

LORDS AMENDMENTS TO THE
PARLIAMENTARY VOTING SYSTEM AND CONSTITUENCIES BILL

[The page and line references are to HL Bill 26, the bill as first printed for the Lords.]

Clause 1

- 1** Page 1, line 5, at end insert—
- “(1A) If less than 40% of the electorate vote in the referendum, the result shall not be binding.”
- 2** Page 1, line 6, leave out “on 5 May” and insert “before 31 October”
- 3** Page 1, line 6, at end insert—
- “(2A) The referendum is to be held on 5 May 2011 unless before then an order is made under subsection (2B).
- (2B) If the Minister is satisfied that it is impossible or impracticable for the referendum to be held on 5 May 2011, or that it cannot be conducted properly if held on that day, the Minister may by order appoint a later day as the day on which the referendum is to be held.
- (2C) Where a day is appointed under subsection (2B), the Minister may by order make supplemental or consequential provision, including provision modifying or amending this Act or another enactment (and, in particular, provision modifying or amending this Act as regards the meaning of “voting area” or “counting officer”).
- (2D) An order under this section may not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.”

Clause 4

- 4** Page 3, line 19, at end insert—
- “() If any of the elections referred to in subsections (2) to (4) are not held on the same day as the referendum, this Part has effect with any necessary adaptations and in particular—

- (a) if the Welsh Assembly general election in 2011 is not held on that day, subsection (2) and Schedule 6 do not apply (and Part 3 of Schedule 4 applies with the necessary adaptations);
- (b) if the Scottish parliamentary general election in 2011 is not held on that day, subsection (3) and Schedule 7 do not apply (and Part 3 of Schedule 4 applies with the necessary adaptations);
- (c) if any of the elections referred to in subsection (4) are not held on that day, that subsection and Schedule 8 either do not apply or apply only in relation to the elections that are held on that day.”

5 Page 3, line 19, at end insert –

“(8A) Where a day is appointed by an order under section 1(2B) –

- (a) if that day is the same as the date of a poll mentioned in subsection (1), the Minister may by order make provision disapplying that subsection or any of paragraphs (a) to (c) of it;
- (b) if that day is the same as the date of a poll mentioned in subsection (2) or (3), the Minister may by order make provision disapplying the subsection in question;
- (c) if that day is the same as the date of a poll mentioned in subsection (4), the Minister may by order make provision disapplying that subsection or either of paragraphs (b) and (c) of it.

(8B) Where a day is appointed by an order under section 1(2B), and that day is the same as the date of a poll not mentioned in subsections (1) to (4), the Minister may by order –

- (a) provide that the polls are to be taken together, and
- (b) make provision for and in connection with the combination of the poll.

(8C) An order containing provision made under subsection (8A) or (8B) –

- (a) may make supplemental or consequential provision, including provision modifying or amending this Act or another enactment (and, in particular, provision modifying or amending this Act as regards the meaning of “voting area” or “counting officer”);
- (b) may not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.”

Clause 6

6 Page 5, line 3, at end insert –

“() Schedule 19C to the 2000 Act (civil sanctions), and any order under Part 5 of that Schedule, have effect as if offences under paragraph 8(1) to (12) of the Schedule set out in Schedule 9 to this Act were offences prescribed in an order under that Part.”

Clause 7

7 Page 5, line 34, at end insert –

““registration officer” has the meaning given in section 8 of the 1983 Act;”

8 Page 5, line 36, at end insert –

“() In section 1(1A) –

- (a) “the electorate” is defined as those persons entitled to vote in the referendum, as defined in section 2;
- (b) the turnout figure is to be calculated on the basis that 100% turnout is defined as the total number of individuals who are entitled to vote in the referendum, as defined in section 2; and
- (c) “vote” is defined as votes counted under Part 1 of this Act.”

Clause 8

- 9 Page 6, line 16, leave out from “that” to end of line 17 and insert “subsection, but
- (b) does not affect any election held before the first parliamentary general election following that day.”

