



# House of Commons

## Tuesday 19 January 2010

### Votes and Proceedings

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The House met at 2.30 pm.

#### PRAYERS.

1 Private Bills [*Lords*]: Beverley Freeman Bill [*Lords*]: Third Reading  
Bill read the third time, and passed.

2 Questions to the Secretary of State for Foreign and Commonwealth Affairs

3 Health and Safety (Company Director Liability): Motion for leave to bring in a Bill (Standing Order No. 23)

*Ordered*, That leave be given to bring in a Bill to amend the Health and Safety at Work etc Act 1974 in respect of the liability of company directors; and for connected purposes;

That Mr Frank Doran, Tony Lloyd, Mr Stephen Hepburn, Rob Marris, Jim Sheridan, Mr Ian Davidson, Judy Mallaber, Natascha Engel, Miss Anne Begg and Mr Lindsay Hoyle present the Bill.

Mr Frank Doran accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 23 April, and to be printed (Bill 51).

4 Constitutional Reform and Governance Bill (Programme) (No. 3)

Motion made and Question put, That—

(1) the Order of 3 November 2009 in the last Session of Parliament (Constitutional Reform and Governance Bill (Programme) (No. 2)) be varied as follows: in the Table, for the entry relating to the third and fourth days of Committee there shall be substituted:

#### TABLE

##### *Third day*

##### *Proceedings*

##### *Time for conclusion of proceedings*

Clauses 24 to 28, new Clauses relating to Part 2, new Schedules relating to Part 2, Clause 35, Schedule 5, new Clauses relating to Part 4, new Schedules relating to Part 4, new Clauses relating to the effect of section 18(7) of the Electoral Administration Act 2006.

The moment of interruption on the third day.

*Fourth day**Proceedings**Time for conclusion of proceedings*

Clauses 29 and 30, Schedule 4, Clauses 31 to 34, new Clauses relating to Part 3, new Schedules relating to Part 3, remaining new Clauses, remaining new Schedules, Clauses 59 to 62, remaining proceedings on the Bill.

The moment of interruption on the fourth day.

(2) notwithstanding paragraphs 3 and 4 of that Order, if the proceedings shown for the third day in the first column of the Table above are concluded before the moment of interruption on the third day, the proceedings shown for the fourth day may be taken on the third day.—(*Mr Michael Wills.*)

The House divided.

Division No. 41.

Ayes: 290 (Tellers: Mr Frank Roy, Lyn Brown).

Noes: 235 (Tellers: Jeremy Wright, James Duddridge).

Question accordingly agreed to.

5 Constitutional Reform and Governance Bill: Committee of the whole House (3rd allocated day)

The House resolved itself into a Committee (Orders, 3 November 2009 in the last Session of Parliament and today).

(In the Committee)

Clause 24 (Treaties to be laid before Parliament before ratification)

Amendment 114 proposed.—(*Mr Andrew Dismore.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 1 proposed.—(*David Howarth.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 42.

Ayes: 232 (Tellers: Mr Alan Reid, Dan Rogerson).

Noes: 277 (Tellers: Mark Tami, Mary Creagh).

Question accordingly negated.

Amendment 125 proposed.—(*Mr Mark Francois.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 43.

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

Noes: 303 (Tellers: Steve McCabe, Mrs Sharon Hodgson).

Question accordingly negated.

Clause agreed to.

Clause 25 agreed to.

Clause 26 (Section 24 not to apply in exceptional cases)

Amendment 116 proposed.—(*David Howarth.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 44.

Ayes: 62 (Tellers: Mr Alan Reid, Mr Adrian Sanders).

Noes: 275 (Tellers: Steve McCabe, Mrs Sharon Hodgson).

Question accordingly negatived.

It being after 10.00 pm, the Chairman put the Questions necessary to bring to a conclusion proceedings on Clauses 24 to 28, new Clauses relating to Part 2, new Schedules relating to Part 2, Clause 35, Schedule 5, new Clauses relating to Part 4, new Schedules relating to Part 4, new Clauses relating to the effect of section 18(7) of the Electoral Administration Act 2006 (Order, today).

Clause 26 agreed to.

Clauses 27, 28 and 35 agreed to.

Amendments 96 to 99 made.

Question put, That Schedule 5, as amended, be agreed to.

The Committee divided.

Division No. 45.

Ayes: 263 (Tellers: Steve McCabe, Mrs Sharon Hodgson).

Noes: 53 (Tellers: Mr Alan Reid, Willie Rennie).

Question accordingly agreed to.

A Clause (NC 57) (Section 3 of the Act of Settlement)—(*Mr Dave Watts*)—brought up, read the first and second time, and added to the Bill.

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The Deputy Speaker resumed the Chair.

*Mr Dave Watts* reported, That the Committee had made progress in the Bill, and moved, That the Committee may have leave to sit again.

