

ADDENDUM
TO THE
STANDING ORDERS
OF THE HOUSE OF COMMONS
RELATING TO PUBLIC BUSINESS

22 October 2015

- Amendments to Standing Order Nos.
12 (House not to sit on certain Fridays),
51 (Ways and means motions),
63 (Committal of bills not subject to a programme order),
64 (Notices of amendments, &c., to bills)
73 (Report of bills committed to public bill committees),
83A (Programme motions),
83B (Programming committees),
83C (Programming sub-committees),
83D (Programme orders: conclusion of proceedings in public
bill committee or in committee of the whole House),
83E (Programme orders: conclusion of proceedings on
consideration or third reading),
83F (Programme orders: conclusion of proceedings on
consideration of Lords amendments),
83G (Programme orders: conclusion of proceedings on
further messages from the Lords),
83I (Programme orders: supplementary provisions) and
86 (Nomination of general committees)

New Standing Orders Nos. 83J to 83X

*Reprinted from the
Votes and Proceedings of the House of Commons
of 22 October 2015.*

*The text of the amended Standing Order No. 12
(House not to sit on certain Fridays) is as follows¹*

12.—(1) Unless the House otherwise orders, the House shall not sit on any Friday other than those on which private Members' bills have precedence. House not to sit
on certain
Fridays.

5 (2) At its rising on the Thursday before a Friday on which the House is not sitting the House shall stand adjourned till the following Monday without any question being put, unless it shall have resolved otherwise.

10 (3) Unless the House shall have resolved to adjourn otherwise than from the previous Thursday to the following Monday, the Fridays on which the House does not sit shall be treated as sitting days for the purpose of calculating any period under any order of the House and for the purposes of paragraph (6) of Standing Order No. 22 (Notices of questions, motions and amendments) and of Standing Order No. 64 (Notices of amendments, &c., to bills); and on such Fridays—

(a) notices of questions may be given by Members to the Table Office, and

20 (b) notices of amendments to bills, new clauses and new schedules and of amendments to Lords amendments, and notices of *Consent Motions under Standing Order No. 83M (Consent Motions for certified England only or England and Wales only provisions) and of motions relating to proceedings on bills committed to a public*

1. New text shown in italics.

bill committee, may be received by the Public Bill Office,

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between eleven o'clock and three o'clock.

*The text of the amended Standing Order No. 51
(Ways and means motions) is as follows¹*

Ways and means motions.

51.—(1) A ways and means motion may be made in the House without notice on any day as soon as an address has been agreed to in answer to Her Majesty's Speech.

(2) A Minister of the Crown may without notice make a motion for giving provisional statutory effect to any proposals in pursuance of section 5 of the Provisional Collection of Taxes Act 1968; and the question on such a motion shall be put forthwith.

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(3) When the question has been decided on the first of several motions upon which a bill is to be brought in for imposing, renewing, varying or repealing any charge upon the people, the question on each such further motion shall be put forthwith *or, in the case of a motion to which Standing Order No. 83U applies, forthwith upon the announcement of the Speaker's decision with respect to the motion under that standing order;* and proceedings in pursuance of this paragraph, though opposed, may be decided after the expiration of the time for opposed business.

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1. New text shown in italics.

*The text of the amended Standing Order No. 63
(Committal of bills not subject to a programme order) is
as follows¹*

5 **63.**—(1) When a public bill (other than a Consolidated Fund or an Appropriation Bill, or a tax law rewrite bill, or a bill for confirming a provisional order) has been read a second time, it shall stand committed to a public bill committee unless the House otherwise orders.

Committal of bills not subject to a programme order.

(2) A motion—

10 (a) to commit a bill to a committee of the whole House or to a select committee, or a motion that it is expedient that a bill be committed to a joint committee of Lords and Commons; or

(b) to give a public bill committee to which a bill has been committed under this order power to send for persons, papers and records,

15 may be made by any Member and if made immediately after the bill has been read a second time shall not require notice, and, though opposed, may be decided after the expiration of the time for opposed business, and the question thereon shall be put forthwith.

20 (3) A motion to commit a bill to a public bill committee in respect of some of its provisions and to a committee of the whole House in respect of other provisions may be made by the Member in charge of the bill and, if made immediately after the bill has been read a second time, shall not require notice, and may, though opposed, be decided after the expiration of the time for opposed business. If such a motion is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory

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1. New text shown in italics.

statement from the Member who makes and from a Member who opposes the motion shall, without permitting any further debate, put the question thereon.

(4) If the question on a motion made under paragraph (2) or paragraph (3) of this order is negatived, the Speaker shall forthwith declare that the bill stands committed to a public bill committee. 30

(5) *In the case of a bill certified by the Speaker under Standing Order No. 83J as relating exclusively to England and being within devolved legislative competence—* 35

(a) committal under this order is subject to Standing Order No. 83K (Committal and recommittal of certified England only bills), and

(b) committal under this order to a public bill committee is accordingly to a public bill committee to which Standing Order No. 86(2)(iv) (Nomination of general committees) applies. 40

(6) *Nothing in this order enables a bill to be committed to any legislative grand committee other than to the Legislative Grand Committee (England) in accordance with Standing Order No. 83K.* 45

The text of the amended Standing Order No. 64 (Notices of amendments, &c., to bills) is as follows¹

Notices of amendments, &c., to bills.

64. Whenever the House is adjourned for more than one day, notices of amendments to bills, new clauses or new schedules, of Consent Motions under Standing Order No. 83M (Consent

1. New text shown in italics.

5 *Motions for certified England only or England and Wales only*
provisions) or of amendments to Lords amendments received
 in the Public Bill Office at any time not later than half-past four
 o'clock on the last day on which the House is not sitting
 (excluding any Saturday, Sunday, bank holiday or public
 holiday in England) may be accepted as if the House were
 10 sitting.

The text of the amended Standing Order No. 73
(Report of bills committed to public bill committees,
&c.) is as follows¹

5 **73.** Save as provided in Standing Order No. 92
 (Consideration on report of certain bills by a general
 committee) every bill committed to and reported from a public
 bill committee *or the Legislative Grand Committee (England)*,
 whether amended or not, shall be considered on report by the
 House, and the provisions of Standing Order No. 72
 (Consideration of bill as amended in committee of whole
 House) shall apply to such consideration.

Report of bills
 committed to
 public bill
 committees, &c.

The text of the amended Standing Order No. 83A
(Programme motions) is as follows¹

83A.—(1) If, before second reading of a bill, notice of a
 motion providing—

Programme
 motions.

(a) for committal of the bill, and

(b) for any proceedings on the bill to be programmed,

1. New text shown in italics.

- is given by a Minister of the Crown, the motion may be made immediately after second reading, and Standing Order No. 63 (Committal of bills not subject to a programme order) shall not apply to the bill. 5
- (2) Such a motion is to be called a programme motion.
- (3) A programme motion may not disapply paragraph (2) of Standing Order No. 84A (Public bill committees). 10
- (4) An order made by the House as a result of a programme motion is to be called a programme order.
- (5) A motion to vary or supplement a programme order is also to be called a programme motion. 15
- (6) A programme motion may provide for the allocation of time for any proceedings on a bill.
- (7) Except in the following four cases, the question on a programme motion is to be put forthwith.
- (8) The first exception is where— 20
- (a) a public bill committee has reported a resolution under paragraph (12) of Standing Order No. 83C (Programming sub-committees) proposing an alteration of the date by which the bill is to be reported to the House, and 25
- (b) the motion made under paragraph (13) of Standing Order No. 83C does not give effect to the public bill committee's proposal.
- (9) The second exception is where the motion makes further provision for proceedings on consideration and *up to and including* third reading of the bill otherwise than in accordance 30

with a resolution of a public bill committee under paragraph (14) of Standing Order No. 83C.

