



House of Commons

Tuesday 12 January 2010

Votes and Proceedings

The House met at 2.30 pm.

PRAYERS.

1 Questions to the Secretary of State for Health

2 Sustainable Energy (Local Action) Bill: Presentation (Standing Order No. 57)

Alan Simpson, supported by Mr John Gummer, Mr Gordon Prentice, Andrew Stunell, Mr David Amess, Mr Andrew Dismore, David Howarth, Mark Durkan, Andrew George, Mr David Drew, Bob Russell and Steve Webb, presented a Bill to promote energy efficiency; to require specified bodies to publish sustainable energy plans; to make provision for the transfer of functions to principal councils; and for connected purposes.

Bill read the first time; to be read a second time on Friday 30 April and to be printed (Bill 46).

3 Video Recordings (Exemption from Classification): Motion for leave to introduce a Bill (Standing Order No. 23)

Ordered, That leave be given to bring in a Bill to extend the criteria under which music and sports video works and documentaries lose their exemption from classification;

That Mr Andrew Dismore, Mike Gapes, Rob Marris, Mr Virendra Sharma, Mr Edward Timpson, John Austin, Ms Karen Buck, Clive Efford, Mr John Whittingdale, Judy Mallaber and Keith Vaz present the Bill.

Mr Andrew Dismore accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 26 February, and to be printed (Bill 45).

4 Personal Care at Home Bill: Committee of the Whole House

The House resolved itself into a Committee (Order, 14 December).

(In the Committee)

Clause 1 (Free provision of personal care at home)

Amendment 9 proposed.—(*Mr Stephen O'Brien.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 11 proposed.—(*Mr Stephen O'Brien.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 13 proposed.—(*Mr Stephen O'Brien.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 15 proposed.—(*Mr Stephen O'Brien.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 31 proposed.—(*Mr Stephen O'Brien.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 34.

Ayes: 197 (Tellers: James Duddridge, Jeremy Wright).

Noes: 287 (Tellers: Mark Tami, Mrs Sharon Hodgson).

Question accordingly negatived.

Amendment 17 proposed.—(*Mr Stephen O'Brien.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 18 proposed.—(*Mr Stephen O'Brien.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 35.

Ayes: 183 (Tellers: Jeremy Wright, James Duddridge).

Noes: 285 (Tellers: Mr John Heppell, Kerry McCarthy).

Question accordingly negatived.

Clause agreed to.

Clause 2 (Extent and short title)

Amendment 42 proposed.—(*Mr Stephen O'Brien.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 36.

Ayes: 188 (Tellers: Jeremy Wright, James Duddridge).

Noes: 286 (Tellers: Mr John Heppell, Kerry McCarthy).

Question accordingly negatived.

It being after 9.00 pm, the Chairman put the Question necessary to bring proceedings to a conclusion (Standing Order No. 83D).

Clause agreed to.

The Chairman left the Chair to report the Bill (Order, 14 December).

The Deputy Speaker resumed the Chair.

Steve McCabe reported, That the Committee had gone through the Bill and made no Amendments.

5 Personal Care at Home Bill: Third Reading

Bill read the third time and passed.

6 Statutory Instruments: Motions for Approval

(1) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010, which was laid before this House on 18 November, be approved.—(*Mr Bob Blizzard.*)

Question agreed to.

(2) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Double Taxation Relief and International Tax Enforcement (Luxembourg) Order 2009, which was laid before this House on 23 November, be approved.—(*Mr Bob Blizzard.*)

Question agreed to.

(3) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Double Taxation Relief and International Tax Enforcement (Qatar) Order 2009, which was laid before this House on 23 November, be approved.—(*Mr Bob Blizzard.*)

Question agreed to.

(4) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Double Taxation Relief and International Tax Enforcement (Libya) Order 2009, which was laid before this House on 23 November, be approved.—(*Mr Bob Blizzard.*)

Question agreed to.

(5) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Asian Development Bank (Further Payments to Capital Stock) Order 2009, which was laid before this House on 24 November, be approved.—(*Mr Bob Blizzard.*)

Question agreed to.

7 Delegated Legislation

Ordered, That the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009 (S.I., 2009, No. 1927), dated 16 July 2009, be referred to a Delegated Legislation Committee.—(*Mr Bob Blizzard.*)

8 Business of the House

Resolved, That, at the sitting on Thursday 14 January, notwithstanding Standing Order No. 20 (Time for taking private business) the Private Business set down by the Chairman of Ways and Means may be entered upon at any hour, and may then be proceeded with, though opposed, for three hours, after which the Speaker shall interrupt the business.—(*Mr Bob Blizzard.*)

9 Public Petitions

A Public Petition from residents of Wirral South and others relating to New Ferry Butterfly Park was presented and read by Ben Chapman.

A Public Petition from persons resident in the Old Bexley and Sidcup parliamentary constituency relating to Sheltered Housing (Sidcup) was presented.

10 Adjournment

Subject: Financial support for students with serious medical conditions (Mrs Janet Dean).

