they have been complied
 45 with, and when they have not been complied with, he shall also report to the House the facts upon which his decision is founded and any special circumstances connected with the case.

(7) Standing Order 104 (Reference to Standing Orders Committee of reports from Examiner of non-compliance with standing orders, etc.) shall, so far as applicable, apply to reports from the Examiner under this order in like manner as it applies to reports from the Examiner in relation to private bills.
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ORDERS FOR PURPOSES OF THE PRIVATE LEGISLATION
 PROCEDURE (SCOTLAND) ACT 1936

225. In the thirteen following orders—

the expression “the Procedure Act” means the Private Legislation Procedure (Scotland) Act 1936;

Interpretation of
 Standing Orders
 226 to 236.
 (HL 187)

5 the expression “the Chairmen” means the Chairman of Committees of the House of Lords and the Chairman of Ways and Means;

the expression “confirmation bill” means a bill to confirm an order issued under the Procedure Act;

the expression “draft order” means a draft provisional order under the Procedure Act; 10

the expression “general orders” means general orders made under section 15 of the Procedure Act;

the expression “substituted bill” means a bill promoted in lieu of a provisional order or part thereof which the Secretary of State has refused to issue. 15

Chairmen to determine procedure for considering draft provisional orders.
(HL 188)

226. The Chairman of Committees of the House of Lords (if that House thinks fit so to order) and the Chairman of Ways and Means shall together determine all matters of practice and procedure which will enable them to take into consideration draft provisional orders submitted to the Secretary of State under the Procedure Act. 5

Reports of Chairmen on draft provisional orders.
(HL 189)

227. A copy of every report on any draft provisional order made by the Chairmen to the Secretary of State, signed by the Chairmen, shall be laid before the House on or before the third day after it is made, or if the House be not then sitting, on or before the third day after its next sitting. 5

Parliamentary panel.
(HL 190)

228. The Committee of Selection shall select not more than 25 members to form the parliamentary panel of members of this House to act as commissioners under the Procedure Act.

Application of certain orders to confirmation bills.

228A. The following standing orders shall apply to confirmation bills in like manner as to private bills, that is to say:—

5 (a) Standing Order 169 (Attachment of financial memoranda to certain bills) and 191 (Tolls and charges not in the nature of a tax).

 (b) Standing Order 218 (Proceedings in House on confirming bills) shall apply to confirmation bills.

10 (c) Standing Order 156A (Modification of practice as to charges on public revenue) shall apply to confirmation bills.

229.—(1) Where, under the provisions of section 9 of the Procedure Act, whether as originally enacted or as applied by subsection (2) of section 10 of the Statutory Orders (Special Procedure) Act 1945, a confirmation bill has been referred to a joint committee, the committee of this House shall consist of three members, to be nominated by the Committee of Selection.

Constitution of joint committee on confirmation bill.
(HL 191)

(2) If any member of the committee of this House is prevented from continuing his attendance, the joint committee may, with the consent of all parties, continue its sitting in his absence, provided that the number of the committee of this House be not less than two; but if the consent of any party is withheld, the joint committee shall adjourn and shall not resume its sittings in the absence of such member without leave of this House.

230. Where a confirmation bill originating in the House of Lords has been referred to a joint committee under the provisions of section 9 of the Procedure Act, whether as originally enacted or as applied by subsection (2) of section 10 of the Statutory Orders (Special Procedure) Act 1945, that bill shall, after it has been read a second time in this House, be deemed to have passed the stage of committee, and be ordered to be read the third time.

Procedure on confirmation bills brought from House of Lords.
(HL 192)

Presentation of
petition for bill
under section
1(4) of the
Procedure Act.
(HL 193)

231. A petition for a bill by which it is proposed to confer powers in respect of which a representation under section 1(4) of the Procedure Act would be required shall not be presented earlier than four weeks after the representation has been made to the Secretary of State.

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Deposit of copies
of substituted bill
at public
departments, etc.
(HL 194)

232. Where under the provisions of section 2 of the Procedure Act the Secretary of State has refused to issue a provisional order, or part thereof, and the petitioners for the order desire to promote a bill for the same objects as were sought by the draft provisional order or such part thereof, the promoters shall, on or before the fourteenth day after the notification to them of the refusal of the Secretary of State to issue the provisional order or part, deposit a copy of the substituted bill at every office of a public department or other office at which copies of the draft provisional order were, under general orders, required to be deposited. In the case of petitions for provisional orders deposited on or before 27th March, which are directed to be proceeded with as bills, the substituted bill may be deposited on or before the ensuing 27th November, and all notices given, or other proceedings had, in respect of such petition shall be applicable to such bills.

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Proofs before
Examiner in case
of substituted
bill.
(HL 195)

233. In the case of a substituted bill the service of such notices to opponents as are required by section 2 of the Procedure Act shall be proved before the Examiner, but where compliance with the corresponding general orders is proved it shall not be necessary to prove compliance with Standing Orders 4 (Contents of notice) to 68 (Proof of consent of directors, etc., who are named in bill), and the notices published and served, and the deposits made, for the provisional order, or for the part thereof for which the bill is substituted, shall be held to have been published, served, and made respectively for the substituted bill.

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233A. Whenever during the progress through the House of Lords of any bill originating in that House promoted in lieu of a provisional order or part thereof in respect of which a plan and section were required under General Order 27 to be deposited, any alteration has been made in any work to be authorised by the bill, Standing Order 61 (Notices and deposits where work is altered while bill is in House of Lords) shall apply to the bill subject to such adaptations and modifications as may be prescribed by general or special directions of the Chairman of Ways and Means.

Application of Standing Order 61 to substituted bill.
(HL 195A)

234. Provisions which were contained in a draft provisional order may be omitted from the substituted bill, but no provision shall be inserted in any substituted bill as deposited which were not contained in the draft provisional order; and the Examiner shall report whether this order has or has not been complied with.

Contents of substituted bill.
(HL 196)

235. In the case of a substituted bill originating in this House all petitions deposited at the Scotland Office, Whitehall, pursuant to general orders, in favour of or against a draft provisional order shall, on transmission from that office to the Private Bill Office, be received as if duly presented in favour of or against the substituted bill; and no petitions other than those so deposited shall be received.

Petitions in favour of or against draft provisional order.
(HL 197)

236. A copy of every substituted bill brought from the House of Lords in which any amendment has been made on third reading in that House shall, not later than the second day after the bill has been read the first time, be deposited at every office at which the draft order was deposited under General Order 39 (Deposit of Provisional Orders at Treasury and other Public Departments, etc.) or would be required to be deposited

Deposit of copies of substituted bill brought from House of Lords at public departments, etc.
(HL 198)

under that order if the draft order as originally applied for had contained the same provisions as the substituted bill so brought from the House of Lords. 10

ORDERS IN RELATION TO WHICH THE STATUTORY
ORDERS (SPECIAL PROCEDURE) ACT 1945 APPLIES

Interpretation of
Standing Orders
238 to 248A.
(HL 203)

237. In the thirteen following orders the following expressions have the meanings hereby respectively assigned to them—

“Special Procedure Act” means the Statutory Orders (Special Procedure) Act 1945, as amended by the Statutory Orders (Special Procedure) Act 1965; 5

“special procedure order” means an order, scheme, certificate or bye-law in relation to which the Special Procedure Act applies; 10

“special procedure petition” means a petition under section 3 of the Special Procedure Act against a special procedure order;

“the Chairman” means, subject to the next following order, the Chairman of Ways and Means; 15

“the Chairmen” means, subject as aforesaid and except in the expression “Chairmen’s Panel,” the Chairman of Committees of the House of Lords and the Chairman of Ways and Means;

“the minister,” in relation to any special procedure order, means the minister of the Crown responsible for laying the order before Parliament; 20

“applicant,” in relation to any special procedure order, means any person on whose application the order is made or confirmed; 25

“copy,” in relation to any document means a printed or typewritten copy.

5 **238.**—(1) The Chairman may from time to time appoint any member of the Chairmen’s Panel as his deputy who shall be entitled to perform his functions under the Special Procedure Act, or under the following twelve orders, and he shall report any such appointment to the House.

Deputy
Chairmen.
(HL 204)

10 (2) Any reference in the said orders to the Chairman of Committees of the House of Lords shall be construed as including a reference to any Deputy Chairman of Committees appointed by the House of Lords.

5 **239.**—(1) On the day on which a special procedure order is laid before this House under section 2 of the Special Procedure Act, the minister shall cause a copy of the order, and of the certificate or statement required by that section to be laid together with the order, to be deposited in the Private Bill Office, and shall also cause copies of the order and certificate or statement—

Deposit of copies
of orders in
Private Bill
Office, etc.
(HL 205)

(a) to be deposited at the Vote Office for the use of members; and

10 (b) to be made available to any person on application to the minister and on payment:

15 Provided that the requirements of paragraph (b) of this Order need not be complied with as respects copies of the special procedure order if it is a statutory instrument of which copies are required by section 2 of the Statutory Instruments Act 1946 to be printed and sold.

20 (2) The name and address of the applicant, if any, shall be endorsed on any order so laid and on all copies of the order so deposited and made available.

Deposit of
duplicate plans,
etc., in Private
Bill Office.
(HL 205A)

239A. If under a special procedure order it is proposed to authorise the compulsory acquisition of land, or of rights to use land, or if the order relates to any works or to any area of land or water, and the said works or area are described by reference to a map or plan, a copy of a map or plan of the said land or works or area shall be deposited in the Private Bill Office on the day on which the order is laid before this House. 5

Presentation of
petitions against
orders.
(HL 206)

240.—(1) Every special procedure petition presented to this House shall be presented by being deposited in the Private Bill Office, and Standing Order 192A (Rules for petitions) shall apply to such petitions.

(2) There shall be endorsed on every special procedure petition so presented— 5

(a) the title (as entered in the Votes) of the special procedure order against which it is presented;

(b) a statement that it is presented as a petition for amendment or a petition of general objection, as the case may be; and 10

(c) the name and address of the member, party or agent depositing it.

(3) The petitioner shall cause—

(a) a copy of the petition to be deposited in the office of the Clerk of the Parliaments, in the office of the Chairman of Ways and Means and at the office of the minister not later than the day following that on which the petition was presented; and 15 20

(b) a copy of the petition to be delivered, or despatched by registered post, to the applicant (if any) or to each applicant (if more than one) at his address as endorsed on the order not later than the day aforesaid; and 25

(c) copies of the petition to be made available

not later than three days from the day on which the petition was presented, to any person on application to the petitioner or his agent at the address endorsed on the petition, and on payment.

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241.—(1) Within the period of seven days beginning with the day on which a special procedure petition is presented to this House, the minister or any applicant may deposit in the Private Bill Office a memorial addressed to the Chairman and signed by him or his agent objecting to the petition being certified as proper to be received or, if it is presented as a petition for amendment, objecting that it is a petition of general objection, and stating specifically in either case the grounds of the objection.

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Memorials
objecting to
petitions.
(HL 207)

(2) On the day on which a memorial is so deposited, the memorialist shall cause—

(a) a copy thereof to be deposited in the office of the Clerk of the Parliaments and in the office of the Chairman of Ways and Means; and

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(b) a copy thereof to be delivered or despatched by registered post, to the petitioner or his agent at the address endorsed on the special procedure petition.

241A.—(1) Where the Chairmen certify that a special procedure petition is proper to be received as a petition for amendment but are of opinion that any amendment asked for would, if made, alter the scope of the special procedure order or affect the interest of persons other than the petitioner, they may make a special report to that effect.

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Special report by
Chairmen.
(HL 207A)

(2) A special report made under this order shall be laid before both Houses and shall stand referred to the joint committee on the petition.