35 (10) The third exception is where the motion reduces the amount of time allocated under a programme order for any proceedings on the bill (whether or not it also increases the amount of time allocated for other proceedings on the bill).

(11) The fourth exception is where the motion relates to a resolution of a programming committee.

40 (12) If any of the exceptions applies, any question necessary to dispose of proceedings on a programme motion is to be put not later than three-quarters of an hour after the commencement of proceedings on the motion.

45 (13) Paragraph (1) of Standing Order No. 15 (Exempted business) applies to proceedings on a programme motion.

(14) Standing Order No. 83 (Allocation of time to bills) does not apply to a programme motion.

50 (15) If a programme order applies to a bill, neither Standing Order No. 82 (Business Committee) nor Standing Order No. 120 (Business sub-committees) applies to the bill.

*The text of the amended Standing Order No. 83B
(Programming committees) is as follows¹*

83B.—(1) This order applies if proceedings in committee of the whole House or on consideration and third reading *or in legislative grand committee or on reconsideration or consequential consideration* are subject to a programme order. Programming committees.

1. New text shown in italics.

- (2) There is to be a committee for the bill consisting of— 5
- (a) the Chairman of Ways and Means (who is to be chair of the committee); and
- (b) not more than eight other Members, nominated by the Speaker.
- (3) The committee is to be called the programming committee. 10
- (4) The quorum of the programming committee is four.
- (5) The programming committee shall consider the allocation of time to proceedings in committee of the whole House or on consideration and third reading *or in legislative grand committee or on reconsideration or consequential consideration* and report any resolution which it makes to the House. 15
- (6) Proceedings in the programming committee shall be brought to a conclusion not later than two hours after their commencement. 20
- (7) For the purposes of bringing any proceedings to a conclusion in accordance with paragraph (6), the chair shall—
- (a) first put forthwith any question which has been proposed from the chair and not yet decided; and 25
- (b) then put successively questions on any motions made by a Minister of the Crown.
- (8) Resolutions of the programming committee—
- (a) may be reported from time to time; and

- 30 (b) subject to the powers of the Speaker or chair to select the amendments, new clauses and new schedules to be proposed, may include alterations in the order in which specified proceedings on the bill are to be taken.

*The text of the amended Standing Order No. 83C
(Programming sub-committees) is as follows¹*

83C.—(1) If a bill is subject to a programme order which commits it to a public bill committee, the order stands referred to the committee and, subject to paragraph (10) of this order, shall be considered by a sub-committee of the committee. Programming sub-committees.

- 5 (2) The sub-committee is to be called the programming sub-committee.
- (3) The programming sub-committee shall consist of—
- (a) the chair or one of the chairs of the committee (who is to be chair of the sub-committee); and
- 10 (b) seven members of the committee, nominated by the Speaker.
- (4) The quorum of the programming sub-committee is four.
- (5) The programming sub-committee shall report to the committee any resolution which it makes about—
- 15 (a) the number of sittings to be allotted to the consideration of the bill in the committee;
- (b) the allocation of the proceedings to each sitting;

1. New text shown in italics.

- (c) the time at which any proceedings, if not previously concluded, are to be brought to a conclusion;
- (d) the date by which the bill is to be reported to the House; 20
- (e) the programming of consideration and *up to and including* third reading.
- (6) Proceedings in the programming sub-committee shall be brought to a conclusion not later than two hours after their commencement. 25
- (7) For the purposes of bringing any proceedings to a conclusion in accordance with paragraph (6), the chair shall—
- (a) first put forthwith any question which has been proposed from the chair and not yet been decided; and 30
- (b) then put forthwith successively questions on any motions made by a Minister of the Crown.
- (8) Resolutions of the programming sub-committee—
- (a) may be reported from time to time; and
- (b) subject to the powers of the chair to select the amendments, new clauses and new schedules to be proposed, may include alterations in the order in which specified proceedings are to be taken. 35
- (9) On a motion in the terms of a resolution of the programming sub-committee being made in the committee, any question necessary to dispose of proceedings on the motion is to be put not later than half an hour after the commencement of those proceedings. 40

45 (10) A Minister of the Crown may make any motion in a
 public bill committee which could have been the subject of a
 resolution of the programming sub-committee; and for the
 purposes of this order the motion shall be treated as if it were
 in the terms of a resolution of the programming sub-committee:
 50 provided that proceedings on such a motion shall lapse if any
 member of the committee signifies objection to it.

(11) If the provisions of a resolution of the programming sub-
 committee under sub-paragraphs (a), (b) or (c) of paragraph (5)
 are agreed to (with or without modification) by the committee,
 the provisions (or the provisions as modified) are to have effect
 55 as if they were included in the programme order for the bill:

Provided that the chair may allow a sitting at which oral
 evidence is heard to continue for up to a quarter of an hour
 beyond the time provided for in the resolution.

(12) Any resolution of the committee—

60 (a) proposing an alteration to the date by which the bill is
 to be reported to the House; or

(b) making a recommendation about the programming of
 the bill on consideration and *up to and including* third
 reading;

65 shall be reported to the House.

(13) If a resolution is reported proposing an alteration to the
 date by which the bill is to be reported to the House, a
 supplemental programme motion shall be set down for a day
 not later than the fifth sitting day after the day when the report
 70 was made which may—

(a) give effect to the committee's proposal;

(b) otherwise alter or supplement the provisions of the original programme of the bill; or

(c) confirm the date set in the original programme order for the bill.

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(14) If a resolution is reported making a recommendation about the programming of the bill on consideration and *up to and including* third reading, a supplemental programme motion shall be set down before the consideration of the bill on report which may—

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(a) give effect to the committee's recommendations;

(b) otherwise alter or supplement the provisions of the original programme of the bill; or

(c) confirm the original programme order for the bill.

The text of the amended Standing Order No. 83D (Programme orders: conclusion of proceedings in public bill committee or in committee of the whole House) is as follows¹

Programme orders: conclusion of proceedings in public bill committee or in committee of the whole House &c.

83D.—(1) This order applies for the purpose of bringing proceedings in public bill committee, *in the Legislative Grand Committee (England) when exercising functions under Standing Order No. 83W(6)(a) (Legislative Grand Committees)* or in committee of the whole House to a conclusion in accordance with a programme order.

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1. New text shown in italics.

(2) The chair shall put forthwith the following questions (but no others) in the same order as they would fall to be put if this order did not apply—

- 10 (a) any question already proposed from the chair;
- (b) any question necessary to bring to a decision a question so proposed;
- (c) the question on any amendment, new clause or new schedule selected by the chair for separate decision;
- 15 (d) the question on any amendment moved or motion made by a Minister of the Crown;
- (e) any other question necessary for the disposal of the business to be concluded.

20 (3) On a motion made for a new clause or a new schedule, the chair shall put only the question that the clause or schedule be added to the bill.