Clause 10

- 10 Page 8, line 36, leave out “, with or without modifications,”
- 11 Page 8, leave out lines 38 to 42 and insert –
- “(5B) Where –
- (a) a Boundary Commission has submitted a report under subsection (1) above (but no draft under subsection (5A) above has yet been laid in relation to the report),
 - (b) the Commission notifies the Secretary of State that the recommendations contained in the report are to have effect with specified modifications, and
 - (c) the Commission submits to the Secretary of State a statement of the reasons for those modifications,
- the draft under subsection (5A) above shall give effect to the recommendations with those modifications.”
- 12 Page 9, line 1, leave out from beginning to “states” and insert “Subsections (5A) and (5B) above do not apply where each of the reports mentioned in subsection (5) above”
- 13 Page 9, line 6, leave out from “Council),” to end of line 7 and insert “for “a statement” there is substituted “the statement submitted under section 3(5B)(c) above”.”
- 14 Page 9, line 7, at end insert –
- “() In Schedule 1 to the 1986 Act (the Boundary Commissions), in paragraph 5(d) (assessor officers of the Boundary Commission for Northern Ireland) –
- (a) for “and the” there is substituted “, the”;
 - (b) at the end there is inserted “and the Chief Survey Officer of Land and Property Services”.”
- 15 Page 9, line 7, at end insert –
- “() In paragraph 6 of that Schedule (assistant Commissioners) –
- (a) in sub-paragraph (1), for the words after “assistant Commissioners” there is substituted “to assist the Commission in the discharge of their functions.”;
 - (b) in sub-paragraph (2), for “inquiry” there is substituted “matter”.”

Clause 11

- 16 Page 9, line 23, after “4(2),” insert “5A,”
- 17 Page 9, line 23, after “6(2)” insert “, 6A(2)”
- 18 Page 10, line 12, at end insert –
“(c) boundaries of existing constituencies”
- 19 Page 10, line 22, at end insert –
“Exceptional circumstances
- 5A If, but only if, a Boundary Commission are satisfied that –
- (a) it is necessary to do so in order to achieve a viable constituency, and
- (b) such necessity arises from special geographical considerations or local ties, as defined in rule 5(1)(a) or (d) above, of an exceptionally compelling nature,
- the Boundary Commission may decide that the electorate of the constituency shall be –
- no less than 92.5% of the United Kingdom electoral quota;
and
no more than 107.5% of that quota.”
- 20 Page 10, line 30, at end insert –
“Isle of Wight
- 6A (1) All parts of the Isle of Wight must be included in a constituency which is wholly in the Isle of Wight.
- (2) Rule 2 does not apply to any such constituency.”
- 21 Page 11, line 22, at end insert –
“() Where the figure given by sub-paragraph (3) above is the same for two or more parts of the United Kingdom, the part to which a constituency is to be allocated shall be the one with the smaller or smallest actual electorate.”
- 22 Page 11, line 41, leave out from “of” to end of line 1 on page 12 and insert “counties and their electoral divisions, districts and their wards, London boroughs and their wards and the City of London,”
- 23 Page 12, line 2, leave out “and county boroughs” and insert “, county boroughs, electoral divisions, communities and community wards”
- 24 Page 12, line 3, leave out from first “of” to “, and” in line 5 and insert “local government areas and the electoral wards into which they are divided under section 1 of the Local Governance (Scotland) Act 2004”

Clause 12

- 25 Page 13, leave out lines 4 to 22 and insert –
“(1) Once a Boundary Commission have decided what constituencies they propose to recommend in a report under section 3(1)(a) above –