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(3) A special report made under this order may, without binding the joint committee, express the Chairmen's opinion on the extent to which effect should be given to any amendment to which the report refers and the steps that should be taken to being that amendment to the notice of persons likely to be affected thereby. 15

Consideration of
petitions by
Chairmen.
(HL 208)

242.—(1) If a memorial is duly deposited in the Private Bill Office objecting to a special procedure petition, the Chairman shall give notice in that office of the time and place at which the Chairmen will consider the petition and memorial. 5

(2) If no such memorial is deposited, but the Chairmen

(a) are not satisfied that a special procedure petition should be certified as proper to be received, or, if it is presented as a petition for amendment, are not satisfied that it is such a petition; or 10

(b) are of opinion that a special procedure petition contains matters on which they should make a special report under Standing Order 241A (Special report by Chairmen), the Chairman shall give notice in the Private Bill Office of the time and place at which the Chairmen will further consider the petition. 15

(3) The Chairmen shall have power to determine questions of locus standi in connection with their examination of special procedure petitions, and to decide as to the rights of the petitioners to be heard upon such petitions but only if objection to locus standi or such rights has been made in a memorial duly deposited as aforesaid. 20 25

243.—(1) Where under section 4 of the Special Procedure Act any special procedure petition stands referred, or has been referred by order of either House, to a joint committee, the committee of this House shall consist of three members to be nominated by the Committee of Selection and the order of proceedings shall be as follows—

Joint committees
on petitions.
(HL 209)

(a) the minister shall, if required by the committee, briefly explain the order by means of a factual statement, to be agreed with the petitioner and counter-petitioner if any;

(b) the petitioner shall be entitled to be heard in support of the petition;

(c) if the committee is of opinion that he has a case to answer, the minister shall be entitled to be heard against the petition;

(d) the petitioner shall be entitled

(i) to reply, or

(ii) before replying, to call rebutting evidence, with the leave of the committee, on which the minister shall be entitled to comment;

(e) the petitioner and the minister may appear by counsel or agent.

Provided that the minister may give notice in accordance with the following paragraph that he desires that the rights and functions conferred on him by subparagraphs (a), (c), (d) and (e) of this paragraph shall be exercised by any applicant specified in the notice, and thereupon the said sub-paragraph shall have effect as if that applicant were substituted for the minister.

(2) Any such notice shall be delivered, or despatched by registered post, to the petitioner or his agent at the address endorsed on the special procedure petition and to the applicant specified in the notice at his address as endorsed on the special procedure order, within a period of four days beginning—

(a) with the day on which the report of the Chairmen is laid before Parliament under subsection (5) of section 3 of the Special Procedure Act; or

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(b) if the report is so laid on different days, with the later of the two days;

and copies of any such notice shall be deposited in the Private Bill Office and in the office of the Clerk of the Parliaments within the said four days.

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(3) The minutes of the evidence taken before the committee shall be reported to the House.

(4) If any member of the committee of this House is prevented from continuing his attendance, the joint committee may, with the consent of all parties, continue its sittings in his absence, provided that the number of the committee of this House be not less than two; but if the consent of any party is withheld, the joint committee shall adjourn and shall not resume its sittings in the absence of such member without leave of this House.

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Counter-
petitions.
(HL 210)

244.—(1) Where under subsection (5) of section 3 of the Special Procedure Act the Chairmen have reported that any special procedure petition has been presented to this House and has been certified as a petition for amendment and as proper to be received, a petition (hereinafter referred to as a “counter-petition”) may, within the period of fourteen days, beginning with the date on which the report is laid before this House, be presented to this House complaining that an amendment prayed for by the special procedure petition will affect the interest of the person by whom or on whose behalf the counter-petition is presented (hereinafter referred to as the “counter-petitioner”), and such counter-petition shall stand referred to the joint committee to which the special procedure petition stands referred, or has been referred by order of either House.

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20 (2) Any such counter-petition shall be presented to this House by being deposited in the Private Bill Office and Standing Order 192A (Rules for petitions) shall apply to such counter-petitions.

(3) There shall be endorsed on every counter-petition so presented—

(a) the title (as entered in the Votes) of the special procedure order to which it relates; and

25 (b) the name and address of the member, party or agent depositing it; and

30 (c) the name of the party who signed or whose agent signed the special procedure petition to which it relates (hereinafter referred to as the “original petitioner”).

(4) Not later than the day following that on which the counter-petition was presented, the counter-petitioner shall cause—

35 (a) a copy thereof to be deposited in the office of the Clerk of the Parliaments, in the office of the Chairman of Ways and Means, and at the office of the minister; and

40 (b) a copy thereof to be delivered, or despatched by registered post, to the original petitioner or his agent at the address endorsed on the special procedure petition; and

45 (c) if the minister has given notice under the last foregoing order that he desires that his rights shall be exercised by an applicant specified in the notice, a copy thereof to be delivered, or despatched by registered post, to that applicant at his address as endorsed on the special procedure order.

50 (5) If, on consideration of a counter-petition, the joint committee to which the relevant special procedure petition stands referred, or has been referred by order of either House, is satisfied that an amendment prayed for

by the special procedure petition may affect the interest of the counter-petitioner, the committee may allow the counter-petitioner to be heard by himself, his counsel or agent, against the special procedure petition either before or after the minister or applicant has been heard as the committee may direct. 55

Withdrawal of petitions, counter-petitions and memorials. (HL 211)

245. Standing Order 173 (Withdrawal of petitions) shall apply to the withdrawal of special procedure petitions and counter-petitions and Standing Order 76A (Withdrawal of memorials) shall apply to the withdrawal of memorials objecting to special procedure petitions. 5

246. [Repealed 12th November 1951.]

Extension of time for deposit and notices in case of adjournment of House, etc.

247.—(1) If any period within which anything is required to be done under Standing Orders 239 to 241, 243, 244 and 248 expires when Parliament is dissolved or prorogued, or when this House is adjourned for more than four days, it shall be extended so as to expire with the first day thereafter on which this House sits: 5

Provided that a meeting of the House under Standing Order No. 12 (Earlier meeting of House in certain circumstances) relating to public business, shall not be a sitting for the purposes of this order and the first sitting day shall be deemed to be that day to which the House was originally adjourned, or if the House does not sit on that day, on the first sitting day thereafter. 10

(2) In the case of a special procedure petition presented to this House, paragraph (1) of this order shall apply to the period of twenty-one days allowed for the presentation thereof under subsection (1) of section 3 of the Special Procedure Act in like manner as it applies to a period mentioned in that paragraph. 15

248.—(1) Any notice given by the minister under subsection (2) of section 6 of the Special Procedure Act either determining the date on which an order is to come into operation or withdrawing an order shall be given by publishing the notice—

Notice of date of operation or withdrawal of order.
(HL 214)

(a) in a case where the order relates to England or Wales or any part thereof, but not to Scotland or any part thereof, in the London Gazette;

(b) in a case where the order relates to Scotland, or any part thereof, but not to England or Wales or any part thereof, in the Edinburgh Gazette;

(c) in any other case both in the London Gazette and in the Edinburgh Gazette;

and, in the case of an order relating to a particular area, in at least one newspaper circulating in that area.

(2) A copy of any such notice withdrawing an order shall be laid before this House within four days after it is published in accordance with paragraph (1) of this order.

248A. Standing Orders 156A (Modification of practice as to charges on public revenue) and 191 (Tolls and charges not in the nature of a tax) shall apply to bills presented under the Special Procedure Act as they apply to private bills.

Application of certain orders to bills under Special Procedure Act.

249. [Repealed 12th November 1951.]

Clerk of the House of Commons

Examined

Clerk of Bills

Appendix A

10

[Form referred to in Standing Orders 13 and 61]

Form of notice to owners, etc.

No.

Dear Sir or Madam,

5

[Short title of bill]

We [have applied] [intend to apply] to Parliament [this] [next] session for leave to introduce this bill.

We understand that you have an interest in the property mentioned in the Table set out below and that your interest is as stated in Part(s) I [& II] of that Table. If the bill is passed, the property mentioned in Part I of the Table, or a right to use it, will be liable to be acquired compulsorily under the powers of the resulting Act [and the property mentioned in Part II of the Table will be liable to the imposition of an improvement charge].

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A plan [and section] relating to the purposes of the bill, together with a book of reference relating to it, [was] [were] [will be, on or before 20th November] deposited for public inspection with [here insert the officers of the local authorities with whom deposits have been or are to be made in accordance with Standing Order 27].

20

A copy of so much of the plan [and section] as relates to [here insert the parish or other area in accordance with the Standing Order 36] in which the property in which you have an interest is situated, together with a book of reference relating to it, [has been] [will be on or before 20th November] deposited for public inspection with [here insert the officers of the local authorities with whom deposits have been or are to be made in accordance with Standing Order 36].

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On that plan the property [is] [will be] designated by the number or numbers in the Table set out below. If that Table contains any error or misdescription, will you please let us know as soon as you can.

Copies of the bill, or the relevant parts of it, [have been] [will be on or before 4th December] deposited for public inspection

35

and for sale at the [here insert the several offices at which deposits have been or are to be made in accordance with Standing Order 4A].

5 [We intend that the bill shall provide that, notwithstanding section 92 of the Lands Clauses Consolidation Act 1845, you may be required to sell and convey a part only of your property, numbered [here insert number or numbers] on the deposited plan.]

10 [We intend that the bill shall exclude section 92 of the Lands Clauses Consolidation Act 1845, and shall substitute for it a provision—

15 (a) restricting the power of acquiring compulsorily a part only of a house or building to cases where the part can be taken without material detriment to the house or building; and

(b) restricting the power of acquiring compulsorily a part only of a park or garden belonging to a house to cases where the part can be taken without seriously affecting the amenity or convenience of the house.]

20 You may object to the bill by depositing a petition against it. If you wish us to do so, we shall be glad to let you know the latest date on which you may deposit a petition in either House.

25 For the moment we can let you know that the latest date for depositing a petition against a bill is—

(a) in the first House [here insert current date] in the case of the House of Lords, and [here insert current date] in the case of the House of Commons; and

30 (b) in the second House, the tenth day after that on which the bill receives its first reading in that House.

In the case of a late bill, the rule in paragraph (b) above applies to a petition in either House.

35 If the latest date turns out to be a Saturday, a Sunday, Christmas Day, a bank holiday, or a day on which the House does not sit, the latest date may be postponed.

We enclose for your use copies of the standing orders of both Houses of Parliament relating to the time and method of presenting petitions in opposition to bills.

If you need any further information, or any help in preparing a petition, you should get in touch with the Private Bill Office in either House (telephone number 020 7219 3231 in the House of Lords and 020 7219 3250 in the House of Commons).

Yours faithfully

To.....