25 (4) If two or more questions would fall to be put under paragraph (2)(d) on successive amendments moved or motions made by a Minister of the Crown, the chair shall instead put a single question in relation to those amendments or motions.

30 (5) If two or more questions would fall to be put under paragraph (2)(e) in relation to successive provisions of the bill, the chair shall instead put a single question in relation to those provisions, except that the question shall be put separately on any clause of or schedule to the bill which a Minister of the Crown has signified an intention to leave out.

(6) On conclusion of the proceedings in a committee, the chair shall report the bill (or such of the bill's provisions as

were committed to it) to the House without putting any question.

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*The text of the amended Standing Order No. 83E
(Programme orders: conclusion of proceedings on
consideration or third reading) is as follows¹*

Programme
orders:
conclusion of
proceedings on
consideration and
up to and
including third
reading.

83E.—(1) This order applies for the purpose of bringing proceedings on consideration and *up to and including* third reading to a conclusion in accordance with a programme order.

(2) The Speaker shall put forthwith the following questions (but no others) in the same order as they would fall to be put if this order did not apply—

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(a) any question already proposed from the chair;

(b) any question necessary to bring to a decision a question so proposed;

(c) the question on any amendment, new clause or new schedule selected by the Speaker for separate decision;

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(d) the question on any amendment moved or motion made by a Minister of the Crown;

(e) any other question necessary for the disposal of the business to be concluded.

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(3) On a motion made for a new clause or a new schedule, the Speaker shall put only the question that the clause or schedule be added to the bill.

1. New text shown in italics.

20 (4) If two or more questions would fall to be put under paragraph (2)(d) on successive amendments moved or motions made by a Minister of the Crown, the Speaker shall instead put a single question in relation to those amendments or motions.

25 (5) *In the application of this order to proceedings on a Consent Motion in legislative grand committee, the references to the Speaker in paragraph (2) are to be read as references to the Chairman of Ways and Means or either Deputy Chairman.*

The text of the amended Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) is as follows¹

83F.—(1) This order applies for the purpose of bringing proceedings on consideration of Lords amendments to a conclusion in accordance with a programme order.

Programme orders: conclusion of proceedings on consideration of Lords amendments.

5 (2) The Speaker shall first put forthwith any question which has been proposed from the chair and not yet decided.

(3) If that question is for the amendment of a Lords amendment, the Speaker shall then put forthwith—

10 (a) a single question on any further amendments of the Lords amendment moved by a Minister of the Crown; and

(b) the question on any motion made by a Minister of the Crown that this House agrees or disagrees with the Lords in their amendment or (as the case may be) in their amendment as amended.

1. New text shown in italics.

- (4) The Speaker shall then put forthwith— 15
- (a) a single question on any amendments moved by a Minister of the Crown to a Lords amendment; and
- (b) the question on any motion made by a Minister of the Crown that this House agrees or disagrees with the Lords in their amendment or (as the case may be) in their amendment as amended. 20
- (5) The Speaker shall then put forthwith the question on any motion made by a Minister of the Crown that this House disagrees with the Lords in a Lords amendment.
- (6) The Speaker shall then put forthwith the question that this House agrees with the Lords in all the remaining Lords amendments. 25
- (7) As soon as the House has—
- (a) agreed or disagreed with the Lords in any of their amendments; or 30
- (b) disposed of an amendment relevant to a Lords amendment which has been disagreed to,
- the Speaker shall put forthwith a single question on any amendments moved by a Minister of the Crown relevant to the Lords amendment. 35
- (8) *Where a single question would be put under paragraph (3)(a), (4)(a) or (7) in circumstances where some or all of the amendments concerned are certified under Standing Order No. 83O (Consideration of certified motions or amendments relating to Lords Amendments or other messages) in relation to a particular part or parts of the United Kingdom, the Speaker shall put forthwith—* 40

- (a) a single question on any amendments for which the certification is in relation to England,
- 45 (b) a single question on any amendments for which the certification is in relation to England and Wales,
- (c) a single question on any amendments for which the certification is both in relation to England and in relation to England and Wales, and
- 50 (d) a single question on any amendments for which there is no certification.
- (9) Where a single question would be put under paragraph (6) in circumstances where, if there were (or are) separate motions to agree in relation to each of the remaining Lords amendments, some or all of the motions would be (or are) certified under Standing Order No. 83O (Consideration of certified motions or amendments relating to Lords Amendments or other messages), the Speaker shall put forthwith—
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- 60 (a) in the case of any remaining Lords amendments for which there would be (or are) motions certified in relation to England, the question that this House agrees with the Lords in those amendments,
- 65 (b) in the case of any remaining Lords amendments for which there would be (or are) amendments certified in relation to England and Wales, the question that this House agrees with the Lords in those amendments,
- 70 (c) in the case of any remaining Lords amendments for which there would be (or are) motions certified both in relation to England and in relation to England and Wales, the question that this House agrees with the Lords in those amendments, and

(d) in the case of any remaining Lords amendments for which there would be (or are) motions which would not be (or are not) certified, the question that this House agrees with the Lords in those amendments. 75

(10) If a division is held on a question put under paragraph (8) or (9), the amendments shall be agreed to only if, of those voting in the division—

(a) in a case falling within sub-paragraph (a) of that paragraph, a majority of Members and a majority of Members representing constituencies in England, 80

(b) in a case falling within sub-paragraph (b) of that paragraph, a majority of Members and a majority of Members representing constituencies in England and Wales, 85

(c) in a case falling within sub-paragraph (c) of that paragraph, a majority of Members, a majority of Members representing constituencies in England and a majority of Members representing constituencies in England and Wales, and 90

(d) in a case falling within sub-paragraph (d) of that paragraph, a majority of Members,

vote in support of them.

(11) Paragraph (9) of Standing Order No. 83O shall apply to a decision made by virtue of paragraph (10) above on a question as it applies in relation to a decision made by virtue of paragraph (7) of that order on a motion. 95

*The text of the amended Standing Order No. 83G
(Programme orders: conclusion of proceedings on
further messages from the Lords) is as follows¹*

83G.—(1) This order applies for the purpose of bringing proceedings on any further message from the Lords to a conclusion in accordance with a programme order.

Programme
orders:
conclusion of
proceedings on
further messages
from the Lords.

5 (2) The Speaker shall first put forthwith any question which has been proposed from the chair and not yet decided.

(3) The Speaker shall then put forthwith the question on any motion made by a Minister of the Crown which is related to the question already proposed from the chair.

10 (4) The Speaker shall then put forthwith the question on any motion made by a Minister on or relevant to any of the remaining items in the Lords message.

(5) The Speaker shall, *subject to paragraphs (6) and (7)*, then put forthwith the question that this House agrees with the Lords in all of the remaining Lords proposals.