- (a) the Commission shall take such steps as they think fit to inform people in each of the proposed constituencies—
 - (i) what the proposals are,
 - (ii) that a copy of the proposals is open to inspection at a specified place within the proposed constituency, and
 - (iii) that written representations with respect to the proposals may be made to the Commission during a specified period of 12 weeks (“the initial consultation period”);
 - (b) the Commission shall cause public hearings to be held during the period beginning with the fifth week of the initial consultation period and ending with the tenth week of it.
- (2) Subsection (1)(a)(ii) above does not apply to a constituency with respect to which no alteration is proposed.
- (3) Schedule 2A to this Act, which makes further provision about public hearings under subsection (1)(b) above, has effect.
- (4) After the end of the initial consultation period the Commission—
 - (a) shall publish, in such manner as they think fit, representations made as mentioned in subsection (1)(a) above and records of public hearings held under subsection (1)(b) above;
 - (b) shall take such steps as they think fit to inform people in the proposed constituencies that further written representations with respect to the things published under paragraph (a) above may be made to the Commission during a specified period of four weeks (“the secondary consultation period”).
- (5) If after the end of the secondary consultation period the Commission are minded to revise their original proposals so as to recommend different constituencies, they shall take such steps as they see fit to inform people in each of those revised proposed constituencies—
 - (a) what the revised proposals are,
 - (b) that a copy of the revised proposals is open to inspection at a specified place within the revised proposed constituency, and
 - (c) that written representations with respect to the revised proposals may be made to the Commission during a specified period of eight weeks.
- (6) Subsection (5) above does not apply to any proposals to make further revisions.
- (7) Steps taken under subsection (4) or (5) above need not be of the same kind as those taken under subsection (1) above.
- (8) A Boundary Commission shall take into consideration—
 - (a) written representations duly made to them as mentioned in subsection (1)(a), (4)(b) or (5)(c) above, and
 - (b) representations made at public hearings under subsection (1)(b) above.
- (9) Except as provided by this section and Schedule 2A to this Act, a Boundary Commission shall not cause any public hearing or inquiry to be held for the purposes of a report under this Act.
- (10) Where a Boundary Commission publish—

- (a) general information about how they propose to carry out their functions (including, in the case of the Boundary Commission for England, information about the extent (if any) to which they propose to take into account the boundaries mentioned in rule 5(2) of Schedule 2 to this Act), or
 - (b) anything else to which subsection (1), (4) or (5) above does not apply,
- it is for the Commission to determine whether to invite representations and, if they decide to do so, the procedure that is to apply.””

26 Page 13, line 22, at end insert –

“(1A) After Schedule 2 to the 1986 Act there is inserted the Schedule set out in Schedule (*Public hearings about Boundary Commission proposals*) to this Act.”

After Clause 13

27 Insert the following new Clause –

“Review of reduction in number of constituencies

- (1) The Minister must make arrangements –
 - (a) for a committee to carry out a review of the effects of the reduction in the number of constituencies brought about by section 11;
 - (b) for the findings of the review to be published.
- (2) A majority of the members of the committee are to be Members of the House of Commons.
- (3) Arrangements under subsection (1)(a) are to be made no earlier than 1 June 2015 and no later than 30 November 2015.
- (4) In this section “the Minister” means the Lord President of the Council or the Secretary of State.”

Schedule 1

28 Page 19, line 19, leave out “appointed under section 8 of the 1983 Act”

29 Page 20, line 13, leave out “appointed under section 8 of the 1983 Act”

30 Page 20, line 13, at end insert –

“() The Chief Counting Officer must take whatever steps the officer thinks appropriate to facilitate co-operation between that officer and the officers to whom sub-paragraph (3) applies in taking any steps under sub-paragraph (1) or (2).”

31 Page 24, line 26, at end insert –

“() The Chief Counting Officer is entitled to recover expenses incurred by that officer for or in connection with the referendum if –

- (a) the expenses are of a kind that would otherwise have been incurred by counting officers or Regional Counting Officers, and
- (b) the Chief Counting Officer considered that it would be more economical for the expenses to be incurred by that officer instead.”

- 32 Page 24, line 30, after “account” insert “of a counting officer or Regional Counting Officer”
- 33 Page 24, line 36, after “Officer” insert “or the Chief Counting Officer”
- 34 Page 24, line 42, at end insert “or the Chief Counting Officer”

Schedule 2

- 35 Page 33, line 1, leave out from “with” to second “or” in line 2 and insert “paragraph (3) or (4),”
- 36 Page 34, line 29, after “entry” insert “1A,”
- 37 Page 34, line 32, after “entry” insert “1A,”
- 38 Page 34, line 35, at end insert –
 “() in the case of a peer within entry 1A of the table, state that the peer’s entitlement to vote by proxy in the referendum arises by virtue of the peer’s inclusion in the list of proxies for a specified poll mentioned in that entry;”
- 39 Page 54, line 44, leave out from beginning to end of line 6 on page 55 and insert –
 “(a) in relation to a voting area in England or a voting area in Wales that is not within sub-paragraph (b), the registration officer of the local authority in whose area that voting area is situated;
 (b) in relation to a voting area in Wales that comprises any part of the area of more than one local authority, the registration officer appointed under section 44(3)(b) of the Electoral Administration Act 2006 in respect of the Assembly constituency that corresponds to that voting area.
 () In paragraph (3) –
 “local authority” has the same meaning as in paragraph 4 of Schedule 1;
 “Assembly constituency” means a constituency for the National Assembly for Wales.”
- 40 Page 57, leave out line 28