Committee again tomorrow.

#### 6 Statutory Instrument: Motion for Approval

Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Enactment of Extra-Statutory Concessions (No. 2) Order 2009, which was laid before this House on 10 November, in the previous Session of Parliament, be approved.—(*Mr Dave Watts.*)

Question agreed to.

#### 7 European Union Police Mission in Afghanistan (EUPOL Afghanistan)

Motion made and Question put forthwith (Standing Order No. 119(11)), That this House takes note of an unnumbered explanatory memorandum dated 2 November 2009 from the Foreign and Commonwealth Office on the Council Joint Action amending Joint Action 2007/369/CFSP on the establishment of the European Union Police Mission in Afghanistan; and agrees with the Government that the mission is now making an important contribution to the international effort to reform the Afghan National Police.—(*Mr Dave Watts.*)

Question agreed to.

## 8 Business of the House

Motion made, That, at the sitting on Thursday 21 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 Dave Watts.*)

Objection taken (Standing Order No. 9(6)).

## 9 Section 5 of the European Communities (Amendment) Act 1993

Motion made, That, for the purposes of its approval under section 5 of the European Communities (Amendment) Act 1993, the Government's assessment as set out in the Pre-Budget Report 2009 shall be treated as if it were an instrument subject to the provisions of Standing Order No. 118 (Delegated Legislation Committees).—(*Mr Dave Watts.*)

Objection taken (Standing Order No. 9(6)).

## 10 Public Petitions

A Public Petition from persons resident in the South West Devon parliamentary constituency and others, relating to Badman Report (South West Devon) was presented by Mr Gary Streeter.

## 11 Adjournment

Subject: Electricity transmission in North Somerset (Dr Liam Fox).

*Resolved*, That this House do now adjourn.—(*Mr Dave Watts.*)

Adjourned at 10.53 pm until tomorrow.

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*Other proceedings*

*General Committees: Reports*

## 12 Children, Schools and Families Bill

Mr David Amess (Chairman) reported:

(1) That the Committee had come to the following Resolution, That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication; and

(2) Written evidence.

Written evidence to be published.

## 13 Energy Bill

Hugh Bayley (Chairman) reported written evidence submitted to the Committee.

Written evidence to be published.

## 14 Flood and Water Management Bill

Mr Christopher Chope (Chairman) reported written evidence submitted to the Committee.

Written evidence to be published.

## 15 Third Delegated Legislation Committee

Robert Key (Chairman) reported the draft Consumer Credit Act 1974 (Fees) Order 2010.

## 16 Fourth Delegated Legislation Committee

Mr Martin Caton (Chairman) reported the draft National Assembly for Wales (Legislative Competence) (Environment) Order 2010.

## 17 Fifth Delegated Legislation Committee

Ann Winterton (Chairman) reported the draft Charities Act 2006 (Changes in Exempt Charities) Order 2009 and the draft Charities Act 2006 (Principal Regulators of Exempt Charities) Regulations 2009.

*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 Children, Schools and Families Bill Committee

Members: Andrew Gwynne discharged and Caroline Flint nominated in substitution.

## 19 Fourth Delegated Legislation Committee (Draft National Assembly for Wales (Legislative Competence) (Environment) Order 2010)

Members: Sandra Osborne and Ian Stewart discharged and Chris Ruane and Mr Tom Watson nominated in substitution.

## 20 Fifth Delegated Legislation Committee (Draft Charities Act 2006 (Changes in Exempt Charities) Order 2009 and the draft Charities Act 2006 (Principal Regulators of Exempt Charities) Regulations 2009)

Members: Ben Chapman and Mr Fabian Hamilton discharged and Mrs Betty Williams and Martin Salter nominated in substitution.

*Reports from Select Committees*

## 21 Business, Innovation and Skills Committee

(1) *Enterprise Finance Guarantee scheme: Government Response to the Business and Enterprise Committee's Tenth Report of Session 2008–09*: Second Special Report, to be printed, with the Formal Minutes relating to the Report (HC 307);

(2) *The work of the Department for Business, Innovation and Skills*: Evidence, to be printed (HC 299-i)

(Peter Luff).

## 22 Communities and Local Government Committee

(1) *Local authority investments: the role of the Financial Services Authority*: Second Report, to be printed, with the Formal Minutes relating to the Report (HC 287);

(2) *Preventing violent extremism*: Evidence, to be printed (HC 65-iv);

(3) *FiReControl*: Written evidence, to be published

(Dr Phyllis Starkey).

## 23 East Midlands Regional Select Committee

*Share of Funding received by the East Midlands region:*

- (1) Evidence, to be printed (HC 104-iii);
- (2) Written evidence, to be published  
(Paddy Tipping).

## 24 Environmental Audit Committee

*Adapting to Climate Change:* Evidence, to be printed (HC 113-iv) (Mr Tim Yeo).