15 (6) *Paragraph (7) applies where, if there were (or are) separate motions to agree in relation to each of the remaining Lords proposals, some or all of the motions would be (or are) certified under Standing Order No. 83O (Consideration of certified motions or amendments relating to Lords*
20 *Amendments or other messages).*

(7) *The Speaker shall put forthwith—*

(a) in the case of any remaining Lords proposals for which there would be (or are) motions certified in

1. New text shown in italics.

- relation to England, the question that this House agrees with the Lords in those proposals,* 25
- (b) *in the case of any remaining Lords proposals for which there would be (or are) motions certified in relation to England and Wales, the question that this House agrees with the Lords in those proposals,*
- (c) *in the case of any remaining Lords proposals for which there would be (or are) motions certified both in relation to England and in relation to England and Wales, the question that this House agrees with the Lords in those proposals, and* 30
- (d) *in the case of any remaining Lords proposals for which there would be (or are) motions which would not be (or are not) certified, the question that this House agrees with the Lords in those proposals.* 35
- (8) *If a division is held on a question put under paragraph (7), the proposals shall be agreed to only if, of those voting in the division—* 40
- (a) *in a case falling within sub-paragraph (a) of that paragraph, a majority of Members and a majority of Members representing constituencies in England,*
- (b) *in a case falling within sub-paragraph (b) of that paragraph, a majority of Members and a majority of Members representing constituencies in England and Wales,* 45
- (c) *in a case falling within sub-paragraph (c) of that paragraph, a majority of Members, a majority of Members representing constituencies in England and a majority of Members representing constituencies in England and Wales, and* 50

55 *(d) in a case falling within sub-paragraph (d) of that paragraph, a majority of Members,*

vote in support of them.

60 *(9) Paragraph (9) of Standing Order No. 83O shall apply to a decision made by virtue of paragraph (8) above on a question as it applies in relation to a decision made by virtue of paragraph (7) of that order on a motion.*

The text of the amended Standing Order No. 83I (Programme orders: supplementary provisions) is as follows¹

83I.—(1) The provisions of this order apply to proceedings in the House or in committee of the whole House *or in legislative grand committee* on a bill which is subject to a programme order. Programme orders: supplementary provisions.

5 (2) Paragraph (1) of Standing Order No. 15 (Exempted business) applies to the proceedings for any period after the moment of interruption allocated to them in accordance with the programme order.

10 (3) The proceedings may not be interrupted under any Standing Order relating to the sittings of the House.

15 (4) If, on a day on which the bill has been set down to be taken as an order of the day, a motion for the adjournment of the House under Standing Order No. 24 (Emergency debates) would, apart from this order, stand over to seven o'clock, four o'clock or three o'clock—

1. New text shown in italics.

(a) that motion stands over until the conclusion of any proceedings on the bill which, in accordance with the programme order, are to be brought to a conclusion at or before that time; and

(b) the bringing to a conclusion of any proceedings on the bill which, in accordance with the programme order, are to be brought to a conclusion after that time is postponed for a period of time equal to the duration of the proceedings on that motion. 20

(5) If a day on which the bill has been set down to be taken as an order of the day is one to which a motion for the adjournment of the House under Standing Order No. 24 stands over from an earlier day, the bringing to a conclusion of any proceedings on the bill which, in accordance with the programme order, are to be brought to a conclusion on that day is postponed for a period equal to the duration of the proceedings on that motion. 25 30

(6) No dilatory motion may be made in relation to the proceedings except by a Minister of the Crown; and the question on any such motion is to be put forthwith. 35

(7) If at any sitting the House is adjourned, or the sitting is suspended, before the expiry of the period at the end of which proceedings are to be brought to a conclusion under a programme order, no notice is required of a motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of the programme order. 40

*The text of the amended Standing Order No. 86
(Nomination of general committees) is as follows¹*

86.—(1) Save in the case of—

Nomination of
general
committees.

(a) the Scottish Grand Committee,

(b) the Welsh Grand Committee,

5 (c) a committee for the consideration of a bill on report,
and

(d) a European Committee,

10 the Committee of Selection shall nominate not fewer than
sixteen nor more than fifty Members to serve on each general
committee for the consideration of each bill allocated or
referred to it, or for the consideration of instruments (whether
or not in draft) referred to it.

15 (2) In nominating such Members the Committee of Selection
shall have regard to the qualifications of those Members
nominated and to the composition of the House, and shall have
power to discharge Members from time to time and appoint
others in substitution for those discharged:

Provided that—

20 (i) for the consideration of any public bill certified by the
Speaker as relating exclusively to Scotland or of a
public bill (or part of a public bill) ordered to be
considered by a Scottish public bill committee, the
committee shall be so constituted as to include not
fewer than sixteen Members representing Scottish
constituencies;

1. New text shown in italics.

- (ii) for the consideration of any public bill relating exclusively to Wales, the committee shall be so constituted as to include all Members sitting for constituencies in Wales; 25
- (iii) for the consideration of any bill a draft of which, or of parts of which, has been considered by a committee of this House, the Committee of Selection shall treat a Member's membership of that committee as one of the qualifications to which it shall have regard; 30
- (iv) for the consideration of any bill certified by the Speaker under Standing Order No. 83J (or, in the case of recommitment after recertification, Standing Order No. 83L) as relating exclusively to England and being within devolved legislative competence, the Committee of Selection, in nominating Members to a public bill committee, shall have regard to the composition of that part of the House consisting of Members representing constituencies in England; and no Member who does not represent a constituency in England shall be nominated to such a committee.* 35
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*The text of the New Standing Orders 83J to 83X
are as follows*

Certification of bills, clauses and schedules etc: general

- 83J.**—(1) The Speaker shall, before second reading—
- Certification of bills etc. as relating exclusively to England or England and Wales and being within devolved legislative competence.
- (a) consider every public bill presented by a Minister of the Crown or brought from the Lords and taken up by a Minister of the Crown, and
- 5 (b) certify any such bill, or any clause or schedule of any such bill, which, in the Speaker’s opinion—
- (i) relates exclusively to England or to England and Wales, and
- (ii) is within devolved legislative competence.
- 10 (2) A clause or schedule relates exclusively to England or to England and Wales if (disregarding any minor or consequential effects outside the area in question) it applies only to England or (as the case may be) to England and Wales.
- 15 (3) A clause or schedule which relates exclusively to England is within devolved legislative competence if—
- (a) it would be within the legislative competence of the Scottish Parliament to make any corresponding provision for Scotland in an Act of that Parliament,
- 20 (b) it would be within the legislative competence of the National Assembly for Wales to make any corresponding provision for Wales in an Act of that Assembly, or

- (c) it would be within the legislative competence of the Northern Ireland Assembly to make any corresponding provision for Northern Ireland in an Act of that Assembly and the corresponding provision would deal with a transferred matter. 25
- (4) A clause or schedule which relates exclusively to England and Wales is within devolved legislative competence if—
- (a) it would be within the legislative competence of the Scottish Parliament to make any corresponding provision for Scotland in an Act of that Parliament, or 30
- (b) it would be within the legislative competence of the Northern Ireland Assembly to make any corresponding provision for Northern Ireland in an Act of that Assembly and the corresponding provision would deal with a transferred matter. 35
- (5) A bill—
- (a) relates exclusively to England and is within devolved legislative competence if every clause and every schedule of it relates exclusively to England and is within devolved legislative competence; 40
- (b) relates exclusively to England and Wales and is within devolved legislative competence if every clause and every schedule of it relates exclusively to England and Wales and is within devolved legislative competence. 45
- (6) In deciding whether a bill relates exclusively to England or to England and Wales, the Speaker shall treat any clause or schedule whose only effects are minor or consequential effects outside the area in question as relating exclusively to that area. 50

55 (7) In deciding whether a clause or schedule is within devolved legislative competence, the Speaker may take account of any amendments to the legislative competence of the Scottish Parliament, the National Assembly for Wales or the Northern Ireland Assembly which—

(a) are not in force at the time of certification, but

(b) are to come into force on a day already fixed by law,

60 if the Speaker considers that the clause or schedule is itself only likely to come into force on or after that day; and, for this purpose, an amendment which is in force but applies only in relation to a future period of time (or a clause or schedule which is likely to come into force but so apply) is to be treated as not being in force (or as not likely to come into force) until the start of that period (being a day already fixed by law).