Motion made and Question proposed, That this House do now adjourn.—(*Mr Bob Blizzard.*)

At 10.00 pm, the Motion lapsed (Standing Order No. 9(7)).

Resolved, That this House do now adjourn.—(*Mr Bob Blizzard.*)

Adjourned at 10.21 pm until tomorrow.

*Other proceedings**Private Business*11 Beverley Freeman Bill [*Lords*]

The First Deputy Chairman of Ways and Means reported from the Committee on Unopposed Bills, That it had examined the allegations contained in the Preamble to the Beverley Freeman Bill [*Lords*] and found the same to be true; and had gone through the Bill and made no Amendments.

Bill to be read the third time.

General Committees: Reports

12 Energy Bill

Mr Peter Atkinson (Chairman) reported written evidence submitted to the Committee.

Written evidence to be published.

13 Financial Services Bill

Mr Joe Benton (Chairman) reported written evidence submitted to the Committee.

Written evidence to be published.

14 Fourth Delegated Legislation Committee

Mrs Janet Dean (Chairman) reported the draft Criminal Justice Act 2003 (Mandatory Life Sentence: Determination of Minimum Term) Order 2009.

15 Fifth Delegated Legislation Committee

John Cummings (Chairman) reported the draft Local Government (Wales) Measure 2009 (Consequential Modifications) Order 2009.

16 Sixth Delegated Legislation Committee

Mr Martyn Jones (Chairman) reported the Costs in Criminal Cases (General) (Amendment) Regulations 2009 (S.I., 2009, No. 2720).

17 Seventh Delegated Legislation Committee

Mr Gary Streeter (Chairman) reported the draft Community Radio (Amendment) Order 2010.

General Committees: Appointments

The Speaker appoints the Chairman of General Committees and allocates Statutory Instruments to Delegated Legislation Committees.

The Committee of Selection nominates Members to serve on General Committees (and certain Members to serve on Grand Committees).

18 Fourth Delegated Legislation Committee (Draft Criminal Justice Act 2003 (Mandatory Life Sentence: Determination of Minimum Term) Order 2009)

Members: Bill Etherington and Mr Denis MacShane discharged and Mr Adrian Bailey and Mr Ken Purchase nominated in substitution.

19 Sixth Delegated Legislation Committee (Costs in Criminal Cases (General) (Amendment) Regulations 2009 (S.I., 2009, No. 2720))

Members: Hilary Armstrong, Mr Neil Gerrard, Mr Douglas Hogg, Mr Neil Turner and Kitty Ussher discharged and Mr David S Borrow, Peter Bottomley, David Cairns, Mr Denis MacShane and Mr Anthony Wright nominated in substitution.

20 Seventh Delegated Legislation Committee (Draft Community Radio (Amendment) Order 2010)

Members: Paul Farrelly, Albert Owen and Marsha Singh discharged and Mr Adrian Bailey, Liz Blackman and Mr Mark Hendrick nominated in substitution.

21 Eighth Delegated Legislation Committee (Draft Pharmacy Order 2010)

Members: Mr Fabian Hamilton discharged and Martin Linton nominated in substitution.

Reports from Select Committees

22 Administration Committee

Record of the Committee's discussions at its meeting on 12 January, to be published (Mr Frank Doran).

23 Business, Innovation and Skills Committee

(1) *Exporting out of recession*: Third Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 266-I & -II);

(2) *Company takeovers, mergers and acquisitions*: Evidence, to be printed (HC 234-i) (Peter Luff).

24 Culture, Media and Sport Committee

(1) *The work of the Committee in 2008–09*: First Report, to be printed, with the Formal Minutes relating to the Report (HC 264);

(2) *The future for local and regional media*: Written evidence, to be published (Mr John Whittingdale).

25 Defence Committee

Defence Equipment 2010: Evidence, to be printed (HC 99-iv) (Mr James Arbuthnot).

26 Home Affairs Committee

(1) *Work of the Committee in 2008–09*: Fourth Report to be printed, with the Formal Minutes relating to the Report (HC 265);

(2) *The Government's Approach to Crime Prevention*: Evidence, to be printed (HC 242-i);

(3) *Follow up to Policing in the 21st Century*: Evidence, to be printed (HC 254-i); (Keith Vaz).

27 Human Rights (Joint Committee on)

(1) *Legislative Scrutiny: Constitutional Reform and Governance Bill; Video Recordings Bill*: Fourth Report, with written evidence, to be printed, with the Formal Minutes relating to the Report, and written evidence reported and ordered to be published on 24 November (HC 249);

(2) *Counter-terrorism policy and human rights*: Written evidence, to be published;

(3) *Equality and Human Rights Commission*: Written evidence, to be published;

(4) *Human rights judgments*: Written evidence, to be published;

(5) *Legislative scrutiny*: Written evidence, to be published
(Mr Andrew Dismore).