Schedule referred to in the foregoing notice, describing the property therein alluded to

| | Parish or other area as the case may be | Number on plans | Description | Owner | Lessee | Occupier |
|--|---|------------------------------|-------------|-------|--------|----------|
| <p>Property [rights to use] which may be acquired compulsorily... ..</p> <p>Property on which an improvement charge may be imposed... ..</p> | | <p>PART I</p> <p>PART II</p> | | | | |

Appendix B

[Form referred to in Standing Order 45]

| Form of Estimates | Amount |
|---|---------------|
| Purpose | £ |
| Purchase of land, minerals and permanent rights | |
| Easement for works, e.g., way-leaves for sewers, water pipes, etc. | |
| Laying out and levelling land (specifying purposes and nature of works) | |
| Work on foreshore | |
| Buildings (stating, generally, their nature and construction) | |
| †Boats (stating, generally, their character) ... | |
| Bridges (stating, generally, their character and type of construction) | |
| Waterways (including canals and inland navigations)— | |
| Earthworks | |
| Locks, etc. | |
| Reservoirs | |
| Dredging (otherwise than for maintenance) | |
| Electricity— | |
| Mains— | |
| Main transmission lines | |
| Feeders and distributors | |
| Machinery and plant | |
| (In the case of generating plant specify whether steam, gas, diesel, etc.) | |
| *Purchase of electricity undertaking where the price has been fixed | |
| Ferries (specifying type)— | |
| †(a) Vessels | |
| (b) Landing stages, etc. | |
| †Furniture and movable equipment | |
| Gas:— | |
| Generating plant | |
| Gas holders | |

| Purpose | Amount £ |
|---|-------------|
| Mains— | |
| Cast Iron | |
| Steel | |
| *Purchase of gas undertaking where the price has been fixed... .. | |
| Harbours, docks and piers (including quays and wharves)— | |
| Docks, etc., (stating, generally, character and method of construction) | |
| Breakwaters— | |
| (a) rubble mound | |
| (b) concrete block | |
| Piers (stating, generally, character and type of construction) | |
| Machinery (cranes, pumping machinery, dredgers, etc.) | |
| Dredging (otherwise than for maintenance) | |
| | |
| Machinery not included under other headings (stating, generally, its character) | |
| Railways, other than light railways— | |
| Permanent ways | |
| Earthworks | |
| Stations and buildings | |
| Tunnels and bridges | |
| †Rolling stock | |
| Electrical or other equipment | |
| Power stations | |
| Signalling | |
| Roads and streets (stating, generally, character and method of work) | |
| Sea defence works (stating, generally, their character and materials to be used) | |
| Sewage disposal works— | |
| Tanks | |
| Machinery | |
| Sewers— | |
| Brick, concrete, cast iron, glazed ware | |
| Concrete tubes, reinforced... .. | |
| Steel pipes | |

| Purpose | Amount £ |
|---|-------------|
| Tramways, tramroads, light railways, and public service vehicle and trolley vehicle undertakings— | |
| Depots and car sheds | |
| Permanent way— | |
| (a) Public road lines | |
| (b) Separate track on sleepers | |
| Electrical equipment— | |
| (a) Posts and overhead wires | |
| (b) Cables and feeders | |
| (c) Generating and converting plant | |
| †Cars and vehicles | |
| Tunnels (other than railway tunnels) | |
| Waterworks— | |
| Mains— | |
| Cast iron | |
| Steel | |
| Concrete or other material (specifying material) | |
| Reservoirs— | |
| Impounding (with earth or masonry dams) | |
| Service (specifying nature of construction) | |
| Pumping machinery | |
| Filters— | |
| Gravity | |
| Pressure | |
| Sterilisation plant | |
| Wells or other works | |
| *Purchase of water undertakings where the price has been fixed | |

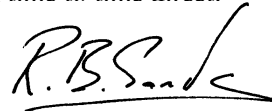
*The estimate should be accompanied by an engineer's report as to age, extent, condition, and value of the works, divided under suitable headings.

†It shall not be necessary to include an estimate of this item where the promoters are not a local authority.

V—FEES TO BE PAID ON THE TAXATION OF COSTS ON PRIVATE
LEGISLATION

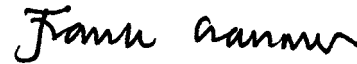
For each £100 of any bill of costs allowed by the Taxing
Officer £1.60.

The preceding fees shall be charged, paid and received at
such times, in such manner, and under such regulations as the
Speaker shall from time to time direct.



Clerk of the House of Commons

Examined



**PRIVATE LEGISLATION PROCEDURE (SCOTLAND)
ACT 1936**

[26 GEO. 5 & 1 EDW. 8 c. 52]
[as amended by the Statute Law Revision Act 1950
(14 Geo. 6, c. 6)]

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CHAPTER 52

An Act to consolidate the enactments relating to the procedure for obtaining parliamentary powers by way of Provisional Orders in matters affecting Scotland.

[31st July 1936.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Application for Provisional Order.

Application for
Provisional Order.
Notices.

1.—(1) When any public authority or any persons (hereinafter referred to as the petitioners) desire to obtain Parliamentary powers in regard to any matter affecting public or private interests in Scotland for which they would have been, before the commencement of the Private Legislation Procedure (Scotland) Act, 1899 (62 & 63 Vict. c. 47.), entitled to apply to Parliament by a petition for leave to bring in a Private Bill, they shall proceed by presenting a petition to the Secretary of State, praying him to issue a Provisional Order in accordance with the terms of a draft Order submitted to him, or with such modifications as shall be necessary.

(2) A printed copy of the draft Order shall, at such time as shall be prescribed, be deposited in the office of the Clerk of the Parliaments and in the Committee and Private Bill Office of the House of Commons, and also at the office of the Treasury and of such other public departments as shall be prescribed.

(3) The petitioners shall make such deposits and give such notice by public advertisement, and, where land is proposed to be taken, by such service on owners, lessees and occupiers, as shall be prescribed as sufficient for procedure by way of Provisional Order under this Act.

(4) If a representation is made to the Secretary of State by any public authority or persons that they desire to obtain

Parliamentary powers to be operative in Scotland and elsewhere, and that it is expedient that such powers should be conferred by one enactment by reason of the fact that it is necessary to provide for the uniform regulation of the affairs of an undertaking or institution carried on or operating in Scotland and elsewhere, the Secretary of State and the Chairman of Committees of the House of Lords and the Chairman of Ways and Means in the House of Commons (in this Act referred to as the Chairmen) shall take such representation into their consideration, and, if they shall be of opinion that the said powers or some of them would more properly be obtained by the promotion of a Private Bill than by the promotion of a Private Bill and of a Provisional Order [(or a Provisional Order and an Order under section 1 or 3 of the Transport and Works Act 1992)]¹, they shall cause a notice of a decision to that effect to be published in the London and the Edinburgh Gazettes and shall lay a report of such decision before both Houses of Parliament, and, on the publication of such notice as aforesaid, subsection (1) of this section shall not apply as regards any powers to which the said decision relates.

(5)² This section shall not apply where any public authority or persons desire to obtain Parliamentary powers the conferring of which is wholly within the legislative competence of the Scottish Parliament.

2.³—(1) The Chairmen shall, if the two Houses of Parliament think fit so to order, determine all matters of practice and procedure which will enable them to take into consideration the draft Order, and to report thereon to the Secretary of State:

Report by
Chairmen that
procedure should
not be by
Provisional Order.

Provided that with a view to such report the Secretary of State shall forthwith inform the Chairmen of any dissents from, or objections to any of the provisions of the Order which have been stated in the prescribed manner and within the prescribed time.

¹ Words inserted by the Transport and Works Act 1992, section 24.

² Subsection inserted by the Scotland Act 1998, section 125 and paragraph 5 of Schedule 8.

³ Amended non-textually: see the Local Government (Scotland) Act 1973, section 82(3).

(2) If it appears from the report of the Chairmen that in their opinion the provisions or some of the provisions of the draft Order relate to matters outside Scotland to such an extent, or raise questions of public policy of such novelty and importance, that they ought to be dealt with by Private Bill and not by Provisional Order, the Secretary of State shall, without further inquiry, refuse to issue the Provisional Order, so far as the same is objected to by the Chairmen.

(3) A copy of every report by the Chairmen in pursuance of this section shall, as soon as possible, be laid before both Houses of Parliament.

(4) If the Secretary of State shall refuse to issue the Provisional Order or part thereof in pursuance of the provisions of this section, the notices published and served and the deposits made for the proposed Provisional Order shall, subject to Standing Orders, be held to have been published and served and made for a Private Bill applying for similar powers:

Provided that the petitioners shall, by notice served in the prescribed manner and within the prescribed time, inform all opponents of their intention to proceed by way of Private Bill, and, subject to Standing Orders, the petition for the Provisional Order shall be deemed and taken to be the petition for leave to bring in a Private Bill, and the petitioners shall also give such additional notices (if any) as shall be required by Standing Orders.

Appointment of and Inquiry by Commissioners

When inquiry by Commissioners to be directed.

3.—(1) If the Chairmen report that the Provisional Order may proceed, or if a report against a part only of the Order is made by the Chairmen, upon due proof to the satisfaction of the examiner of compliance with the general orders herein-after mentioned, the Secretary of State shall take the petition for a Provisional Order into consideration, and subject to the report against any part of the Order (if any), shall, if there is opposition, or in any case in which he thinks inquiry necessary, direct an inquiry as to the propriety of assenting to

the prayer of the petition, subject as aforesaid, to be held by Commissioners from time to time appointed in terms of this Act.

(2) If the examiner under this Act shall find that the general orders have not been complied with, the petitioners may, in the prescribed manner and within the prescribed time, apply to the Chairmen to dispense with any general order which has not been complied with, and the decision of the Chairmen shall be final; provided that if any conditions are attached to any dispensation with compliance with any general order, the Provisional Order shall not be proceeded with until the examiner shall have reported that such conditions have been satisfied.

4.—(1) There shall be formed a panel of persons (hereinafter referred to as the extra-parliamentary panel) qualified by experience of affairs to act as Commissioners under this Act.

Formation of extra-parliamentary panel.

(2) The extra-parliamentary panel shall be formed in manner following, that is to say:—

(a) The Chairmen, acting jointly with the Secretary of State, shall nominate twenty persons qualified as aforesaid, and the persons so nominated shall constitute the extra-parliamentary panel and shall remain thereon until the expiration of five years. Any casual vacancy on the panel caused by death or resignation shall be filled by appointment made by the Chairmen acting jointly with the Secretary of State;

(b) At the expiration of every period of five years, the extra-parliamentary panel shall be reformed in like manner and with the like incidents.

5.—(1) When it is determined that Commissioners shall be appointed for the purpose of inquiring as to the propriety of making and issuing a Provisional Order or Orders under this Act, the Chairmen shall appoint four Commissioners for that purpose, and shall at the same time nominate one of the Commissioners as Chairman.

Formation of parliamentary panels.
Appointment of Commissioners.

(2) Standing Orders may, if the two Houses of Parliament think fit so to order, provide for the formation of panels of members of the two Houses respectively to act as Commissioners under this Act (hereinafter referred to as the parliamentary panels).

(3) Subject to Standing Orders as aforesaid, two of the Commissioners shall be taken from the parliamentary panel of members of the House of Lords, and two shall be taken from the parliamentary panel of members of the House of Commons.

(4) Subject to Standing Orders, as aforesaid, if the Chairmen shall be unable to appoint Commissioners as in the immediately preceding subsection mentioned, three, or if need be all of the Commissioners, may be members of the same parliamentary panel.

(5) Subject to Standing Orders as aforesaid, if the Chairmen shall be unable to appoint Commissioners as in either of the two immediately preceding subsections mentioned, so many persons as are required to make up the number of Commissioners shall be taken by the Secretary of State from the extra-parliamentary panel hereinbefore mentioned.

(6) Any casual vacancy among the Commissioners, or in the office of the Chairman of Commissioners caused by death or resignation, or inability to give attendance, such resignation or inability to attend being certified by a writing under the Commissioners' hand, may be filled by the Secretary of State by appointing a member of any of the panels.

(7) Notwithstanding a dissolution of Parliament, any member of either House of Parliament may continue to act as Commissioner in any inquiry for the purpose of which he has been appointed to act.

(8) The persons appointed as Commissioners shall have no personal or local interest in the matter of the proposed Order or Orders, and shall as a condition of such appointment make a declaration to that effect, provided that Scottish Members of either House of Parliament shall not, on that account, be either disqualified from acting or preferred as Commissioners to deal with proposed orders in which they have no personal or local interest.

(9)¹ The Secretary of State may pay Commissioners taken from the extra-parliamentary panel such fees or other amounts in respect of the performance of their duties under this Act as he may, with the approval of the Treasury, determine.

6.—(1) The Commissioners shall hold their inquiry at such place in Scotland as they may determine, with due regard to the subject-matter of the proposed Order and to the locality to which its provisions relate. The sittings shall be held in public.