65 (8) In deciding whether to certify a bill, clause or schedule under this order, the Speaker—

(a) may consult two members of the Panel of Chairs who are appointed for this purpose by the Committee of Selection on a session by session basis, and

70 (b) shall disregard any provision inserted by the House of Lords which, in the Speaker's opinion, has the sole objective of ensuring that Standing Order No. 80(a) (Privilege (bills brought from the Lords)) will apply to the bill.

75 (9) The Speaker shall announce any decision under this order to the House.

(10) This order shall not apply to the following bills—

- (a) a bill which is certified under Standing Order No. 97(1) (Scottish Grand Committee (bills in relation to their principle)), 80
- (b) a bill referred to the Welsh Grand Committee under Standing Order No. 106(1) (Welsh Grand Committee (bills)),
- (c) a bill referred to the Northern Ireland Grand Committee under Standing Order No. 113(1) (Northern Ireland Grand Committee (bills in relation to their principle)), 85
- (d) a bill which falls to be considered by the select committee appointed under Standing Order No. 140 (Joint Committee on Consolidation, &c., Bills), 90
- (e) a bill whose main purpose is to give effect to proposals contained in a report by a Law Commission,
- (f) a tax law rewrite bill,
- (g) a bill introduced under the Statutory Orders (Special Procedure) Act 1945 or for confirming a provisional order. 95
- (11) This order—
- (a) shall not affect the right of every Member to vote on—
- (i) the consideration of estimates, and
- (ii) ways and means motions and motions for money resolutions (other than motions to which Standing Order No. 83U applies), and 100

(b) shall not apply to a Consolidated Fund or Appropriation Bill.

83K.—(1) A bill certified by the Speaker under Standing Order No. 83J as relating exclusively to England and being within devolved legislative competence may only be committed to—

Committal and recommitment of certified England only bills.

5 (a) a public bill committee (to which Standing Order No. 86(2)(iv) (Nomination of general committees) applies), or

(b) the Legislative Grand Committee (England).

10 (2) A bill whose current certification by the Speaker (whether under Standing Order No. 83J or 83L) is that it relates exclusively to England and is within devolved legislative competence may only be recommitted to—

15 (a) a public bill committee (to which Standing Order No. 86(2)(iv) (Nomination of general committees) applies), or

(b) the Legislative Grand Committee (England).

83L.—(1) Paragraph (2) applies in relation to every bill which—

Reconsideration of certification before third reading.

5 (a) was eligible for certification under Standing Order No. 83J (whether or not the bill, or any clause or schedule of it, was so certified),

(b) has been amended since its second reading, and

(c) has completed the stages before its third reading.

(2) The Speaker shall, before a motion may be made for the third reading of the bill—

(a) reconsider the bill, and 10

(b) certify the bill, or any clause or schedule of it, if the bill or clause or schedule, in the Speaker's opinion—

(i) relates exclusively to England or to England and Wales, and

(ii) is within devolved legislative competence. 15

(3) Paragraph (4) applies in relation to every bill which—

(a) was certified (whether in whole or in part) by the Speaker under Standing Order No. 83J,

(b) has been amended since its second reading, and

(c) has completed the stages before its third reading. 20

(4) The Speaker shall, before a motion may be made for the third reading of the bill, certify any amendment made to the bill since second reading which, in the opinion of the Speaker—

(a) related to the bill so far as certified under Standing Order No. 83J, 25

(b) was not made by the Legislative Grand Committee (England) or a public bill committee to which Standing Order No. 86(2)(iv) (Nomination of general committees) applies, and

(c) either— 30

(i) resulted in there being no certification under paragraph (2) when there would otherwise have been such a certification, or

35 (ii) changed the area to which a certification under paragraph (2) would otherwise have related.

(5) Any amendment certified under paragraph (4) shall be certified as relating exclusively to the area to which the certification under paragraph (2) would have related had that amendment not been made (and there shall be no certification
40 as to devolved legislative competence).

(6) The Speaker shall announce any decision under paragraph (2) or (4) to the House.

(7) The Speaker shall, wherever possible, announce the Speaker's decisions under paragraph (2) or (4) immediately
45 after the conclusion of proceedings on the previous stage of the bill.

(8) Paragraphs (2) to (8) of Standing Order No. 83J apply for the purposes of certification of bills, clauses, schedules and amendments under this order as they apply for the purposes of
50 certification of bills, clauses and schedules under that order.

83M.—(1) Paragraphs (2) and (3) apply where—

5 (a) a bill, or clauses or schedules of a bill, have been certified under Standing Order No. 83J as relating exclusively to England or to England and Wales and being within devolved legislative competence, and the bill has completed the stages before its third reading without having been amended,

(b) a bill or clauses or schedules of a bill have been certified under Standing Order No. 83L(2) as relating

Consent Motions
for certified
England only or
England and
Wales only
provisions.

exclusively to England or to England and Wales and
or within devolved legislative competence, or 10

(c) amendments have been certified under Standing Order
No. 83L(4) as relating exclusively to England or to
England and Wales.

(2) A Consent Motion which gives consent to the bill, clauses
or schedules or amendments must be passed by the legislative
grand committee for the area to which the certification relates
before a motion may be made for the third reading of the bill. 15

(3) If a Minister of the Crown indicates his or her intention to
move a Consent Motion, the House shall forthwith resolve
itself into the legislative grand committee which is to consider
the motion. 20

(4) If a Minister of the Crown indicates his or her intention to
move both a Consent Motion which is to be passed by the
Legislative Grand Committee (England and Wales) and a
Consent Motion which is to be passed by the Legislative Grand
Committee (England)— 25

(a) the House shall forthwith resolve itself into the
Legislative Grand Committee (England and Wales) to
consider the motion for that committee, 30

(b) on moving that motion, the Minister shall also inform
the committee of the terms of the motion to be moved
in the Legislative Grand Committee (England),

(c) any debate in the Legislative Grand Committee
(England and Wales) may also relate to the motion for
the Legislative Grand Committee (England), and 35

(d) on conclusion of proceedings in the Legislative Grand
Committee (England and Wales)—

40 (i) the House shall forthwith resolve itself into the
Legislative Grand Committee (England),

(ii) a Minister of the Crown shall forthwith move
the motion for that committee, and

45 (iii) proceedings in the Legislative Grand
Committee (England) shall be brought to a
conclusion forthwith.

(5) Standing Orders Nos. 83E (Programme orders:
conclusion of proceedings on consideration and up to and
including third reading) and 83I (Programme orders:
supplementary provisions) shall apply for the purpose of
50 bringing proceedings to a conclusion in accordance with
paragraph (4)(d)(iii) above (whether or not those proceedings
are subject to a programme order) as they apply for the purpose
of bringing proceedings to a conclusion in accordance with a
programme order.

55 (6) On the conclusion of proceedings on a Consent Motion
(or, in a case falling within paragraph (4), the conclusion of
proceedings on the second Consent Motion), the chair shall
report the decision of the committee (or, as the case may be, the
decisions of the committees) to the House.