## 25 Home Affairs Committee

- (1) *Police Service Strength:* Fifth Report, with written evidence, to be printed, with the Formal Minutes relating to the Report (HC 50);
- (2) *The Government's Approach to Crime Prevention:* Evidence, to be printed (HC 242-ii);
- (3) *The National DNA Database:* Evidence, to be printed (HC 222-ii);
- (4) *Work of ACPO:* Evidence, to be printed (HC 289-i)  
(Keith Vaz).

## 26 International Development Committee

*DFID's assistance to Zimbabwe:* Written evidence, to be published (Malcolm Bruce).

## 27 Justice Committee

- (1) *Justice issues in Europe:*
  - (i) Evidence taken before the Sub-Committee, to be printed (HC 54-iii);
  - (ii) Written evidence, to be published;
- (2) *Pre-legislative scrutiny of the Draft Civil Law Reform Bill:* Evidence, to be printed (HC 300-i);  
(Sir Alan Beith).

## 28 North East Regional Select Committee

*The Steel Industry:* Evidence, to be printed (HC 279-ii) (Ms Dari Taylor)

## 29 Regulatory Reform Committee

- (1) *Draft Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010: Second Stage:* First Report, to be printed, with the Formal Minutes relating to the Report (HC 288);
- (2) the following Resolution:  
That the revised draft Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010: Second Stage, which was laid before this House on 7 December, should be approved.  
(Andrew Miller).

## 30 Standards and Privileges (Committee on)

- (1) *Mr George Osborne:* Sixth Report, with Appendices, to be printed, with the Formal Minutes relating to the Report (HC 309);
- (2) *Harry Cohen:* Seventh Report, with Appendices, to be printed, with the Formal Minutes relating to the Report (HC 310)  
(Sir Malcolm Rifkind).

## 31 Treasury Committee

*Financial institutions - too important to fail:*

- (1) Evidence, to be printed (HC 261-i);
- (2) Written evidence, to be published  
(John McFall).

## 32 Welsh Affairs Committee

(1) *Wales and Whitehall*: Evidence, to be printed (HC 246-ii);

(2) *Proposed National Assembly for Wales (Legislative Competence) (Housing and Local Government) Order 2010*: Written evidence, to be published;

(3) *Proposed National Assembly for Wales (Legislative Competence) (Transport) Order 2010*: Written evidence, to be published

(Dr Hywel Francis).

***John Bercow***

*Speaker*

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The Speaker will take the Chair at 11.30 am.

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Sitting in Westminster Hall

No. 15

The sitting began at 9.30 am.

Adjournment

Subjects:

Musculoskeletal conditions (Paul Rowen).

Manufacturing industry in the UK (Mr Austin Mitchell).

Schools in Sutton (Tom Brake).

Universities and regeneration of towns and cities (Mr Barry Sheerman).

Proposed development at Hatchfield Farm, Newmarket, Suffolk (Mr Richard Spring).

*Resolved*, That the sitting be now adjourned.—(Mr George Mudie.)

Adjourned at 1.58 pm until tomorrow.

***Alan Haselhurst***

*Deputy Speaker*

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## APPENDIX

*Papers presented or laid upon the Table:*

*Papers subject to Affirmative Resolution:*

1 Climate Change

Draft CRC Energy Efficiency Scheme Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Edward Miliband).

2 Financial Services and Markets

Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2010 (S.I., 2010, No. 86), dated 19 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Sarah McCarthy-Fry).

3 National Health Service

Draft Health and Social Care Act 2008 (Consequential Amendments No. 2) Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Andy Burnham).

4 Public Health

(1) Draft Health and Social Care Act 2008 (Consequential Amendments) Order 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Andy Burnham);

(2) draft Health Protection (Local Authority Powers) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Andy Burnham); and

(3) draft Health Protection (Part 2A Orders) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Andy Burnham).

5 Terms and Conditions of Employment

(1) Draft Additional Paternity Leave Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden);

(2) draft Additional Paternity Leave (Adoptions from Overseas) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden);

(3) draft Additional Statutory Paternity Pay (Adoptions from Overseas) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden);

(4) draft Additional Statutory Paternity Pay (General) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden);

(5) draft Additional Statutory Paternity Pay (Weekly Rates) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden); and

(6) draft Employment Rights Act 1996 (Application of Section 80BB to Adoptions from Overseas) Regulations 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden).

*Other Papers:*

6 Justice

UK Foreign Bribery Strategy (by Command) (Cm. 7791) (Secretary Jack Straw).

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*CORRIGENDUM*

Tuesday 12 January

The following paper should have appeared in the Appendix:

*Papers subject to Negative Resolution*

Trade Marks

Trade Marks (International Registration) (Amendment) Order 2010 (S.I., 2010, No. 32), dated 7 January 2010 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Mr Pat McFadden).