Sittings of
Commissioners.

(2) The Commissioners shall hear and determine any question of locus standi, but they shall not sustain the locus standi of any person who has not in the prescribed manner and within the prescribed time objected to the proposed Order, unless on special grounds established to the satisfaction of the Commissioners, and subject to such conditions as to payment of costs or otherwise as the Commissioners may determine.

(3) Subject to general orders, any person shall be allowed to appear before the Commissioners in opposition to the Order by himself, his counsel, agent, and witnesses, and counsel, agents and witnesses may be heard in support of the Order.

(4) Subject to general orders, whenever a recommendation shall have been made by the Chairmen or by any public department, it shall be referred to the Commissioners who shall notice such recommendation in their report, and shall state their reasons for dissenting, should such recommendation not be agreed to.

(5) Commissioners shall, as far as possible, sit from day to day until they finish the inquiry and submit their report to the Secretary of State, with the evidence taken and the recommendations made by them, and they may recommend that the Order should be issued as prayed for, or should be issued with modifications, or should be refused and if they recommend that the Order should be issued with modifications they shall submit a copy of the Order showing the modifications they recommend.

¹ Subsection (9) inserted by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985.

(6) The provisions of sections one, two, three.....¹, of the Parliamentary Costs Act 1865 (28 & 29 Vict. c. 27), shall so far as applicable, apply to costs incurred in or in relation to any inquiry by the Commissioners in like manner as they apply to costs in proceedings before a committee on a Private Bill, subject to the following and any other necessary modifications:—

(a) The costs, which shall be according to such scale as may be prescribed by the Secretary of State, shall be taxed by the Auditor of the Court of Session in lieu of the taxing officer of the House, and for the purpose of such taxation the Auditor shall have power to examine on oath any party to such taxation and any witnesses who may be examined in relation thereto, and to call for the production of any books or writing in the hands of any party to such taxation relating to the matters thereof;

(b) The Auditor shall be entitled, for any such taxation, to such fee as may be authorised by general orders, and shall have power to award the costs of such taxation (including such fee as aforesaid) against either party thereto or in such proportion against either party as he may think fit;

(c) For any reference to the committee's report to the House there shall be substituted a reference to the Commissioner's report to the Secretary of State.

Issue and Confirmation of Provisional Order

Provision for
unopposed Orders.

7. If there is no opposition to the Order, or if any opposition thereto has been withdrawn before an inquiry has been held as hereinbefore provided, the Secretary of State may forthwith make the Order as prayed or with such modification as shall appear to be necessary having regard to the recommendations of the Chairmen and of the Treasury and such other public departments as shall be prescribed; and thereupon the following provisions shall have effect, that is to say:

(1) Before making and issuing an Order, if any modification has been made on the draft Order originally

¹ Words repealed by the Statute Law (Repeals) Act 1993.

deposited, the Secretary of State shall cause a printed copy thereof to be deposited in the office of the Clerk of the Parliaments and in the Committee and Private Bill Office of the House of Commons, and also at the office of the Treasury and of such other public departments as shall be prescribed, and shall not, for such time as may be prescribed, issue a Provisional Order. Provided that, before making and issuing such Order, the Secretary of State shall have regard to the recommendations of the Chairmen and of the Treasury and such other public departments as shall be prescribed:

(2) No Order so made shall be of any validity unless it has been confirmed by Parliament, and the Secretary of State shall, as soon as conveniently may be, submit such Order to Parliament in a Bill (hereinafter referred to as a Confirmation Bill), and such Bill, after introduction, shall be deemed to have passed through all its stages up to and including Committee, and shall be ordered to be considered in either House as if reported from a Committee.

When such Bill has been read a third time and passed in the first House of Parliament, the like proceedings shall, subject to Standing Orders, be taken in the second House of Parliament.

Any Act passed to confirm such Order shall be deemed to be a public Act of Parliament.

8.—(1) If—

(a) there is opposition to the Order, and the opposition has not been withdrawn; or

(b) the opposition has been withdrawn after inquiry held; or

(c) although there is no opposition, inquiry has been held;

the Secretary of State shall refuse to issue a Provisional Order if the Commissioners report that the Order should not be made, or if they do not so report he may issue an Order as prayed, or with such modifications as, having regard to the recommendations of the Commissioners, and of the Chairmen and of the Treasury, and such other public departments as shall

Provision for
Orders opposed or
where inquiry
held.

be prescribed, shall appear to be necessary; but before making and issuing an Order, if any modification has been made on the draft Order originally deposited, the Secretary of State shall cause a printed copy thereof to be deposited in the office of the Clerk of the Parliaments and in the Committee and Private Bill Office of the House of Commons, and also at the office of the Treasury, and of such other public departments as shall be prescribed, and shall not for such time as may be prescribed issue a Provisional Order:

Provided that, before making and issuing such Order, the Secretary of State shall have regard to the recommendations of the Chairmen and of the Treasury and such other public departments as shall be prescribed.

(2) It shall be the duty of the petitioners to serve a copy of any Order so issued in the manner and upon the persons prescribed.

(3) No order so made shall be of any validity unless it has been confirmed by Parliament, and the Secretary of State shall, as soon as conveniently may be, submit such Order to Parliament in a Confirmation Bill, and any Act passed to confirm such Order shall be deemed to be a public Act of Parliament.

Procedure on
Confirmation
Bills.

9.¹—(1) If before the expiration of seven days after the introduction of a Confirmation Bill under the immediately preceding section in the House in which it originates, a petition be presented against any Order comprised in the Bill, it shall be lawful for any member to give notice that he intends to move that the Bill shall be referred to a Joint Committee of both Houses of Parliament; and in that case such motion may be moved immediately after the Bill is read a second time, and, if carried, then the Bill shall stand referred to a Joint Committee of both Houses of Parliament, and the opponent shall, subject to the practice of Parliament, be allowed to appear and oppose by himself, his counsel, agent and witnesses, and counsel, agents and witnesses may be heard in support of the Order. The Joint Committee shall hear and determine any question of locus standi.

¹ Extended by the Statutory Orders (Special Procedure) Act 1945, section 10(2).

(2) The report of the Joint Committee shall, subject to Standing Orders, be laid before both Houses of Parliament.

(3) The Joint Committee may, by a majority, award costs, and such costs may be taxed and recovered and shall be secured in the manner provided in the Parliamentary Costs Act 1865 (28 & 29 Vict. c. 27.), subject to any necessary modifications.

(4) If no such motion as in subsection (1) of this section mentioned is carried, the Bill shall be deemed to have passed the stage of Committee, and shall be ordered to be considered as if reported by a Committee.

When such Bill has been read a third time and passed in the first House of Parliament, the like proceedings shall, subject to Standing Orders, be taken in the second House of Parliament.

Supplemental

10. For the purposes of this Act, Commissioners shall have the following powers, that is to say:—

Examination of witnesses, production of documents etc.

(1) They may summon and examine on oath such witnesses as they think fit to call or allow to appear before them;

(2) They may require the production of all books, papers, plans, and documents relating to the matters dealt with in the draft Provisional Order referred to them;

(3) They may, when sitting in open court, report to a judge sitting in the Outer House of the Court of Session or acting as vacation judge any person who has been guilty of contempt of court, and such judge may punish that person as if the contempt had been committed in his own court;

(4) Generally the orders of Commissioners may be enforced as if they had been pronounced by any such judge as aforesaid;

(5) The quorum of the Commissioners shall be three; but any order, summons, or warrant may be signed by one Commissioner only; and

(6) A chairman of Commissioners shall have a casting as well as a deliberative vote.

Powers of county councils, town councils, etc. under Act (35 & 36 Vict. c. 91).

11. [*Subsections (1) to (5) repealed by the Local Government (Scotland) Act 1947.*]

(6) In addition, any [council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39)]¹ connected with the locality to which any draft Provisional Order referred to Commissioners under this Act relates, may make a report to the Commissioners respecting the provisions of the draft order, and the Commissioners shall consider the recommendations contained in the report, but the making of such a report shall not confer any right to a hearing by the Commissioners.

Officers, etc. of Commissioners.

12. Commissioners from time to time appointed shall have such office accommodation as the Treasury may determine, and the Secretary of State may from time to time, with the consent of the Treasury as to number, appoint or employ such officers, clerks and messengers as shall be necessary for the purposes of this Act. There shall be paid to each of such officers, clerks and messengers such remuneration as the Treasury may from time to time determine.

Examiners.

13. There may also be assigned for the purposes of this Act such one or more of the examiners appointed under Standing Orders as the Chairman may direct. An examiner shall perform under this Act duties analogous to those he now performs under Standing Orders, and shall receive such remuneration for his services as the Treasury shall determine.

Payment of expenses, etc.

14. The travelling and subsistence allowances of the Commissioners and examiners, together with all other expenses incidental to carrying out this Act, shall be paid out of moneys provided by Parliament.

¹ Words substituted by the Local Government etc. (Scotland) Act 1994, Schedule 13, paragraph 19.

15.¹—(1) The Chairmen, acting jointly with the Secretary of State, shall from time to time make, and may vary and alter, such general orders as may be requisite for the regulation of proceedings under and in pursuance of this Act, including the fixing, with the consent of the Treasury, of a scale of fees to be paid by petitioners and opponents of Provisional Orders. The fees so payable shall be collected and disposed of in such manner as the Treasury may direct.

Provisions for
General Orders,
Fees.

(2) Such general orders shall, with a view to the regulation of Provisional Orders, provide for the incorporation (subject to such exceptions and variations as may be mentioned in the Order) with each Provisional Order of such general Acts as would if the Provisional Order were a Private Bill be incorporated therewith according to the ordinary practice of Parliament.

(3) Every general order purporting to be made in pursuance of this section shall immediately after the making thereof be laid before both Houses of Parliament if Parliament be then sitting, or, if Parliament be not then sitting, within seven days after the next meeting of Parliament; and if either House of Parliament by a resolution passed within one month after such general order has been so laid before the said House, resolve that the whole or any specified part thereof ought not to continue in force, the same or the specified part thereof shall after the date of such resolution cease to be of any force, without prejudice nevertheless to the making of any other general order or to anything done before the date of such resolution; but, subject as aforesaid, every general order purporting to be made in pursuance of this Act shall be deemed to have been duly made and within the powers of the Act and shall have effect as if it had been enacted in this Act.

16.—(1) Nothing contained in this Act shall affect the power of the Secretary of State to make Provisional Orders or other Orders under the provisions of any Act for the time being in force and passed prior to the tenth day of August eighteen hundred and ninety-nine or the procedure therein specified, save only that, in the case of Provisional Orders

Savings.

¹ Extended by the Statutory Orders (Special Procedure) Act 1945, section 10(2).

which, under the provisions of any such Act require confirmation by Parliament, the provisions of section nine of this Act shall, with the necessary modifications, apply as if they were contained in such Act.

(2) Nothing contained in this Act shall affect the right of any person to apply for, or the powers of the Board of Trade or the Minister of Transport or the Electricity Commissioners or any other department to make or confirm Provisional or other Orders under the provisions of any Act for the time being in force and passed prior to the twenty-ninth day of July nineteen hundred and thirty-three or the procedure therein specified.

(3) This Act shall not apply to Estate Bills within the meaning of Standing Orders.

Buildings and
objects of
historical interest.

17. If any objection to any draft order is made to the Secretary of State on the ground that the undertaking proposed to be authorised by the order will destroy or injure any building or other object of historical interest, or will injuriously affect any natural scenery, the Secretary of State shall consider such objection, and may, if he thinks fit, refer such objection to the Commissioners, who shall give to those by whom it is made a proper opportunity of being heard in support of it.

Definitions.

