



House of Commons
Procedure Committee

**Private Members' bills:
Government Response
to the Committee's
Second Report of
Session 2016–17**

First Special Report of Session 2016–17

*Ordered by the House of Commons
to be printed 11 January 2017*

Procedure Committee

The Procedure Committee is appointed by the House of Commons to consider the practice and procedure of the House in the conduct of public business, and to make recommendations.

Current membership

[Mr Charles Walker MP](#) (*Conservative, Broxbourne*) (Chair)

[Bob Blackman MP](#) (*Conservative, Harrow East*)

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Powers

The powers of the Committee are set out in House of Commons Standing Orders, principally in SO No. 147. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/proccom and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Martyn Atkins (Clerk), Leoni Kurt (Second Clerk), Jim Lawford (Committee Assistant), and Maev Mac Coille (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Procedure Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3351; the Committee's email address is proccom@parliament.uk.

First Special Report

The Procedure Committee published its Second Report of Session 2016–17, *Private Members' bills: observations on the Government response to the Committee's Third Report of Session 2015–16, HC 684*, HC 701, on 18 October 2016. The Government response to the Report was received on 16 December 2016, and is published as an appendix to this Report.

Appendix: Government response

Recommendations

The Government welcomes the Committee's most recent report into Private Members' Bills (PMBs) and notes the work that the Committee has undertaken in this area.

The Government maintains its view that PMBs serve an important function. They provide an invaluable opportunity for Members to promote legislation on causes they support. Changes to the law are also possible by way of PMBs—but it is an important principle that PMBs only make progress when Members are able to win sufficient support in Parliament.

Prioritising certain bills on merit

1. We repeat our recommendation that Standing Orders be amended to provide that the Backbench Business Committee shall determine up to four bills, to be set down as first order of business on the earliest sitting Fridays adopted by the House; and that a ballot then be held to determine Members to bring forward additional private Members' bills, up to the total number of such bills to be allocated priority in each session. (Paragraph 14)

The Government remains of the view that implementing this change may take opportunities away from backbench Members and therefore does not accept this recommendation.

Consequences for the Backbench Business Committee

2. We recommend that the Standing Orders should be amended to provide for the Chair and the Members of the Backbench Business Committee to continue in post after a prorogation until the date of election and appointment of the next Chair and Members in the new session. (Paragraph 17)

The Government does not accept this recommendation as it is contingent on accepting the recommendation above.

Guaranteed vote on second reading

3. We recommend that the House should explicitly approve the use of Standing Order No. 47 by the Chair on days where private Members' bills have precedence in line with current practice in other debates, including backbench debates. (Paragraph 23)

The Government notes that the Standing Orders give the Speaker the ability to impose time limits on speeches at his or her discretion. The Government does not consider it necessary for the House to explicitly approve the use of this Standing Order on days when PMBs have precedence.

Number of ballot bills

4. We invite the House to agree a resolution that the Speaker may exercise his discretion over the number of Members to be drawn in the ballot. (Paragraph 28)

As the Committee notes in its report, the number of bills in the ballot is not determined in the Standing Orders of the House. Any change to the number of priority bills could be made at the Speaker's discretion, without a resolution being agreed by the House. Therefore, the Government is unwilling to accept this recommendation.

Other proposals

5. We repeat our recommendation that the Standing Orders be amended to permit that a private Member may present only a single bill on any one day. (Paragraph 30)

The Government does not accept this recommendation as it does not wish to place restrictions on Members' freedom to present PMBs.

6. In response to the evidence we received relating to the incomprehensibility to the general public of the process, we recommended that the term 'Private Members' Bills' be replaced with "backbench bills". We believe that the term 'backbencher' is more easily understood than 'private Member' and will therefore go some way in helping the public to understand the purpose of the process. This is not a matter for the Government, it is a matter for the House. Accordingly, we repeat our recommendation that, in the Standing Orders and elsewhere where reference is made to them, the term "Private Members' Bills" be replaced with "backbench bills". (Paragraph 31)

The Government accepts this recommendation.

Private Members' bills: observations on the Government response

7. We recommended that the deadline for printing a bill—that is, producing a fully drafted piece of legislation, in place of a "long title"—be brought forward to the Wednesday of the week prior to the day of its Second Reading. We maintain this recommendation. (Paragraph 33)

The Government accepted this recommendation in its response to the Committee's last report on PMBs. It will be a matter for the House to decide whether to change Standing Order No. 14(13).

8. We recommend that the House has an opportunity to agree to our proposals on the formal introduction of ten minute rule bills and the listing of bills set down for a future day by endorsing motions to enable them. (Paragraph 34)

The Government accepts this recommendation.