Schedule 3

- 41 Page 76, leave out line 12
- 42 Page 79, line 17, at end insert –

“1A	A person who – (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is included in the postal voters list for that poll, and (c) is not within entry 1 in this table or entry 1 in the table in sub-paragraph (3).	Address provided in the application that gave rise to the person being included in the postal voters list or, if the person is included in more than one, the address provided in the latest of those applications.”
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- 43 Page 79, line 23, after “1” insert “or 1A”
 44 Page 79, line 24, after “1” insert “or 1A”
 45 Page 79, line 37, after “1” insert “or 1A”
 46 Page 79, line 38, after “1” insert “or 1A”
 47 Page 80, line 14, after “1” insert “or 1A”
 48 Page 80, line 15, after “1” insert “or 1A”
 49 Page 80, line 23, at end insert –

“1A	A person who – (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is included in the list of proxies for that poll, and (c) is not within entry 1 in this table or entry 1 or 1A in the table in sub-paragraph (2).	Proxy appointed for the purposes of that poll or, if there is more than one, the proxy appointed for the poll in respect of which the latest of the person’s applications to vote by proxy was made.”
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- 50 Page 80, line 29, after “1” insert “or 1A”
 51 Page 80, line 30, after “1” insert “or 1A”
 52 Page 80, line 43, after “1” insert “or 1A”
 53 Page 80, line 44, after “1” insert “, 1A”
 54 Page 81, line 14, after “1” insert “or 1A”
 55 Page 81, line 15, after “1” insert “, 1A”
 56 Page 82, line 9, at end insert –
 “() in relation to a principal who is included in the list of proxies by virtue of entry 1A in that table, the appointment of the person mentioned in column 3 of that entry;”
 57 Page 83, line 2, leave out from “paragraph” to “, and” in line 3 and insert “7(2)(a)”.
 58 Page 83, line 7, after “7(2)” insert “(b), (c) or (d)”
 59 Page 83, line 28, at end insert –

“1A	A proxy who – (a) was appointed as mentioned in column 3 of entry 1A in the table in paragraph 5(3) for a person mentioned in column 2 of that entry, and (b) is included in the proxy postal voters list for the poll in respect of which that appointment was made.	Address provided in the proxy’s application to vote by post as proxy in that poll.”
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- 60 Page 84, line 41, after “3(9)” insert “, 4(6)”

61 Page 84, line 43, at end insert –

- “() articles 8(9), 9(6) and 12(13) of the National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236) (dates of birth and signatures of certain electors and proxies) in relation to persons entitled to vote in the referendum,
- () articles 8(9), 9(8) and 11(12) of the Scottish Parliament (Elections etc.) Order 2010 (dates of birth and signatures of certain electors and proxies) in relation to persons entitled to vote in the referendum,”

62 Page 85, leave out line 38

63 Page 88, line 30, at end insert –

“1A	A person who – (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is shown in the absent voters list for that poll as voting by post, and (c) is not within entry 1 in this table or entry 1 in the table in sub-paragraph (3).	Address provided in the application that gave rise to the person being included in the absent voters list or, if the person is included in more than one, the address provided in the latest of those applications.”
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64 Page 88, line 36, after “1” insert “or 1A”

65 Page 88, line 37, after “1” insert “or 1A”

66 Page 89, line 14, after “1” insert “or 1A”

67 Page 89, line 15, after “1” insert “or 1A”

68 Page 89, line 29, after “1” insert “or 1A”

69 Page 89, line 30, after “1” insert “or 1A”

70 Page 89, line 38, at end insert –

“1A	A person who – (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is shown in the absent voters list for that poll as voting by proxy, and (c) is not within entry 1 in this table or entry 1 or 1A in the table in sub-paragraph (2).	Proxy appointed for the purposes of that poll or, if there is more than one, the proxy appointed for the poll in respect of which the latest of the person’s applications to vote by proxy was made.”
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71 Page 89, line 44, after “1” insert “or 1A”