18. In this Act, unless the subject or context otherwise requires,—

The expression “Standing Orders” means the Standing Orders of the House of Lords and the House of Commons respectively:

The expression “general orders” means the general orders made in pursuance of this Act:

The expression “prescribed” means prescribed by the general orders made in pursuance of this Act:

The expression “agent” includes all solicitors within the meaning of the Solicitors (Scotland) Act 1933 (23 & 24 Geo. 5. c. 21.), and any person entitled to practise as

agent according to the practice and rules of either House of Parliament in cases of Private Bills and matters relating thereto.

19. [Section 19 repealed by the Statute Law (Repeals) Act 1993]. Repeal.

20. This Act may be cited as the Private Legislation Procedure (Scotland) Act, 1936. Short title.

**STATUTORY ORDERS (SPECIAL PROCEDURE) ACT
1945
(9 & 10 GEO. 6. c. 18)**

[as amended]

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Section.

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CHAPTER 18

An Act to regulate the procedure to be followed in connection with statutory orders required by any future enactment to be subject to special parliamentary procedure; to apply such procedure to orders made under certain existing enactments; and to enable such procedure to be applied to certain other orders.

[20th December, 1945.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Where, by any Act passed after the passing of this Act, power to make or confirm orders is conferred on any authority, and provision is made requiring that any such order shall be subject to special parliamentary procedure, the provisions of this Act shall apply in relation to any order so made or confirmed.

Application of Act to certain statutory orders, made under future enactments.

(2) An order to which this Act applies shall be of no effect until it has been laid before Parliament by the Minister and has been brought into operation in accordance with the provisions of this Act.

2.—(1)¹ No order to which this Act applies shall be laid before Parliament until the requirement of the empowering enactment with respect to the publication or service of notices, the consideration of objections and the holding of inquiries or other proceedings preliminary to the making or confirmation of the order have been complied with, or, where no such requirements are imposed by that enactment, until the requirements of the First Schedule to this Act have been complied with; and after any such requirements as aforesaid have been complied with, notice of the Minister's intention to lay the order before Parliament shall be published in the London Gazette not less than three days before the order is so laid.

Preliminary proceedings.

(2) When any order to which this Act applies is laid before Parliament there shall, together with it, be laid before Parliament a certificate by the Minister specifying the requirements as to the matters aforesaid which relate to the order, and certifying that they have been complied with.

¹ Amended by the Civil Aviation Act 1982, section 46(6).

Where a local inquiry has been dispensed with in accordance with any such requirements the said certificate shall include a statement to that effect.

(3) In this section the expression “empowering enactment,” in relation to any order, includes any enactment other than this Act which has the effect of requiring the publication or service of notices, the consideration of objections or the holding of inquiries or other proceedings preliminary to the making or confirmation thereof.

Petitions.

3.—(1) If within the period of twenty-one days beginning with the day on which an order to which this Act applies is laid before Parliament, or, if the order is so laid on different days, with the later of the two days, a petition is duly presented against the order, the petition shall stand referred for examination to the Lord Chairman of Committees and the Chairman of Ways and Means (hereinafter together referred to as “the Chairmen”).

(2) The following provisions shall have effect with respect to petitions against an order to which this Act applies:—

(a) a petition praying for particular amendments to be made in the order shall specify the amendments asked for, and shall be known as a petition for amendment;

(b) a prayer against the order generally shall not be included in a petition for amendment, but may be contained in a separate petition which shall be known as a petition of general objection.

(3) As soon as practicable after the expiration of the said period of twenty-one days, the Chairmen shall take into consideration all petitions referred to them under this section, and if the Chairmen are satisfied with respect to any such petition that the provisions of this Act and of Standing Orders have been complied with in respect thereof, they shall certify that the petition is proper to be received and is a petition for amendment or a petition of general objection as the case may be.

(4) Where in the opinion of the Chairmen a petition presented as a petition for amendment involves amendments

of the order which would constitute a negative of the main purpose of the order, they shall if they certify that the petition is proper to be received, certify it as a petition of general objection provided that if the petitioner satisfies the Chairmen that some only of the amendments involved would constitute a negative of the main purpose of the order, the Chairmen may direct the deletion of so much of the petition as requires such amendments and certify the remainder thereof as a petition for amendment.

(4A)¹ The Chairmen shall not certify that a petition is proper to be received if the order to which it relates is made under section 1 or 3 of the Transport and Works Act 1992 and either—

(a) the petition is a petition of general objection and the order relates to proposals which have been approved by each House of Parliament in accordance with section 9 of that Act, or

(b) the petition is a petition for amendment and any of the amendments asked for would in the opinion of the Chairmen be inconsistent with such proposals.

(5) In respect of every order to which this Act applies, the Chairmen shall report whether any petitions have been presented against it, and if so what petitions, if any, have been certified as proper to be received and as petitions for amendment and petitions of general objection respectively; and subject to Standing Orders, every such report shall be laid before both Houses of Parliament.

4.—(1) If either House, within the period of twenty-one days beginning with the date on which the report of the Chairmen relating to any order to which this Act applies is laid before it, resolves that the order be annulled, the order shall thereupon become void and no further proceedings shall be taken thereon, but without prejudice to the laying before Parliament of a new order:

Proceedings consequent upon report as to petitions.

¹ Inserted by the Transport and Works Act 1992, section 12(2).

In reckoning the said period of twenty-one days, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

(2) If within the period mentioned in the foregoing subsection (hereinafter referred to as “the resolution period”) no resolution that the order be annulled has been passed, then, subject as hereinafter provided, any petitions certified by the Chairmen as proper to be received shall stand referred to a joint committee of both Houses:

Provided that where any petition so certified has been certified as a petition of general objection, that petition shall not stand so referred if either House has resolved within the resolution period that the petition be not so referred.

(3) If during the resolution period neither House has resolved that the order be annulled, and no petitions relating to the order stand referred to the joint committee under this section, the order shall come into operation at the expiration of that period, or on such later date, if any, as may be specified in the order.

Powers of joint
committee on
opposed orders.

5.—(1) Where any petition against an order to which this Act applies is referred to a joint committee of both Houses under the last foregoing section, the order shall stand referred to that committee for the purpose of the consideration of the petition, and the committee shall have power to report the order either without amendment or with such amendments as they think expedient to give effect, either in whole or in part, to any such petition, and with such consequential amendments, if any, as they think proper.

(2) Where any petition so referred to the joint committee is a petition of general objection, and the committee, upon consideration of the petition, are satisfied that effect ought to be given thereto, they may report the order with amendments notwithstanding that the petition is one of general objection, but if in their opinion the order ought not to take effect, they shall report that the order be not approved.

(3) Subject to Standing Orders, the report of the joint committee in respect of any such order shall be laid before both Houses of Parliament.

6.—(1) Where an order to which this Act applies is reported by the joint committee without amendment, the order shall come into operation on the date on which the report of the committee is laid before Parliament in accordance with the last foregoing section, or on such later date, if any, as may be specified in the order. Operation of orders.

(2) Where any such order is reported by the joint committee with amendments, then, subject as hereinafter provided, the order shall come into operation as so amended on such date as the Minister may, by notice given in the prescribed manner, determine:

Provided that if the Minister considers it inexpedient that the order shall take effect as so amended, he may, by notice given in the prescribed manner, withdraw the order, or may cause the order to be submitted to Parliament for further consideration by means of a Bill for the confirmation thereof.

(3) Where the joint committee report, with respect to any such order as aforesaid, that the order be not approved, the order shall not take effect unless it is confirmed by Act of Parliament.

(4) A Bill presented for the purposes of subsection (2) of this section shall set out the order as amended by the joint committee, and any such Bill shall be treated for all purposes as a public Bill except that it shall, after its presentation, be deemed to have passed through all its stages up to and including committee in the House in which it is presented, and shall be ordered to be considered in that House as if it had been reported from a committee thereof, and as if the amendments had been made in committee on the Bill; and when the Bill has been read a third time and passed in that House, the like proceedings shall be taken in the second House.

(5) A Bill presented for the purposes of subsection (3) of this section shall set out the order as referred to the joint

committee, and any such Bill shall be treated for all purposes as a public Bill, except that—

(a) where a petition for amendment of the order certified as proper to be received was not dealt with by the joint committee, the Bill shall, after being read a second time in the House in which it is presented, be referred to that committee for the purposes of the consideration of that petition, and thereafter shall be ordered to be considered in that House as if it had been reported from a committee thereof; and when the Bill has been read a third time and passed in that House, it shall be deemed to have passed through all its stages up to and including committee in the second House;

(b) when no such petition has been so certified, the Bill shall, after its presentation, be treated as having passed all its stages up to and including committee in the House in which it is presented, and shall be ordered to be considered in that House as if it had been reported from a committee thereof; and when the Bill has been read a third time and passed in that House the like proceedings shall be taken in the second House.

Costs.

7.—(1) A joint committee by which an order to which this Act applies is considered shall have the like power to award costs as a select committee of either House in relation to a Provisional Order Bill under the Parliamentary Costs Act, 1865, (28 & 29 Vict. c. 27) as applied by the Parliamentary Costs Act, 1871 (34 & 35 Vict. c. 3), and the provisions of the first mentioned Act shall apply accordingly subject to any necessary modifications.

(2) The provisions of the House of Commons Costs Taxation Act, 1847 (10 & 11 Vict. c. 69), and the House of Lords Costs Taxation Act, 1849 (12 & 13 Vict. c. 78), shall apply with any necessary modifications to costs incurred in respect of an order to which this Act applies as they apply to costs incurred in respect of a private Bill, and section two of the House of Commons Costs Taxation Act, 1879 (42 & 43 Vict. c. 17) (which required the Taxation Officer to tax the costs of Bills and provisional orders on the request of a

Secretary of State [.....]¹ shall have effect as if the reference therein to a provisional order included a reference to an order to which this Act applies, and as if any reference therein to a Secretary of State [.....]¹ included a reference to the Minister.

(3) The reasonable costs incurred by a local authority in applying for or supporting an order to which this Act applies, or in opposing any such order, including costs incurred in connection with any local inquiry preliminary thereto, shall, to such extent as may be sanctioned by the [Secretary of State]² be deemed to be expenses properly incurred by the local authority and shall be paid accordingly, and the local authority may borrow for the purpose of defraying such costs.

8.—[*Subsection (1) repealed by the Statute Law (Reform) Act 1993.*]

[*Subsection (2) repealed by the Water Act 1989.*]

Application of Act to orders made under certain existing enactments.

(3) If at any time after the commencement of this Act an address is presented to His Majesty by both Houses of Parliament praying that the provisions of this Act be applied to orders thereafter to be made under any enactment passed before the commencement of this Act, in substitution for the provisions of any such enactment providing that such orders shall be provisional only and shall not have effect until confirmed by Parliament, His Majesty may by Order in Council make provision for that purpose; and any such Order in Council may adapt or modify any enactment to such extent as may be expedient in consequence of the order.

(4) The power to make Orders in Council conferred by this section shall include power to revoke or vary any such Order by a subsequent Order.

9. Without prejudice to any other powers exercisable in that behalf by the House of Lords and the House of Commons respectively, Standing Orders may be made for any purpose

Standing Orders for the purposes of this Act.

¹ Words repealed by the Statute Law (Repeals) Act 1993, Schedule 1, Part XI.