60 (7) Subject to paragraph (8), a Consent Motion shall be in the
form either “That the Committee consents to the XXX Bill” or
“That the Committee consents to [the following certified
clauses [and schedules] of the XXX Bill] [and certified
amendments made by the House to the XXX Bill]...”; and in
65 the latter case the motion shall identify the clauses or schedules
or amendments in question.

(8) If a Minister of the Crown wishes to propose that a
committee should not consent to certain clauses or schedules or
amendments, the Consent Motion shall be in the form “That the

Committee consents to [the following certified clauses [and schedules] of the XXX Bill] [and certified amendments made by the House to the XXX Bill]... and does not consent to [the following certified clauses [and schedules] of the XXX Bill] [and certified amendments made by the House to the XXX Bill]...”; and in any such case the motion shall identify the clauses or schedules or amendments in question. 70
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(9) A Consent Motion may only be moved by a Minister of the Crown and may be moved without notice.

(10) Proceedings under this order may be proceeded with, though opposed, after the moment of interruption. 80

Reconsideration of bills so far as there is absence of consent.

83N.—(1) Where a legislative grand committee decides on a Consent Motion under Standing Order No. 83M to withhold consent to a bill or any clause or schedule of a bill or any amendment—

(a) the bill shall be set down for reconsideration unless a Minister of the Crown moves a motion for the bill to be reconsidered (and any such motion may be made without notice, the question on any such motion shall be put forthwith and, if the motion is passed, the House shall proceed forthwith to reconsideration), and 5
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(b) any order for the third reading of the bill shall be discharged.

(2) Reconsideration of the bill shall be for the sole purpose of considering amendments to the bill to resolve matters in dispute as a result of the withholding of consent. 15

(3) Paragraphs (2) and (4) to (8) of Standing Order No. 83L, and Standing Order No. 83M, shall apply following reconsideration of a bill in relation to the bill so far as reconsidered as they apply in relation to a bill; but as if—

20 (a) in Standing Order No. 83L(4)—

(i) the reference to any amendment since second reading were a reference to any amendment made on reconsideration, and

(ii) sub-paragraphs (a) and (b) were omitted, and

25 (b) in the case of any matter, there were a deemed certification in relation to the area or areas to which any relevant previous certification under Standing Order No. 83L(2) or (4) related if there would not otherwise be a certification in relation to that area or areas.

30 (4) If, following reconsideration of a bill and the steps taken by virtue of paragraph (3), a legislative grand committee withholds consent to the whole bill (whether or not amended on reconsideration), the bill may not be given a third reading and shall not pass.

35 (5) Paragraph (6) applies if, following reconsideration of a bill and the steps taken by virtue of paragraph (3), a legislative grand committee withholds consent to—

(a) any clause or schedule of the bill (whether or not amended on reconsideration), or

40 (b) any amendment to the bill,

but does not withhold consent to the whole bill.

(6) The bill shall be amended so as to remove any provisions of the bill which are not agreed by the House and any relevant legislative grand committee; and it is the bill as so amended
45 which proceeds to its next stage.

(7) A Minister of the Crown may move a motion for the bill as so amended to be considered again (“consequential consideration”); and such a motion may be made without notice and the question on any such motion shall be put forthwith. 50

(8) If the motion is passed, the House shall proceed forthwith to consequential consideration of the bill as so amended; and any order for the third reading of the bill shall be discharged.

(9) Consequential consideration of the bill as so amended shall be for the sole purpose of considering minor or technical amendments in consequence of the removal of provisions under paragraph (6). 55

(10) Proceedings on reconsideration or consequential consideration, or a motion for reconsideration or consequential consideration, may be proceeded with, though opposed, after the moment of interruption. 60

(11) References in the standing orders of this House to consideration of a bill on report shall, so far as relevant and subject to paragraph (12), include reconsideration or consequential consideration of a bill under this order. 65

(12) In its application by virtue of paragraph (11), Standing Order No. 72 (Consideration of bill as amended in committee of whole House) has effect as if the words “, as amended in a committee of the whole House,” were omitted.

Consideration of certified motions or amendments relating to Lords Amendments or other messages.

830.—(1) The Speaker shall consider any motion relating to a Lords amendment to a bill or to any other message from the Lords in respect of a bill.

(2) The Speaker shall certify the motion if, in the Speaker’s opinion, it— 5

(a) relates exclusively to England and is within devolved legislative competence, or

(b) relates exclusively to England and Wales and is within devolved legislative competence.

10 (3) For the purposes of paragraph (2) a motion relates exclusively to England or to England and Wales and is within devolved legislative competence if it or any provision of it—

(a) relates to a Lords amendment, or an item in another message, which would, if agreed, result in—

15 (i) a clause or schedule as amended which relates exclusively to England or to England and Wales and is within devolved legislative competence,

(ii) a new or unamended clause or schedule which so relates and is within devolved legislative competence, or

20 (iii) the omission of a clause or schedule which so relates and is within devolved legislative competence, or

(b) contains proposals which would, if agreed, so result.

25 (4) The Speaker shall also certify the motion if, in the Speaker's opinion, it or any provision of it—

(a) relates to a Lords amendment, or an item in another message, which would, if agreed, result in a clause or schedule, which relates exclusively to England or to England and Wales and is within devolved legislative competence, ceasing to so relate or to be within devolved legislative competence, or

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(b) contains proposals which, if agreed, would so result.

(5) Any motion certified under paragraph (4) shall be certified as relating exclusively to the area to which the clause or schedule relates (and there shall be no certification as to devolved legislative competence). 35

(6) The same motion may be certified in relation to different areas under paragraphs (2) and (4) or either of them.

(7) If a division is held on a motion certified under this order, the motion shall be agreed to only if, of those voting in the division— 40

(a) in the case of a motion certified in relation to England, a majority of Members and a majority of Members representing constituencies in England, 45

(b) in the case of a motion certified in relation to England and Wales, a majority of Members and a majority of Members representing constituencies in England and Wales, and

(c) in the case of a motion certified both in relation to England and in relation to England and Wales, a majority of Members, a majority of Members representing constituencies in England and a majority of Members representing constituencies in England and Wales, 50 55

vote in support of the motion.

(8) The Speaker shall, in selecting motions relating to Lords amendments or other messages, have regard to the extent to which such motions are drafted so that they can be certified under this order by virtue of every provision of them meeting the test in paragraph (3)(a) or (b) or (4)(a) or (b). 60

65 (9) If a motion relating to a Lords amendment or other message is disagreed to under this order because one of the groups voting in the division has not voted in support of it while another has, the decision of the House shall be—

(a) in the case of a motion to disagree (or agree) to a Lords amendment or an item in another message, to disagree with it, and

70 (b) in any other case, such decision as would have the effect of leaving the bill so far as it relates to that matter in the same position as it was before the Lords amendment or other message was received from the Lords.

75 (10) The Speaker shall announce any decision under paragraph (2) or (4) to the House.

(11) This order does not apply in relation to—

(a) any motion relating to a bill which was not eligible for certification under Standing Order No. 83J, and

(b) any of the following motions—

80 (i) any ways and means motion or motion for a money resolution,

(ii) any programme motion,

(iii) any order of consideration motion,

85 (iv) any motion of, or relating to, the Reasons Committee, and

(v) any other motion of a similar kind to a motion falling within any of paragraphs (i) to (iv).