28 International Development Committee

(1) *Urbanisation and Poverty: Government Response to the Seventh Report from the Committee, Session 2008–09*: First Special Report, to be printed (HC 251);

(2) *DFID's Programme in Nigeria: Government Response to the Eighth Report from the Committee, Session 2008–09*: Second Special Report, to be printed (HC 250);

(3) *DFID's Programme in Nepal*:

(i) Evidence, to be printed (HC 168-ii);

(ii) Written evidence, to be published

(Malcolm Bruce).

29 Justice Committee

(1) *The work of the Committee in 2008–09*: Second Report, to be printed, with the Formal Minutes relating to the Report (HC 233);

(2) *The Crown Prosecution Service: Gatekeeper of the Criminal Justice System: Government response to the Committee's Ninth Report of Session 2008–09*: Second Special Report, to be printed (HC 245);

(3) *Pre-appointment hearing: HM Chief Inspector, Crown Prosecution Service*: Evidence, to be printed (HC 244-i)

(Sir Alan Beith).

30 Scottish Affairs Committee

Scotland and the UK: cooperation and communication between governments: Evidence to be printed (HC 256-i) (Mr Mohammad Sarwar).

31 Treasury Committee

(1) *Royal Bank of Scotland, Northern Rock, and Lloyds Banking Group*: Evidence, to be printed (HC 259-i);

(2) *Administration and expenditure of the Chancellor's departments, 2008–09*: Written evidence, to be published

(John McFall).

John Bercow

Speaker

The Speaker will take the Chair at 11.30 am.

Sitting in Westminster Hall

No. 12

The sitting began at 9.30 am.

Adjournment

Subjects:

Exportable benefits (Mr Roger Gale).

Government policy on the Goldstone report (Martin Linton).

Davies review of free-to-air listed events (Mr John Grogan).

Government policy on Kurdistan (Mr Andrew Pelling).

Future of local radio (Mr Alistair Carmichael).

Motion made and Question proposed, That the sitting be now adjourned.—(*Jonathan Shaw.*)

Sitting adjourned without Question put (Standing Order No. 10(11)).

Adjourned at 2.00 pm until tomorrow.

Alan Haselhurst

Deputy Speaker

APPENDIX

Papers presented or laid upon the Table:

Papers subject to Affirmative Resolution:

1 Data Protection

Draft Data Protection (Monetary Penalties) Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Jack Straw).

2 Disabled Persons

Draft Rail Vehicle Accessibility (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Mr Sadiq Khan).

3 Pensions

(1) Draft National Employment Savings Trust Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper);

(2) draft Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper); and

(3) draft Personal Accounts Delivery Authority Winding Up Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Yvette Cooper).

Papers subject to Negative Resolution:

4 Data Protection

Data Protection (Monetary Penalties) (Maximum Penalty and Notices) Regulations 2010 (S.I., 2010, No. 31), dated 6 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Jack Straw).

5 Intellectual Property

Patents and Patents and Trade Marks (Fees) (Amendment) Rules 2010 (S.I., 2010, No. 33), dated 7 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden).

6 Pensions

(1) Application of Pension Legislation to the National Employment Savings Trust Corporation Regulations 2010 (S.I., 2010, No. 8), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper);

(2) Employers' Duties (Implementation) Regulations 2010 (S.I., 2010, No. 4), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper);

(3) Employers' Duties (Registration and Compliance) Regulations 2010 (S.I., 2010, No. 5), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper);

(4) National Employment Savings Trust (Consequential Provisions) Order 2010 (S.I., 2010, No. 9), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper);

(5) National Employment Savings Trust Corporation Naming and Financial Year Order 2010 (S.I., 2010, No. 3), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper); and

(6) Transfer Values (Disapplication) Regulations 2010 (S.I., 2010, No. 6), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper).

7 Terms and Conditions of Employment

Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2010 (S.I., 2010, No. 7), dated 5 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Yvette Cooper).

8 Tribunals and Inquiries

(1) First-tier Tribunal (Gambling) Fees Order 2010 (S.I., 2010, No. 42), dated 10 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw);

(2) First-tier Tribunal and Upper Tribunal (Chambers) (Amendment) Order 2010 (S.I., 2010, No. 40), dated 10 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw);

(3) Tribunal Procedure (Amendment) Rules 2010 (S.I., 2010, No. 43), dated 10 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw);

(4) Tribunal Procedure (Amendment No. 2) Rules 2010 (S.I., 2010, No. 44), dated 10 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw); and

(5) Tribunals, Courts and Enforcement Act 2007 (Miscellaneous Provisions) Order 2010 (S.I., 2010, No. 41), dated 10 January 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Jack Straw).

Other Papers:

9 Data Protection

Guidance issued by the Information Commissioner under section 55C (1) of the Data Protection Act 1998 regarding the issue of monetary penalties (by Act) (Clerk of the House).

10 Foreign Compensation

Report of the Foreign Compensation Commission for 2008–09 (by Command) (Cm. 7786) (Secretary David Miliband).

11 National Audit

Report by the Comptroller and Auditor General on Improving Dementia Services in England—an Interim Report (by Act); to be printed (HC 82) (Clerk of the House).