72 Page 89, line 45, after “1” insert “or 1A”

73 Page 90, line 14, after “1” insert “or 1A”

- 74 Page 90, line 15, after “1” insert “, 1A”
- 75 Page 90, line 29, after “1” insert “or 1A”
- 76 Page 90, line 30, after “1” insert “, 1A”
- 77 Page 91, line 15, at end insert –
 “() in relation to a principal who is included in the list of proxies by virtue of entry 1A in that table, the appointment of the person mentioned in column 3 of that entry;”
- 78 Page 92, line 9, leave out from “paragraph” to end of line 10 and insert “18(2)(a),”.
- 79 Page 92, line 24, after “18(2)” insert “(b), (c) or (d)”
- 80 Page 92, line 45, at end insert –

“1A	A proxy who – (a) was appointed as mentioned in column 3 of entry 1A in the table in paragraph 16(3) for a person mentioned in column 2 of that entry, and (b) is included in the proxy postal voters list for the poll in respect of which that appointment was made.	Address provided in the proxy’s application to vote by post as proxy in that poll.”
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Schedule 4

- 81 Page 114, line 24, after “lists” insert “and provide any subsequent revised lists or revisions to the lists”
- 82 Page 134, leave out lines 16 to 20 and insert –

“For “returning officer” (in each place) substitute “counting officer”.

In paragraph (2), for the words from “and endorse” to the end substitute “, endorse the packet as mentioned in paragraph (1)(a) and retain the packet”.

For paragraph (3) substitute –

“(3) Rules 51 and 52 of the referendum rules shall apply to any packet or document retained under this regulation.””

Schedule 5

- 83 Page 138, line 2, at end insert –
 “() Regulation 11 of the Local Authorities (Conduct of Referendums) (England) Regulations 2007 has effect as if the reference to regulation 10(1) or (7) included a reference to section 4.”
- 84 Page 151, line 40, at end insert –

“() Regulation 116(1) of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) has effect in relation to a relevant election as if the reference to documents forwarded under rule 55(1)(e) of the elections rules were to documents forwarded under rule 50(1)(a) of the referendum rules as applied by this paragraph.”

85 Page 152, line 26, at end insert—

“PROVISION OF REGISTERS ETC TO COUNTING OFFICER

Registers

Regulation 98 of the Representation of the People (England and Wales) Regulations 2001 as modified by Part 3 of Schedule 4 above applies for the purposes of a relevant election as it applies for the purposes of the referendum.

Absent voters lists

As soon as practicable after 5 pm on the 6th day before the date of the poll, the registration officer must provide the counting officer with the following lists, and any subsequent revised lists or revisions to the lists—

- (a) the list of proxies for each relevant election;
- (b) the postal voters list for each relevant election;
- (c) the proxy postal voters list for each relevant election.

Personal identifier information

Where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001, paragraph 7C of Schedule 4 to the Representation of the People Act 2000 has effect as if a reference to a returning officer were a reference to the counting officer.”

86 Page 157, line 32, after “entry” insert “1A,”

87 Page 157, line 36, after “entry” insert “1A,”

Schedule 6

88 Page 187, line 7, at end insert—

“() Regulation 121 of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) has effect in relation to an Assembly election—

- (a) as if, in the definition of “relevant Assembly election documents”, the reference to rule 69(1) of Schedule 5 to the 2007 Order included a reference to rule 52 of the referendum rules as applied by this paragraph;
- (b) as if, in paragraph (2), the reference to documents forwarded under rule 67(1)(h) of Schedule 5 to the 2007 Order were to documents forwarded under rule 50(1)(a) of the referendum rules as so applied.”

89 Page 187, line 28, at end insert—

“PROVISION OF REGISTERS ETC TO COUNTING OFFICER

Registers

Regulation 98(8) of the Representation of the People (England and Wales) Regulations 2001 has effect as if a reference to a returning officer included a reference to the counting officer.

Absent voters lists

As soon as practicable after 5 pm on the 6th day before the date of the poll, the registration officer must provide the counting officer with the following lists, and any subsequent revised lists or revisions to the lists –

- (a) the list of proxies for the Assembly elections;
- (b) the postal voters list for the Assembly elections;
- (c) the proxy postal voters list for the Assembly elections.

Personal identifier information

Where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order, Article 13(5) of that Order has effect as if a reference to a constituency returning officer were a reference to the counting officer.”