(12) In this order—

- (a) references to motions are to be read as including, so far as relevant, references to amendments to Lords amendments and references to amendments to the bill, and 90
- (b) the reference in paragraph (3)(a)(i) to clauses or schedules as amended includes, in particular, a reference to clauses or schedules which would be amended by virtue of their territorial application being modified otherwise than in the clauses or schedules themselves. 95

(13) Paragraphs (2) to (4), (7) and (8)(a) of Standing Order No. 83J apply for the purposes of deciding under this order whether clauses or schedules relate exclusively to England or to England and Wales and are within devolved legislative competence as they apply for the purposes of the certification of clauses or schedules under that order; and, in the case of a bill which relates exclusively to England or to England and Wales, paragraph (6) of that order also applies for the purpose of deciding under this order whether clauses or schedules so relate. 100
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Certification of instruments and motions: general

Certification of instruments.

83P.—(1) The Speaker shall—

- (a) consider every instrument to which this order applies, and
- (b) certify any such instrument which, in the Speaker’s opinion— 5

(i) relates exclusively to England or to England and Wales, and

(ii) is within devolved legislative competence.

(2) An instrument—

10 (a) relates exclusively to England and is within devolved legislative competence if every provision of it relates exclusively to England and is within devolved legislative competence;

15 (b) relates exclusively to England and Wales and is within devolved legislative competence if every provision of it relates exclusively to England and Wales and is within devolved legislative competence.

20 (3) Paragraphs (2) to (4), (6) and (7) of Standing Order No. 83J apply for the purposes of this order; and as so applied those paragraphs have effect as if—

(a) references to a bill were to an instrument, and

(b) references to a clause or schedule were to a provision of an instrument.

25 (4) In deciding whether to certify an instrument under this order the Speaker may consult two members of the Panel of Chairs who are appointed for this purpose by the Committee of Selection on a session by session basis.

(5) The Speaker shall announce any decision under this order to the House.

30 (6) This order applies to any instrument (whether or not in draft) upon which proceedings may be taken in pursuance of an Act of Parliament where the instrument—

(a) meets any of conditions A to C, and

(b) is not a report within paragraph (1)(a) to (c) of Standing Order No. 83R.

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(7) Condition A is that the instrument—

(a) stands referred to a Delegated Legislation Committee pursuant to paragraph (3) of Standing Order No. 118 (Delegated Legislation Committees), or

(b) does not stand so referred because sub-paragraph (a) of that paragraph applies to it.

40

(8) Condition B is that a member has given notice of a motion of the kind mentioned in paragraph (4)(a) of Standing Order No. 118 in relation to the instrument and the instrument—

(a) stands referred to a Delegated Legislation Committee, or

45

(b) has been set down for consideration in the Chamber on a particular day.

(9) Condition C is that the Regulatory Reform Committee has made a recommendation of the kind mentioned in paragraph (1) or (2) of Standing Order No. 18 (Consideration of draft legislative reform orders etc.) in relation to the instrument.

50

Deciding the question on motions relating to certified instruments.

83Q.—(1) This order applies to the following motions—

(a) a motion to approve a certified instrument;

(b) a motion of the kind mentioned in paragraph (4)(a) of Standing Order No. 118 in relation to a certified instrument;

5

(c) a motion to disagree with a report of the Regulatory Reform Committee that contains a recommendation of the kind mentioned in paragraph (2) of Standing Order No. 18 in relation to a certified instrument;

10 (d) an amendment to a motion within sub-paragraph (a) or (b).

(2) If a division is held on a motion to which this order applies, the motion shall be agreed to only if, of those voting in the division—

15 (a) a majority of Members, and

(b) a majority of Members representing qualifying constituencies,

vote in support of the motion.

(3) In this order—

20 (a) “a certified instrument” means an instrument which has been certified under Standing Order No. 83P as relating exclusively to England or to England and Wales;

25 (b) “qualifying constituencies” means constituencies in the part of the United Kingdom to which the instrument has been certified as relating exclusively.

83R.—(1) This order applies to the following motions—

Deciding the question on certain other motions.

(a) a motion to approve—

5 (i) a report which has been laid before the House under paragraph 5 of Schedule 7B to the Local Government Finance Act 1988 (local government

finance report) and which contains a determination under section 78 of that Act (revenue support grant), or

(ii) a report which has been laid before the House under section 84A of that Act (revenue support grant: amending report); 10

(b) a motion to approve a report which has been laid before the House under section 52ZD of the Local Government Finance Act 1992 (referendums relating to council tax increases: principles); 15

(c) a motion to approve a report which has been laid before the House under section 46 of the Police Act 1996 (police grant);

(d) a motion for a resolution under section 26(2)(b)(ii) of the Higher Education Act 2004 (student fees); 20

(e) an amendment to a motion within sub-paragraph (d).

(2) If a division is held on a motion to which this order applies, the motion shall be agreed to only if, of those voting in the division—

(a) a majority of Members, and 25

(b) a majority of Members representing qualifying constituencies,

vote in support of the motion.

(3) In this order “qualifying constituencies” means—

(a) in the case of a motion within paragraph (1)(a), (b), (d) or (e), constituencies in England; 30

(b) in the case of a motion within paragraph (1)(c), constituencies in England or Wales.

Certification of Finance Bills, instruments and motions

83S.—(1) In their application in relation to a bill within paragraph (2), Standing Orders Nos. 83J to 83N shall have effect with the modifications in paragraphs (3) to (5).

Modification of Standing Orders Nos. 83J to 83N in their application to Finance Bills.

(2) A bill is within this paragraph if—

5 (a) it is a Finance Bill, or

(b) it is a bill which, before second reading, only contained provision which would be within the ordinary scope of a Finance Bill (or would be if the provision was to take effect in the current financial year).

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(3) In Standing Order No. 83J—

(a) in paragraph (1)(b)(i) after “Wales” insert “or to England, Wales and Northern Ireland”;

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(b) in paragraph (2) after “Wales” (in both places) insert “or to England, Wales and Northern Ireland”;

(c) after paragraph (4) insert—

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“(4A) A clause or schedule which relates exclusively to England, Wales and Northern Ireland is within devolved legislative competence if it would be within the legislative competence of the Scottish Parliament to make any corresponding provision for Scotland in an Act of that Parliament.”;

(d) in paragraph (5) after sub-paragraph (b) insert “;

(c) relates exclusively to England, Wales and Northern Ireland and is within devolved legislative competence if every clause and every schedule of it relates exclusively to England, Wales and Northern Ireland and is within devolved legislative competence”; 25

(e) in paragraph (6) after “Wales” insert “or to England, Wales and Northern Ireland”; and 30

(f) after paragraph (11) insert—

“(12) The test in paragraph (3)(a), (4)(a) or (4A) is also met if the clause or schedule concerned sets a rate of income tax in respect of any kind of income for a person who is resident in the United Kingdom for tax purposes but is not a Scottish taxpayer where the corresponding rate for a Scottish taxpayer may be set by a resolution of the Scottish Parliament under Chapter 2 of Part 4A of the Scotland Act 1998 (and the reference in paragraph (7) to the legislative competence of the Scottish Parliament includes a reference to that Chapter)”. 35 40

(4) In Standing Order No. 83L, in paragraph (2)(b)(i) after “Wales” insert “or to England, Wales and Northern Ireland”.