² Words substituted by the Statute Law (Repeals) Act 1993, Schedule 2, paragraph 26(1); by virtue of Article 2 of, and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 S.I. 1999/672 all functions of the Secretary of State under this section are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales.

connected with the provisions of this Act, and in particular—

(a) for regulating the manner in which petitions against an order to which this Act applies shall be framed and presented, and for extending the period of twenty-one days prescribed by this Act in relation to the presentation of such petitions in any case where that period expires on a day on which the House is not sitting or, in the case of the House of Lords, is sitting for judicial business only;

(b) for enabling the functions of the Lord Chairman of Committees and of the Chairman of Ways and Means under this Act to be performed by any deputy appointed in accordance with Standing Orders;

(c) for regulating the proceedings of the Chairmen in connection with the examination of petitions under this Act;

(d) for prescribing the cases in which a petitioner against an order to which this Act applies shall be treated for the purposes of this Act as having locus standi, and for enabling the Chairmen to determine questions of locus standi in connection with the examination of petitions;

(e) for prescribing the constitution of any joint committee of both Houses which may be appointed for the purposes of this Act;

(f) for regulating the proceedings of any such committee upon the consideration of any order or Bill referred to them, and in particular for enabling the committee, if satisfied that an amendment prayed for by any petition which is referred to them may affect the interests of persons not represented before them, to afford to any such person an opportunity to be so represented;

(g) for regulating the procedure to be followed in connection with any Bill introduced under section six of this Act; and

(h) for prescribing anything required under this Act to be prescribed.

10.—(1) The provisions of this section shall have effect for the purpose of the application of this Act to orders extending to Scotland only.

Application to orders extending to Scotland only.

(2) For section two the following section shall be substituted:—

“2.—(1) Before any order to which this Act applies is made or confirmed by the Minister, the requirements of the empowering enactment with respect to the service of notices shall be complied with, and the following notice shall be given by advertisement in the Edinburgh Gazette and, in the case of an order relating to a particular area, in at least one newspaper circulating in that area, that is to say—

(a) in the case of an order to be made by the Minister on the application of any person, notice by the applicant of the purport of the application;

(b) in the case of an order to be confirmed by the Minister, notice by the applicant of the order as submitted by him for confirmation;

(c) in the case of an order to be made by the Minister otherwise than on the application of any person, notice by the Minister of the order as proposed to be made.

(2) Any such notice shall specify the time within which and the manner in which objections may be made to the application or to the proposed order, as the case may be, and if any objection (other than an objection which in the opinion of the Minister is frivolous or which relates to a matter that can be dealt with by an arbiter by whom compensation is to be assessed) is duly made in the time and manner so specified or in accordance with the provisions of the empowering enactment and is not withdrawn, or if for any other reason the Minister considers an inquiry necessary, he shall direct an inquiry to be held by Commissioners under the Private Legislation Procedure (Scotland) Act 1936, and the provisions of that Act with regard to inquiries thereunder shall apply in relation to inquiries to be held under this section subject to the following and any other necessary modifications:—

(a) for any reference to the Secretary of State (except in paragraph (a) of subsection (6) of section six which

26 Geo. 5. &
1 Edw. 8. c. 52.

empowers the Secretary of State to prescribe a scale of costs) there shall be substituted a reference to the Minister:

Provided that subsections (5) and (6) of section five (which relate to the taking of Commissioners from the extra-parliamentary panel and to the filling of casual vacancies) shall, in their application to an order made by the Minister otherwise than on the application of any person, have effect with the substitution of references to the Lord President of the Court of Session for references to the Secretary of State:

(b) subsection (4) of section six (which relates to the reference of recommendations to the Commissioners) shall not apply.

(3) The power conferred by section fifteen of the aforesaid Act to make general orders shall extend to the making of general orders for the regulation of proceedings in inquiries directed to be held under this section, including the fixing, with the consent of the Treasury, of a scale of fees to be paid by applicants for, and supporters and opponents of, orders to which this Act applies.

(4) If the Minister is not prepared to accept the recommendations of the Commissioners with regard to any application or proposed order referred to them under this section, he may cause to be presented to Parliament a Bill for the confirmation of the order, and the provisions of section nine of the Private Legislation Procedure (Scotland) Act, 1936, shall apply to such Bill in like manner as they apply to the Confirmation Bills therein mentioned.

(5) When any order to which this Act applies is laid before Parliament, or a Bill for the confirmation of any such order is presented to Parliament in pursuance of the last foregoing subsection, there shall, together with it, be laid before or presented to Parliament, a statement by the Minister specifying any objections made to the order and not withdrawn; stating whether an inquiry has been held under subsection (2) of this section, and, in any case where any inquiry was not so held, what objections, if any, were (a) in the opinion of the Minister frivolous, or

(b) related to matters which could be dealt with by an arbiter assessing compensation.

(6) In this section, the expression ‘empowering enactment’ in relation to any order includes any enactment other than this Act which has the effect of requiring the service of notices in connection therewith, and for the purposes of subsection (1) of this section a notice shall be sufficient notice of an order if it sets out the purport of the order and specifies a place where copies thereof may be inspected free of charge at all reasonable hours.”

(3) For section four the following section shall be substituted:—

“4.—(1) If either House within the period of twenty-one days beginning with the date on which the report of the Chairmen relating to any order to which this Act applies is laid before it, resolves that the order be annulled, the order shall thereupon become void, and no further proceedings shall be taken thereon, but without prejudice to the laying before Parliament of a new order.

In reckoning any such period, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

(2) If a petition against the order has been certified by the Chairmen as proper to be received, either House may, within the period mentioned in the last foregoing subsection, on the consideration of a motion that the petition be referred to a joint committee of both Houses or of a motion for the annulment of the order under the last foregoing subsection order that the petition be referred to a joint committee of both Houses:

Provided that the order shall not be annulled except in accordance with the next two succeeding sections if either—

- (i) a petition of general objection has been so referred; or
- (ii) a petition for amendment has been so referred on consideration of a motion for annulment.

(3) If, at the expiration of the period mentioned in subsection (1) of this section neither House has resolved that the order be annulled or ordered that a petition against the order be referred to the joint committee, the order shall come into operation at the expiration of that period, or on such later date, if any, as may be specified in the order.”

(4) Section six of this Act shall have effect as if—

(i) in paragraph (a) of subsection (5) for the words from “certified as” to “joint committee” there were substituted the words “has been referred to the joint committee and has not been dealt with by them”; and

(ii) in paragraph (b) of the said subsection for the word “certified” there was substituted the word “referred”.

(5) Section seven of this Act shall have effect as if for subsection (3) the following subsection were substituted:—

“(3) The expenses reasonably incurred by a local authority [(being a regional, islands or district council)]¹, in applying for or supporting or opposing an order to which this Act applies including expenses incurred in connection with any inquiry before Commissioners under the Private Legislation Procedure (Scotland) Act, 1936, shall, save as otherwise provided in any enactment, be defrayed in like manner as expenditure by the authority on the functions for the purposes of which such application was made, supported or opposed by the authority.”

Interpretation.

11.—(1)² In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“Chairman of Ways and Means” means the Chairman of Ways and Means in the House of Commons, and includes any deputy acting on his behalf in accordance with Standing Orders;

¹ Words substituted by the Statute Law (Repeals) Act 1993, Schedule 2, paragraph 26(2). The reference should now be to a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994.

² Definition of local authority amended by SI 1990/776 and the Local Government Finance Act 1992, Schedule 13, paragraph 7.

“Local authority” means—

(a) a billing authority or a precepting authority, as defined in section 69 of the Local Government Finance Act 1992;

(b)a combined fire authority, as defined in section 144 of the Local Government Finance Act 1988.

(c) a levying body within the meaning of section 74 of that Act; and

(d) a body as regards which section 75 of that Act applies;

“Lord Chairman of Committees” means the Lord Chairman of Committees of the House of Lords, and includes any deputy acting on his behalf in accordance with Standing Orders;

“Order” includes a scheme, certificate or byelaws;

“Prescribed” means prescribed by Standing Orders under this Act;

“Standing Orders” means standing orders of the House of Lords and the House of Commons respectively;

“The applicant,” in relation to an order to which this Act applies, means the person on whose application the order is made or confirmed;

“The Minister,” in relation to any such order, means the Minister of the Crown responsible for laying the order before Parliament.

(2) For the avoidance of doubt it is hereby declared that any power to amend or revoke an order to which this Act applies by a subsequent order may be exercised notwithstanding that the original order has been confirmed by Act of Parliament in accordance with the provisions of this Act.

12.—(1) This Act may be cited as the Statutory Orders (Special Procedure) Act, 1945.

Short title,
commencement
and extent.

[*Subsection (2) repealed by the Statute Law Reform Act 1950*].

(3) This Act shall not extend to Northern Ireland.

SCHEDULES

Section 2.

SCHEDULE 1

PRELIMINARY PROCEEDINGS

1. Before the order is made or confirmed, the following notice shall be given by advertisement in the London Gazette and, in the case of an order relating to a particular area, in at least one newspaper circulating in that area, that is to say—

(a) in the case of an order to be made on the application of any person, notice of the purport of the application shall be given by the applicant;

(b) in the case of an order to be confirmed on the application of any person, notice of the order as submitted for confirmation shall be given by the applicant;

(c) in the case of an order to be made otherwise than on the application of any person, notice of the order as proposed to be made shall be given by the authority empowered to make it.

2. Every such notice shall specify the time, not being less than twenty-eight days, within which and the manner in which objections may be made to the application or to the order, as the case may be.

3. If any such objection as aforesaid is duly made and is not withdrawn, the authority empowered to make or confirm the order shall take the objection into consideration, and shall cause a local inquiry to be held unless they are satisfied that in the special circumstances of the case the holding of such an inquiry is unnecessary.

4. Notice of any such inquiry as aforesaid shall be given in such manner as the authority empowered to make or confirm the order may direct, and all persons interested shall be permitted to attend the inquiry and make objections; and the provisions of subsections (2) to (5) of section two hundred and ninety of the Local Government Act 1933 (23 & 24 Geo. 5. c. 51.) (which relate to evidence and costs) shall apply in relation

to any such inquiry as if for any reference therein to the department there were substituted a reference to the authority empowered to make or confirm the order.

5. For the purposes of paragraph 1 of this Schedule, a notice shall be sufficient notice of an order if it sets out the purport of the order and specifies a place where copies thereof may be inspected free of charge at all reasonable hours.

SCHEDULE 2

Section 8.

[Repealed by the Statute Law (Reform) Act 1993]

S.I. 1949 No. 2393

**STATUTORY ORDERS (SPECIAL PROCEDURE)
The Statutory Orders (Special Procedure) (Substitution)
Order, 1949**

[with spent provisions omitted]

Made - - - - 21st December, 1949
Coming into Operation 1st January, 1950

At the Court of Buckingham Palace, the 21st day of
December, 1949

Present

The King's Most Excellent Majesty in Council

Whereas it is proved by subsection (3) of section eight of the Statutory Orders (Special Procedure) Act, 1945¹ (hereinafter referred to as "the Act of 1945"), that if at any time after the commencement of the said Act an address is presented to His Majesty by both Houses of Parliament praying that the provisions of the said Act be applied to orders thereafter to be made under any enactment passed before the commencement of the said Act, in substitution for the provisions of any such enactment providing that such orders shall be provisional only and shall not have effect until confirmed by Parliament, His Majesty may by Order in Council make provision for that purpose; and that any such Order in Council may adapt or modify any enactment to such extent as may be expedient in consequence of the Order:

And whereas an address has been presented to His Majesty by both Houses of Parliament praying that the provisions of the Act of 1945 be so applied as aforesaid to orders thereafter to be made under the enactments mentioned in Article 2 of this Order:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Statutory Orders (Special Procedure) (Substitution) Order, 1949, and shall

¹ 9 & 10 Geo. 6. c. 18.

come into operation on the first day of January, 1950.

(2) The Interpretation Act, 1889¹, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The provisions of the Act of 1945 shall apply to any order made after the coming into operation of this Order under any of the enactments specified in the third column of the First Schedule hereto (which relate respectively to the matters specified in the fourth column of that Schedule), being an order which, if this Order had not been made, would have been provisional only and would not have had effect until confirmed by Parliament.