90 Page 192, line 26, after “entry” insert “1A,”

91 Page 192, line 30, after “entry” insert “1A,”

Schedule 7

92 Page 227, line 35, at end insert –

“Schedule 8 to the 2010 Order has effect –

- (a) as if the reference in paragraph 1 to documents retained under rule 71 of the Scottish Parliamentary Election Rules were to documents retained under rule 50(1)(b) of the referendum rules as applied by paragraph 52 above;
- (b) as if the reference to that Schedule in paragraph 4(2) were to any enactment;
- (c) as if references to the CRO included references to the counting officer.”

93 Page 228, line 18, at end insert –

“PROVISION OF REGISTERS ETC TO COUNTING OFFICER

Registers

Paragraph 1 of Schedule 1 to the 2010 Order has effect as if a reference to a returning officer included a reference to the counting officer.

Absent voters lists

As soon as practicable after 5 pm on the 6th day before the date of the poll, the registration officer must provide the counting officer with the following lists, and any subsequent revised lists or revisions to the lists –

- (a) the list of proxies for the Scottish parliamentary election;
- (b) the postal voters list for the Scottish parliamentary election;
- (c) the proxy postal voters list for the Scottish parliamentary election.

Personal identifier information

Where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 4 to the 2010 Order, paragraph 23(1) of Schedule 3 to the 2010 Order has effect as if a reference to a CRO were a reference to the counting officer.”

- 94 Page 233, line 6, after “entry” insert “1A,”
- 95 Page 233, line 10, after “entry” insert “1A,”

Schedule 8

- 96 Page 262, line 16, at end insert –
- “() Where appropriate –
- (a) a reference in any enactment to a list mentioned in sub-paragraphs (i) to (iii) of sub-paragraph (2)(a) is to be read as a reference to the combined postal voters list;
 - (b) a reference in any enactment to a list mentioned in sub-paragraphs (i) to (iii) of sub-paragraph (2)(b) is to be read as a reference to the combined proxy postal voters list.”
- 97 Page 267, line 14, leave out sub-paragraphs (1) and (2) and insert –
- “(1) Where –
- (a) a combined list is prepared as mentioned in paragraph 7(2), 8(2), 16(1) or 22(1),
 - (b) the same copy of the register of electors is used as mentioned in paragraph 21(1),
 - (c) a single list is used as mentioned in paragraph 24(1), 26(1), 27(1) or 28(1), or
 - (d) a declaration made by the companion of a voter with disabilities (within the meaning of paragraph 25) relates to the referendum or Assembly election as well as a local election,
- rules 50(1)(b) and 52 of the referendum rules apply to those documents (and rule 58(1) of the Local Elections Rules has effect as if any reference to those documents were omitted).
- (2) Where a combined list is prepared as mentioned in paragraph 7(2), 8(2) or 16(1), rule 59 of the Local Elections Rules, so far as it relates to corresponding number lists, has effect as if references to the proper officer of the council were to the Chief Electoral Officer.”
- 98 Page 267, line 25, at end insert –
- “Schedule 3 to the Local Elections (Northern Ireland) Order 2010 has effect –
- (a) as if, in the definition of “the marked register or lists” in paragraph 1(1), the reference to documents retained under rule 60 of the Local Elections Rules included a reference to

- documents retained under rule 50(1)(b) of the referendum rules as applied by paragraph 38 above;
- (b) as if references to the proper officer included references to the Chief Electoral Officer.”
- 99 Page 271, line 16, leave out from “are” to end of line 18 and insert –
- “(i) the packets, made up under paragraph 11 of Part 3 of Schedule 2 to the Local Elections Order, of any combined lists produced by virtue of paragraph 7 or 23 above;
- (ii) the packets made up under paragraphs 12 and 17C of that Part.”
- 100 Page 272, line 3, leave out “paragraphs 11 and 17C(b) were omitted” and insert “packets did not include the packets mentioned in sub-paragraph (3)(b) above”
- 101 Page 272, line 5, at end insert –
- “() Regulation 115(1) of the 2008 Regulations has effect in relation to an Assembly election as if the reference to documents retained under rule 57(1A) of the elections rules included a reference to documents retained under this paragraph that relate to the Assembly election.
- () Schedule 3 to the Local Elections (Northern Ireland) Order 2010 has effect –
- (a) as if, in the definition of “the marked register or lists” in paragraph 1(1), the reference to documents retained under rule 60 of the Local Elections Rules included a reference to documents retained under this paragraph that relate to the local election;
- (b) as if references to the proper officer included references to the Chief Electoral Officer.”
- 102 Page 274, line 29, leave out “spoilt”