(5) In Standing Order No. 83M— 45

(a) in paragraph (1) after “Wales” (in each place) insert “or to England, Wales and Northern Ireland”;

(b) for paragraph (4) substitute—

50 “(4) If a Minister of the Crown indicates his or her
intention to move Consent Motions which are to be
passed by more than one legislative grand committee—

(a) the order in which the Consent Motions are to be
considered is:

55 (i) any motion to be considered by the Legislative
Grand Committee (England, Wales and Northern
Ireland),

(ii) any motion to be considered by the Legislative
Grand Committee (England and Wales), and

60 (iii) any motion to be considered by the Legislative
Grand Committee (England),

(b) the House shall forthwith resolve itself into the
legislative grand committee which is to consider the
first Consent Motion,

65 (c) on moving that motion, the Minister shall also
inform the committee of the terms of any other Consent
Motion to be moved in any other legislative grand
committee,

70 (d) any debate in the first legislative grand committee
may also relate to any other Consent Motion to be
moved in any other legislative grand committee,

(e) on conclusion of proceedings in the first
legislative grand committee—

75 (i) the House shall forthwith resolve itself into the
legislative grand committee which is to consider the
next Consent Motion,

(ii) a Minister of the Crown shall forthwith move that motion, and

(iii) proceedings in the second legislative grand committee shall be brought to a conclusion forthwith, and

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(f) on conclusion of proceedings in the second legislative grand committee, sub-paragraphs (e)(i) to (iii) shall apply in relation to any third Consent Motion and a third legislative grand committee as they apply in relation to the second Consent Motion and the second legislative grand committee.”;

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(c) in paragraph (5) for “(4)(d)(iii)” substitute “(4)(e)(iii) and (f)”;

(d) in paragraph (6) for “second Consent Motion” substitute “Consent Motions”.

90

Modification of Standing Orders Nos. 83P and 83Q in their application to financial instruments.

83T.—(1) In their application in relation to a financial instrument, Standing Orders Nos. 83P and 83Q shall have effect with the following modifications.

(2) In Standing Order No. 83P—

(a) in paragraph (1)(b)(i) after “Wales” insert “or to England, Wales and Northern Ireland”;

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(b) in paragraph (2) after sub-paragraph (b) insert “;

(c) relates exclusively to England, Wales and Northern Ireland and is within devolved legislative competence if every provision of it relates exclusively to England, Wales and Northern Ireland and is within devolved legislative competence”;

10

15 (c) in paragraph (3) for the words from the beginning to “apply” substitute “Paragraphs (2) to (4A), (6), (7) and (12) of Standing Order No. 83J (as modified by Standing Order No. 83S(3))”.

(3) In Standing Order No. 83Q(3)(a) after “Wales” insert “or to England, Wales and Northern Ireland”.

20 (4) For the purposes of this order an instrument is a “financial instrument” if it is made or proposed to be made in exercise of powers conferred by (and only by)—

(a) an Act which resulted from a Finance Bill;

(b) a provision of an Act which would have been within the ordinary scope of a Finance Bill.

83U.—(1) This order applies to any founding motion which, if passed, would—

(a) authorise a bill to include provision which would be within the ordinary scope of a Finance Bill, or

5 (b) authorise a Finance Bill to include provision which would not be within the ordinary scope of a Finance Bill.

(2) The Speaker shall—

(a) consider every motion to which this order applies, and

10 (b) certify any such motion which, in the Speaker’s opinion, falls within paragraph (3), (4) or (5).

(3) A motion falls within this paragraph if it would, if passed, only authorise a bill to include provision which—

Certification of motions upon which a Finance Bill is to be brought in which would authorise provision relating exclusively to England, to England and Wales or to England, Wales and Northern Ireland.

(a) relates exclusively to England, and

(b) is within devolved legislative competence. 15

(4) A motion falls within this paragraph if it would, if passed, only authorise a bill to include provision which—

(a) relates exclusively to England and Wales, and

(b) is within devolved legislative competence.

(5) A motion falls within this paragraph if it would, if passed, only authorise a bill to include provision which— 20

(a) relates exclusively to England, Wales and Northern Ireland, and

(b) is within devolved legislative competence.

(6) In deciding whether to certify under this order a motion to which this order applies, the Speaker may consult two members of the Panel of Chairs who are appointed for this purpose by the Committee of Selection on a session by session basis. 25

(7) The Speaker shall announce any decision under this order to the House. 30

(8) Paragraphs (2) to (4A), (7) and (12) of Standing Order No. 83J (as modified by Standing Order No. 83S(3)) apply for the purposes of this order; and as so applied those paragraphs have effect as if references to a clause or schedule were to a provision. 35

(9) In paragraph (1) “founding motion” means a motion upon which a bill is to be brought in.

83V.—(1) If a division is held on a motion which has been certified under Standing Order No. 83U, the motion shall be agreed to only if, of those voting in the division—

Deciding the question on motions certified under Standing Order No. 83U.

(a) a majority of Members, and

5 (b) a majority of Members representing qualifying constituencies,

vote in support of the motion.

(2) In this order “qualifying constituencies” means—

10 (a) in a case where the motion concerned was certified as falling within paragraph (3) of Standing Order No. 83U, constituencies in England;

(b) in a case where the motion concerned was certified as falling within paragraph (4) of that standing order, constituencies in England or Wales;

15 (c) in a case where the motion concerned was certified as falling within paragraph (5) of that standing order, constituencies in England, Wales or Northern Ireland.

Legislative Grand Committees

83W.—(1) There shall be—

Legislative Grand Committees.

(a) a Legislative Grand Committee (England),

(b) a Legislative Grand Committee (England and Wales), and

5 (c) a Legislative Grand Committee (England, Wales and Northern Ireland).

(2) The Legislative Grand Committee (England) shall consist of all Members representing constituencies in England.

(3) The Legislative Grand Committee (England and Wales) shall consist of all Members representing constituencies in England and all Members representing constituencies in Wales. 10

(4) The Legislative Grand Committee (England, Wales and Northern Ireland) shall consist of—

(a) all Members representing constituencies in England, 15

(b) all Members representing constituencies in Wales, and

(c) all Members representing constituencies in Northern Ireland.

(5) A Deputy Speaker or a Member of the Panel of Chairs may chair a legislative grand committee. 20

(6) The functions of the Legislative Grand Committee (England) shall be—

(a) to consider any bills committed or recommitted to the committee in accordance with Standing Order No. 83K, and 25

(b) to consider any Consent Motions under Standing Order No. 83M which relate to the committee.

(7) The functions of the Legislative Grand Committee (England and Wales) and the Legislative Grand Committee (England, Wales and Northern Ireland) are to consider any Consent Motions under Standing Order No. 83M which relate to them. 30

35 (8) Any Member who is not a member of a legislative grand committee may take part in the deliberations of the committee but shall not vote or make any motion or move any amendment.

83X.—(1) The procedure of this House applicable to a committee of the whole House shall, so far as relevant, be applicable to a legislative grand committee. Legislative Grand Committees: supplementary.

5 (2) Accordingly, references in the standing orders of this House to a committee of the whole House or to the House in committee, or similar references, shall be read as references to the relevant legislative grand committee.

(3) Paragraphs (1) and (2) do not apply to Standing Order No. 82 (Business Committee).