



HOUSE OF COMMONS

ADDENDUM
TO
STANDING
ORDERS

PUBLIC BUSINESS

11 January 2021

*Reprinted from the
Votes and Proceedings of the House of Commons
16 and 21 January, 3 February, 2, 19 and 24 March,
20 May, 2, 4, 8, 10 and 23 June, 1, 20 and 22 July,
2 and 23 September, 13 and 22 October,
3 November and 30 December 2020*

AMENDMENTS TO STANDING ORDERS

- 41A. Deferred divisions
- 119. European Committees
- 122B. Election of select committee chairs
- 143. European Scrutiny Committee
- 149. Committee on Standards
- 150. Parliamentary Commissioner for Standards
- 152K. Public Bodies: draft orders

STANDING ORDER DISAPPLIED FOR THE DURATION OF THE 2019 PARLIAMENT

- 122A. Term limits for chairs of select committees

STANDING ORDERS DISAPPLIED UNTIL 30 MARCH 2021

- 7. Seats not to be taken before prayers
- 8. Seats secured at prayers
- 38. Procedure on divisions
- 40. Division unnecessarily claimed
- 83J. Certification of bills etc. as relating exclusively to England or England and Wales and being within devolved legislative competence
- 83K. Committal and recommittal of certified England only bills
- 83L. Reconsideration of certification before third reading
- 83M. Consent Motions for certified England only or England and Wales only provisions
- 83N. Reconsideration of bills so far as there is absence of consent
- 83O. Consideration of certified motions or amendments relating to Lords Amendments or other messages

- 83P. Certification of instruments
- 83Q. Deciding the question on motions relating to certified instruments
- 83R. Deciding the question on certain other motions
- 83S. Modification of Standing Orders Nos. 83J to 83N in their application to Finance Bills
- 83T. Modification of Standing Orders Nos. 83P and 83Q in their application to financial instruments
- 83U. 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
- 83V. Deciding the question on motions certified under Standing Order No. 83U
- 83W. Legislative Grand Committees
- 83X. Legislative Grand Committees: supplementary

NEW STANDING ORDERS

- 39A. Voting by proxy
- 150A. Independent Expert Panel
- 150B. Independent Expert Panel: Sub-panels
- 150C. Appointment of Independent Expert Panel Members
- 150D. Motions consequent on the ICGS

ORDERS AND RESOLUTIONS OF THE HOUSE

Positions for which additional salaries are payable for the purposes of Section 4A(2) of the Parliamentary Standards Act 2009

Liaison Committee (Membership)

Presentation of documents under paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018

Sittings in Westminster Hall (Resumption)

Select Committees (participation and reporting)

Proceedings during the pandemic (No. 2)

Virtual participation in proceedings during the pandemic

Independent determination of complaints of bullying and harassment

TEMPORARY STANDING ORDERS

Committee on the Future Relationship with the European Union

European Statutory Instruments Committee

AMENDMENTS TO STANDING ORDERS

The text of the amended Standing Order No. 41A (Deferred divisions) is as follows.¹

41A. Deferred divisions

- (1) Except as provided in paragraph (2), Standing Order No. 38 (Procedure on divisions) shall not apply if, after the time for the interruption of business, the opinion of the Speaker as to the decision on a question is challenged in respect of any question.
- (2) Standing Order No. 38 (Procedure on divisions) shall apply (and this order shall not apply) to questions—
 - (a) on motions or amendments in the course of proceedings on bills or allocating time to or programming such proceedings;
 - (b) on motions which may be made without notice;
 - (c) on motions to be disposed of immediately following the disposal of amendments proposed thereto, and on such amendments;
 - (d) on motions made under—
 - (i) paragraph (2) of Standing Order No. 15 (Exempted business);
 - (ii) paragraph (3) of Standing Order No. 51 (Ways and means motions);
 - (iii) sub-paragraph (1)(a) of Standing Order No. 52 (Money resolutions and ways and means resolutions in connection with bills);
 - (iv) paragraph (6) of Standing Order No. 54 (Consideration of estimates);

¹ New text is shown in italics.