Schedule 10

- 103 Page 300, line 24, at end insert –

“Parliamentary Constituencies Act 1986

In Schedule 2A to the Parliamentary Constituencies Act 1986 (public hearings about Boundary Commission proposals), in the definition of “qualifying party” in paragraph 9, for “votes” there is substituted “first-preference votes”.

After Schedule 10

- 104 Insert the following new Schedule –

“SCHEDULE

Section 12

PUBLIC HEARINGS ABOUT BOUNDARY COMMISSION PROPOSALS

The Schedule referred to in section 12(1A) is as follows –

“SCHEDULE 2A

Section 5

PUBLIC HEARINGS ABOUT BOUNDARY COMMISSION PROPOSALS

Purpose of hearings

- 1 The purpose of a public hearing is to enable representations to be made about any of the proposals with which the hearing is concerned.

Number of hearings

- 2 (1) In relation to any particular report under section 3(1)(a) of this Act—
 - (a) the Boundary Commission for England shall cause at least two and no more than five public hearings to be held in each English region;
 - (b) the Boundary Commission for Scotland shall cause at least two and no more than five public hearings to be held in Scotland;
 - (c) the Boundary Commission for Wales shall cause at least two and no more than five public hearings to be held in Wales;
 - (d) the Boundary Commission for Northern Ireland shall cause at least two and no more than five public hearings to be held in Northern Ireland.
- (2) The public hearings in an English region shall be concerned with proposals for that region, and shall between them cover the whole region.
- (3) The public hearings in Scotland shall be concerned with proposals for Scotland, and shall between them cover the whole of Scotland.
- (4) The public hearings in Wales shall be concerned with proposals for Wales, and shall between them cover the whole of Wales.
- (5) The public hearings in Northern Ireland shall be concerned with proposals for Northern Ireland, and shall between them cover the whole of Northern Ireland.

Chair of hearing

- 3 For each public hearing the Boundary Commission concerned shall appoint a person to chair the hearing.

Length of hearings

- 4 A public hearing shall be completed within two days.

Procedure at hearings

- 5 It is for the chair of each public hearing to determine the procedure that is to govern that hearing.

- 6 The chair shall make arrangements for a public hearing to begin with an explanation of—
- (a) the proposals with which the hearing is concerned;
 - (b) how written representations about the proposals may be made (as mentioned in section 5(1)(a), (4)(b) or (5)(c) of this Act).
- 7 (1) The chair of a public hearing must allow representations to be made—
- (a) by each qualifying party;
 - (b) by any other persons (whether individuals or organisations) considered by the chair to have an interest in any of the proposals with which the hearing is concerned.
- Paragraph (b) above has effect subject to sub-paragraph (3)(b) below.
- (2) The chair may restrict the amount of time allowed for representations—
- (a) by qualifying parties, and
 - (b) by other persons,
- and need not allow the same amount to each.
- (3) The chair may determine—
- (a) the order in which representations are made, and
 - (b) if necessary because of shortage of time, which of those wishing to make representations are not allowed to do so,
- in whatever way the chair decides.
- 8 (1) The chair may put questions, or allow questions to be put, to a person present at the hearing.
- (2) If questions are allowed to be put, the chair may regulate the manner of questioning or restrict the number of questions a person may ask.

Interpretation

- 9 In this Schedule—
- “the chair” means the person appointed under paragraph 3 above;
- “English region” means an electoral region specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the day referred to in rule 5(2) of Schedule 2 to this Act;
- “public hearing” means a hearing under section 5(1)(b) of this Act;
- “qualifying party” means a party that is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 and either—
- (a) has at least one Member of the House of Commons representing a constituency in the

- region, or (as the case may be) the part of the United Kingdom, in which the hearing is held, or
- (b) received at least 10% of the votes cast in that region or part in the most recent parliamentary general election.””

LORDS AMENDMENTS TO THE
PARLIAMENTARY VOTING
SYSTEM AND CONSTITUENCIES
BILL

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