3. The enactments specified in the Second Schedule hereto shall, in relation to any order made after the coming into operation of this Order under any of the enactments mentioned in Article 2 of this Order, have effect subject to the modifications set out in the second column of that Schedule.

E. C. E. Leadbitter.

¹ 52 & 53 Vict. c. 63.

FIRST SCHEDULE

ENACTMENTS IN PUBLIC GENERAL ACTS CONFERRING POWER
TO MAKE ORDERS IN THE CASE OF WHICH SPECIAL
PARLIAMENTARY PROCEDURE IS SUBSTITUTED BY THIS ORDER
FOR PROVISIONAL ORDER PROCEDURE

| Session and Chapter | Short Title of Statute | Sections and Subsections of Statute | Subject matter |
|--|--|--|--|
| 38 & 39 Vict. c. 55 ² . | The Public Health Act, 1875. | [.....] ¹ Paragraph (5) of section 297 so far as it relates to the repeal, alteration or amendment of Acts confirming provisional orders made under section 279. | United districts constituted under section 279. |
| 5 Edw. 7. c. 23, and 14 & 15 Geo. 5. c. 20. | The Marriages Validity (Provisional Orders) Acts, 1905 and 1924. | Section 1 of the Act of 1905, as extended by section 1 of the Act of 1924. | Validation of marriages. |
| 26 Geo. 5 & 1 Edw. 8. c. 49. ⁴ | The Public Health Act, 1936. | Section 6 (1) Section 9 (2) | [.....] ³ Union of districts Amendment and revocation of orders as to port health districts, union of districts and joint boards. [.....] ⁵ |

¹ Act of 1861 and sections 4 & 5 of Act of 1937 repealed by the Transport and Works Act 1992, Schedule 4, Act of 1868 repealed by the Sea Fisheries (Shellfish) Act 1967, Schedule 3.

² Entry substituted by the Statutory Orders (Special Procedure) Order 1962.

³ Acts repealed by the Salmon and Freshwater Fisheries Act 1975, Schedule 5, the Housing (Scotland) Act 1950, Schedule 13, the Housing (Financial Provisions) (Scotland) Act 1972, Schedule 11, the Statute Law Reform Act 1981, Schedule 1, the Land Drainage Act 1976, Schedule 8 and the Local Government Act 1972, Schedule 30.

⁴ Section 2(2) repealed by the Public Health (Control of Disease) Act 1984, Schedule 3, section 109(2) repealed by the Environmental Protection Act 1990, Schedule 16 and section 314 repealed by the Local Government (Miscellaneous Provisions) Act 1976, Schedule 2.

⁵ An Act repealed by the Housing (Financial Provisions) Act 1958, Schedule 6 and an Act repealed by the London Government Act 1963, Schedule 18.

SECOND SCHEDULE

MODIFICATION OF ENACTMENTS

*Enactment**Modification*[.....]¹

THE PROVISIONAL ORDER (MARRIAGES) ACT, 1905
(5 Edw. 7. c. 23)

Section 1 In subsection (1), for the words “a provisional order” there shall be substituted the words “an order”.

For subsection (3) there shall be substituted the following subsection:—

“(3) An order of the Secretary of State under this Act shall be subject to special parliamentary procedure.”
[.....]²

THE MARRIAGES VALIDITY (PROVISIONAL ORDERS) ACT, 1924
(14 & 15 Geo. 5. c. 20)

Section 1 For the words “A Provisional Order” there shall be substituted the words “An order”.
[.....]³

THE PUBLIC HEALTH ACT, 1936
(26 Geo. 5 & 1 Edw. 8. c. 49)

[.....]⁴

Subsection
(4) of
section 6.

¹ Acts repealed by the Sea Fisheries (Shellfish) Act 1967, Schedule 3, and S.I. 1962/409 article 4(3).

² Act repealed by the Salmon and Freshwater Fisheries Act 1975, Schedule 5.

³ Acts repealed by the Land Drainage Act 1976, Schedule 8 and the Local Government Act 1972, Schedule 30.

⁴ Section repealed by the Public Health (Control of Disease) Act 1984.

*Enactment**Modification*[.....]¹

The proviso
to section
314.

Subsection (2) of section 9. The words “whether or not confirmed by Parliament” shall be omitted, and for the words “provisional only and shall not have effect until it is confirmed by Parliament” there shall be substituted the words “subject to special parliamentary procedure”.

Subsection (4) of section 315. For the words “require confirmation by Parliament” there shall be substituted the words “be subject to special parliamentary procedure”.

Subsection (1) of section 316. For the words “requires confirmation by Parliament” there shall be substituted the words “is subject to special parliamentary procedure”, and for the word “provisional” there shall be substituted the word “such”.

Subsections (1) and (2) of section 327. After the words “provisional order”, wherever those words occur, there shall be inserted the words “or order”.

[.....]².

¹ Section repealed by the Environmental Protection Act 1990.

² An Act repealed by the Housing (Financial Provisions) Act 1958, a section repealed by the Transport and Works Act 1992, Schedule 4 and an Act repealed by the London Government Act 1963, Schedule 18.

S.I. 1962 No. 409**SPECIAL PARLIAMENTARY PROCEDURE****The Statutory Orders (Special Procedure) Order, 1962**

[with spent provisions omitted]

Made - - - - 26th February 1962
Coming into Operation 1st March 1962

At the Court at Buckingham Palace, the 26th day of February
 1962

Present,

The Queen's Most Excellent Majesty in Council

Whereas in pursuance of subsections (3) and (4) of section 8 of the Statutory Orders (Special Procedure) Act, 1945¹, an address has been presented to Her Majesty by both Houses of Parliament praying that the provisions of that Act cease to apply to the orders described in Article 3 of this Order:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by those subsections, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:—

1. This Order may be cited as the Statutory Orders (Special Procedure) Order, 1962, and shall come into operation on the first day of March, nineteen hundred and sixty-two.

2.—(1) The Interpretation Act 1889², shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) In this Order—

“the Act of 1945” means the Statutory Orders (Special Procedure) Act, 1945;

“the Order of 1949” means the Statutory Orders (Special Procedure) (Substitution) Order, 1949³.

¹ 9 & 10 Geo. 6. c. 18.

² 52 & 53 Vict. c. 63.

³ S.I. 1949/2393 (*see above*).

3. The provisions of the Act of 1945 shall not apply to the following orders under the Public Health Act 1875⁴, made after the coming into operation of this Order, that is to say—

- (a) any order made under section 303 (repeal, alteration and amendment of local Acts);
- (b) any order made under paragraph (5) of section 297 (repeal, alteration and amendment of provisional order Acts) other than an order for the repeal, alteration or amendment of an Act confirming a provisional order for the formation of a united district made under section 279 of the said Act of 1875.

4.—(1) The following shall be substituted for paragraph (5) of section 297 of the Public Health Act, 1875:—

“(5) Any Act confirming any provisional order made in pursuance of any of the Sanitary Acts or of this Act, any Order in Council made in pursuance of any of the Sanitary Acts, and any order made under this Act and brought into operation in accordance with the provisions of the Statutory Orders (Special Procedure) Act, 1945, may be repealed, altered or amended—

- (a) in the case of an Act confirming a provisional order made under section 279 of this Act or an order amending such an Act, by an order made by the Minister of Housing and Local Government which shall be subject to special parliamentary procedure;
- (b) in any other case, by a provisional order made by that Minister and confirmed by Parliament:”.

(2) In relation to any order made by virtue of the said paragraph (5), being an order to which the provisions of the Act of 1945 continue to apply by virtue of the Order of 1949 and this Order, paragraphs (3), (4) and (8) of the said section 297 and section 298 of the Public Health Act, 1875, shall not apply; and the other provisions of the said section 297 shall apply in the modified form in which they are set out in the Schedule to this Order.

(3) [Effect is given to paragraph (3) in Schedule 1 and 2 of S.I. 1949/2393 (see above)]

⁴ 38 & 39 Vict. c. 55.

(4) Nothing in this Order shall affect the validity of anything done under the Act of 1945 before the coming into operation of this Order.

W. G. Agnew.

SCHEDULE

PROVISIONS OF S. 297 OF PUBLIC HEALTH ACT 1875, AS APPLICABLE TO ORDERS SUBJECT TO SPECIAL PARLIAMENTARY PROCEDURE

297. With respect to orders authorised to be made by the Minister of Housing and Local Government under this section, being orders which are subject to special parliamentary procedure, the following enactments shall be made:

(1) The said Minister shall not make any such order unless public notice of the purport of the proposed order has been previously given by advertisement in two successive weeks in some local newspaper circulating in the district to which such order relates:

(2) Before making any such order, the said Minister shall consider any objections which may be made thereto by any person affected thereby, and in cases where the subject matter is one to which a local inquiry is applicable, shall cause to be made a local inquiry, of which public notice shall be given in manner aforesaid, and at which all persons interested shall be permitted to attend and make objections:

(6) The said Minister may revoke any such order, either wholly or partially, at any time before the order has been laid before Parliament:

(7) The making of such an order shall be prima facie evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of the order have been complied with.

APPENDICES TO THE STANDING ORDERS

PARLIAMENTARY AGENTS, &c.

In exercise of the power conferred upon me by the RESOLUTION of the HOUSE OF COMMONS of the 16th day of August, 1836, I hereby make the following RULES to be observed by the OFFICERS of the HOUSE, and by all PARLIAMENTARY AGENTS, &c., engaged in prosecuting Proceedings in the HOUSE OF COMMONS upon any PETITION or BILL:—

Definitions.

1. In these rules—

“bill” means—

(a) any private bill;

(b) any public bill with respect to which one of the Examiners of Petitions for Private Bills has reported that any of the Standing Orders numbered 4 to 68 relating to Private Business are applicable,

and includes a provisional order or certificate against which a petition has been presented;

“solicitor” includes a solicitor in England, Scotland or Northern Ireland and a writer to the signet;

the expressions “special procedure petition” and “special procedure order” have the same respective meanings as in the Standing Orders numbered 238 to 248A relating to Private Business;

the expression “counter-petition” has the same meaning as it has in Standing Order 244 (counter-petitions) relating to Private Business; the expression “petitioner in person” means a person who is engaged in opposing a bill or special procedure order on his own behalf and not on behalf of any other person.

2. There shall be kept in the Private Bill Office a register of the persons entitled to practise as parliamentary agents distinguishing those entitled so to practise both in promoting and opposing bills and those entitled so to practise in opposing bills only.

Register

3. No person shall be entitled to practise as a parliamentary agent unless he is so registered:

No person to practise unless registered.

Provided that a person so registered, if a member of a firm, may carry on his business as parliamentary agent under the name and style of the firm notwithstanding that one or more other members of the firm are not so registered, but partnership with a person who is so registered shall not entitle any partner not so registered to practise as a parliamentary agent.

4. No person shall be registered or admitted as a petitioner in person until he has subscribed before one of the clerks in the Private Bill Office a declaration in such form as the Speaker may prescribe engaging to obey and observe the orders and practice of the House of Commons and any rules prescribed by the Speaker, and also to pay and discharge from time to time when demanded all fees and charges due from the parties for whom he shall act or as the case may be from him.

Declaration.

5. Any person either before or after he has subscribed such a declaration shall, if required by the Speaker, enter into a recognisance or bond in a penal sum not exceeding £500, with two sureties each for half the penal sum, to observe the said declaration.

Recognisance.

6. In the case of a firm, it shall suffice if one member of the firm subscribes the required declaration and enters into the required recognisance or bond on behalf of the firm.

One member of firm may subscribe declaration, etc.

No fee to be charged in respect of declaration, etc.

7. No fee shall be payable in respect of the said declaration, recognisance, bond or registration.

Qualifications necessary for registration as Parliamentary Agent in promoting and opposing Bills.

8. No applicant shall be qualified to be registered as a parliamentary agent entitled to practise both in promoting and opposing bills unless he satisfies the Speaker that he has practical knowledge of the standing orders and procedure of the House of Commons regulating private business.

Advisory Committee.

9. The Speaker may, if he thinks fit, appoint an advisory committee and refer to that committee for advice any question arising as to the qualifications of any applicant for registration.

Qualifications necessary for registration as Parliamentary Agent in opposing Bills.

10. No person shall be qualified to be registered as a parliamentary agent entitled to practise as such in opposing bills only, unless he is actually employed in opposing a bill, and the registration shall cease to have effect on the close of the session in which it was effected.

Certificate of Respectability.

11. Any person possessing the required qualifications shall be entitled to be registered unless the Speaker otherwise directs:

Provided that unless he is a solicitor or has been previously registered as a parliamentary agent he must on his first application for registration produce to one of the clerks of the Private Bill Office a certificate of his respectability from a member of parliament, a justice of the peace, a barrister, or a solicitor.

Application to be in writing.

12. Every application for registration must be in writing.

13. No person's name shall be printed on any bill, as a parliamentary agent for such bill, unless and until his name has been duly inscribed upon the register of parliamentary agents.
- No person to print name on Bill unless registered as Parliamentary Agent.
14. No notice, except a notice given by a petitioner in person relating to his petition, shall be received in the Private Bill Office for any proceeding upon a petition or bill, until an appearance to act as the parliamentary agent upon the same shall have been entered in the Private Bill Office; in which appearance shall also be specified the name of the solicitor (if any) for such petition or bill.
- Appearance to be entered upon Bills.
15. Before any person desiring to appear by a parliamentary agent shall be allowed to appear or be heard upon any petition against a bill, an appearance to act as the parliamentary agent upon the same shall be entered in the Private Bill Office; in which appearance shall also be specified the name of the solicitor and of the counsel who appear in support of any such petition (if any counsel or solicitor are then engaged), and a certificate of such appearance shall be delivered to the parliamentary agent, to be produced to the committee clerk.
- Appearance to be entered on Petitions against Bills.
16. Except in cases where a bill is promoted or a petition is presented by two or more companies, bodies or persons separately interested, one parliamentary agent or firm of agents only shall be allowed to appear and to be heard in the proceedings on the bill on behalf of the promoters or the petitioners.
- One agent only to appear or be heard on behalf of Promoters or Petitioners.
17. In case the parliamentary agent for any petition or bill shall be displaced by the solicitor thereof, or such parliamentary agent shall decline to act, the responsibility of such agent shall cease in respect of any fees incurred after that
- A fresh appearance on change of Parliamentary Agent.

time upon a notice being given to the clerks in the Private Bill Office, and a fresh appearance shall be entered upon such petition or bill.

No statement to be circulated without name of Parliamentary Agent.

18. No written or printed statement relating to any bill shall be circulated within the precincts of the House of Commons without the name of a parliamentary agent or petitioner in person attached to it, who will be held responsible for its accuracy.

Sanction to notice for dispensing with Orders.

19. The sanction of the Chairman of Ways and Means is required to every notice of a motion prepared by a parliamentary agent, for dispensing with any standing order of the House.

Agents not to divide fees or pay commissions.

20. A parliamentary agent shall not divide with or pay to any client, or any solicitor, clerk, officer, or servant of any client, any moneys which the agent at any time receives in respect of his costs charges and expenses in promoting, opposing or otherwise dealing with any bill or provisional order, or give any commission or gratuity to any person in respect of his employment as a parliamentary agent.

Agents personally responsible.

21. Every parliamentary agent and solicitor or petitioner in person conducting proceedings in parliament before the House of Commons shall be personally responsible to the House, and to the Speaker, for the observance of the rules, orders, and practice of parliament, as well as of any rules which may from time to time be prescribed by the Speaker, and also for the payment of the fees and charges due and payable under the standing orders.

22. Any person registered as a parliamentary agent who shall act in violation of the orders and practice of the House of Commons or who shall be guilty of professional misconduct of any kind as a parliamentary agent shall be liable to an absolute or temporary prohibition to practise as a parliamentary agent at the discretion of the Speaker.

Speaker may, on misconduct, prohibit Agent from practising.

23. No person who has been suspended or prohibited from practising as a parliamentary agent or who otherwise than at his own request has been struck off the roll of solicitors or disbarred by any of the inns of court shall be allowed to be entered or retained on the register without the express authority of the Speaker.

No person who has been suspended, etc., to act as Parliamentary Agent.

24. These Rules shall apply with the necessary modifications to agents for special procedure petitions, agents for ministers of the crown responsible for laying special procedure orders before parliament, agents for applicants for such orders and agents for counter-petitions, and to petitioners in person in relation to special procedure orders.

Application of rules to agents for special procedure petitions, etc.

Dated the 9th day of June 1982.

GEORGE THOMAS,
Speaker.

FORMS OF DECLARATION
required by Rule 4

(1) For persons desirous of being registered as a parliamentary agent entitled to practise in promoting and opposing bills in the House of Commons.

We, the undersigned, practising as parliamentary agents in the prosecuting, promoting and opposing of private bills in the House of Commons, do hereby severally and respectively engage to observe, submit to, perform, and abide by all and every the orders, rules, regulations, and practice of the said House, now in force, or hereafter from time to time to be made in relation thereto, and also to pay and discharge from time to time when the same shall be demanded, all fees, charges and sums of money due and payable in respect of any petition, bill, or other proceeding or matter, in or upon which we shall severally and respectively appear as such agents as aforesaid.

(2) For persons desirous of being registered as a parliamentary agent for the purpose of opposing bills in the House of Commons.

We, the undersigned, do hereby declare, That we respectively intend during the present session of parliament to practise as parliamentary agents in the opposing of private bills in the House of Commons, and we severally and respectively do hereby engage to observe, submit to, perform, and abide by all and every the orders, rules, regulations, and practice of the said House, now in force, or hereafter from time to time to be made in relation thereto, and also to pay and discharge from time to time when the same shall be demanded, all fees, charges and sums of money due and payable in respect of any petition, or other proceeding or matter, in or upon which we shall severally and respectively appear as such agents as aforesaid.

(3) For persons desirous of being admitted as petitioners in person.

I, the undersigned, do hereby declare, That I intend during this present session of parliament to oppose private bills in the

House of Commons and I do hereby engage to observe, submit to, perform, and abide by all and every the orders, rules, regulations, and practice of the said House, now in force, or hereafter from time to time to be made in relation thereto, and also to pay and discharge from time to time when the same shall be demanded, all fees, charges and sums of money due and payable in respect of any petition, or other proceeding or matter, in or upon which I shall appear as aforesaid.

PRIVATE BILLS

**RULES FOR THE PRACTICE AND PROCEDURE OF
THE COURT OF REFEREES ON PRIVATE BILLS
(in pursuance of Standing Order 91)**

Notice of objection to petition

1. The promoters of any private bill who intend to object to the right of any petitioner to be heard against that bill shall, through their agent, give Notice of Objection in writing, stating the grounds of their objection, to the Clerk of the Court of Referees, by depositing such Notice in the Private Bill Office, and, to the petitioner or his agent.

Time for depositing Notice

2. Notice of Objection must be given not later than the eighth day after the day on which the Petition has been deposited in the Private Bill Office; but the Chairman of Ways and Means shall have discretion to allow such Notices to be given under special circumstances after the expiry of that time-limit.

3. When the time for the deposit of Notices of Objections to the locus standi of petitioners against private bills expires during an adjournment of the House it shall be extended to the first day on which the House meets after the recess.

Form and manner of presenting Notice

4. Every Notice of Objection shall be endorsed with the name of the petitioner or his agent.

5. The agent for the promoters presenting a Notice of Objection shall, on the same day—

(a) deposit two copies of the Notice in the Private Bill Office; and

(b) serve two copies upon the petitioner or his agent.

6. Within three days after the day on which Notice of Objection has been given by the promoters—

(a) the petitioner or his agent shall make arrangements for fifteen copies of the petition to which Notice of Objection has been given to be deposited in the Private Bill Office; and

(b) the agent for the promoters shall deposit fifteen copies of the bill in the Private Bill Office.

7. A Notice of Objection may be withdrawn at any time by the agent for the promoters depositing notice in writing of withdrawal in the Private Bill Office and by serving a copy of that notice upon the petitioner or his agent on the same day.

8. Notices required to be deposited in the Private Bill Office shall be delivered in that Office between eleven o'clock and five o'clock on any day on which the House sits (other than a Friday, when they shall be delivered between eleven o'clock and three o'clock) and by prior arrangement between eleven o'clock and one o'clock on any day other than a Saturday, Sunday or Bank Holiday on which the House does not sit.

9. Notices will be deemed to have been duly served upon a petitioner or his agent if—

(a) it is delivered in person or left at his address or office before six o'clock in the evening; or

(b) it is forwarded by post by recorded delivery service and posted on or before the third day previously to the day on which delivery is required in person.

Order of hearing cases

10. The Private Bill Office shall give not less than seven clear days notice in the Private Business Notice Paper of the day appointed for the hearing of any case by the Court.

11. The cases shall be heard in such order as the Chairman of Ways and Means shall appoint, and according to a list

prepared under his direction and kept in the Private Bill Office.

Notice of appearance

12. When the case is called on for consideration—

(a) a petitioner whose locus standi has been objected to or his agent shall, not later than three days before the hearing of the case, confirm his intention to appear before the Court by providing the Private Bill Office with a notice stating the name of the petitioner, together with the names of any agent or counsel intending to appear before the Court as representatives of the petitioner; and

(b) the agent for the promoters who have objected to the locus standi of a petitioner, shall, not later than three days before the hearing of the case, confirm their intention to appear before the Court by providing the Private Bill Office with a notice stating the names of the promoters and of the agent or counsel intending to appear before the Court as representatives of the promoters.

Deposit of evidence etc.

13. Where the promoters or a petitioner, or their agents or counsel, seek to rely upon documents when appearing before the Court, such documents shall be—

(a) deposited in the Private Bill Office; and

(b) served on the agent of the promoters, or with the petitioner, or his agent, as appropriate;

not later than three days before the hearing of the case; and rules 8 and 9 shall apply in respect of the deposit and service of the documents as though the documents were notices of objection.

14. Where the promoters, or a petitioner, or their agents or counsel, seek to call oral evidence, notice of those witnesses it is proposed to call shall be—

(a) deposited in the Private Bill Office; and

(b) served on the agent of the promoters, or with the petitioner, or his agent, as appropriate;

not later than three days before the hearing of the case; and rules 8 and 9 shall apply in respect of the deposit and service of the notices of witnesses as though the notices of witnesses were notices of objection.

Procedure

15. Subject to the discretion of the Court, on a case being called—

(a) the petitioner whose right to be heard before the Committee is objected to, or his agent or counsel, may make a statement to the Court; and

(b) the promoters who have given Notice of Objection, or their agent or counsel, may make a statement to the Court;

following which the Court may ask questions of the petitioners or the promoters and their agents or counsel.

16. Oral evidence may be called, and documents relied upon, at the discretion of the Court.

17. The Court may either allow or disallow the petitioner's locus standi, or may allow a limited locus standi with respect to part of the Bill only.

18. The Court may give its determination orally or in writing.

Failure of petitioner or promoters to appear before Court

19. If a petitioner whose right to be heard before a Committee is objected to, or his agent or counsel, fails to appear before the Court at the day and time appointed for the case to be heard, locus standi shall be disallowed.

20. If the promoters who have given Notice of Objection, or their agent or counsel, fail to appear before the Court at the day and time appointed for the case to be heard, the Notice of Objection shall be dismissed.

SIR ALAN HASELHURST
Chairman of Ways and Means

House of Commons
19th November 2002

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