- (v) paragraph (1) of Standing Order No. 55 (Questions on voting of estimates, etc.);
 - (vi) *paragraph 1 of Standing Order No. 150D (Motions consequent on the ICGS); and¹*
 - (e) on motions made under paragraph (3) below or to which an order made under that paragraph applies.
- (3) After the moment of interruption and the conclusion of proceedings under any other Standing Order which fall to be taken immediately after it, a Minister of the Crown may make a motion to the effect that this order shall not apply to questions on any specified motions; such motion may be proceeded with, though opposed, and the question thereon shall be put forthwith.
- (4) If the opinion of the Speaker is challenged under paragraph (1) of this order, he shall defer the division until half-past eleven o'clock on the next Wednesday on which the House shall sit.
- (5) On any Wednesday to which a division has been deferred under paragraph (4) above—
- (a) Members may record their votes on the question under arrangements made by the Speaker, *provided that—*
 - (i) *Members may only participate physically within the Parliamentary estate; and*
 - (ii) *the arrangements adhere to the guidance issued by Public Health England;²*
 - (b) votes may be recorded for *at least*² two and a half hours after half-past eleven o'clock, no account being taken of any period during which the House or committee proceeds to a division; and

1 Amended by Order of 23 June.

2 Amendments agreed by Order of 2 June, continued in effect until 3 November by Order of 2 September and then further extended until 30 March 2021 by Order of 22 October.

- (c) the Speaker, or the chair, shall announce the result of the deferred division as soon as may be ~~after the expiry of the period mentioned in sub-paragraph (b) above.~~¹

The text of the amended Standing Order No. 119 (European Committees) is as follows.²

119. European Committees

- (1) There shall be three general committees, called European Committees, to which shall stand referred for consideration on motion, unless the House otherwise orders, such European Union documents as defined in Standing Order No. 143 (European Scrutiny Committee) as may be recommended by the European Scrutiny Committee for further consideration.
- (2) If a motion that specified European Union documents as aforesaid shall not stand referred to a European Committee is made by a Minister of the Crown at the commencement of public business, the question thereon shall be put forthwith.
- (3) Each European Committee shall consist of thirteen Members nominated by the Committee of Selection in respect of any European Union document which stands referred to it, and the Committee of Selection may nominate the same membership in respect of several documents.
- (4) In nominating the members of a European Committee, the Committee of Selection shall have regard to the qualifications of the Members nominated and to the composition of the House; and where practicable it shall nominate at least two members of the European Scrutiny Committee and at least two members of the select committee appointed under Standing Order No. 152 (Select committees related to government

¹ Amendments agreed by Order of 2 June, continued in effect until 3 November by Order of 2 September and then further extended until 30 March 2021 by Order of 22 October.

² New text is shown in italics. These amendments are to have effect until 16 January 2021.

departments), or the Committee on the Future Relationship with the European Union¹ whose responsibilities most closely relate to the subject matter of the document or documents.

- (5) The quorum of a European Committee shall be three, excluding the chair.
- (6) Any Member, though not nominated to a European Committee, may take part in the committee's proceedings and may move amendments to any motion made as provided in paragraphs (9) and (10) below, but such Member shall not make any motion, vote or be counted in the quorum; provided that a Minister of the Crown who is a Member of this House but not nominated to the committee may make a motion as provided in paragraphs (9) and (10) below.
- (7) The European Committees, and the principal subject matter of the European Union documents to be referred to each, shall be as set out below; and, in making recommendations for further consideration, the European Scrutiny Committee shall specify the committee to which in its opinion the documents ought to be referred; and, subject to paragraph (2) of this order, the documents shall be referred to that committee accordingly—

<i>European Committees</i>	<i>Principal subject matter</i>
A	Matters within the responsibility of the following Departments— Environment, Food and Rural Affairs; Transport; Housing, Communities and Local Government; Forestry Commission; and analogous responsibilities of Scotland, Wales and Northern Ireland Offices.

¹ Amended on 2 March 2020: words removed were "the Committee on Exiting the European Union".

<i>European Committees</i>	<i>Principal subject matter</i>
B	HM Treasury (including HM Revenue & Customs); Work and Pensions; Foreign and Commonwealth Office; International Development; Home Office; Ministry of Justice (excluding those responsibilities of the Scotland and Wales Offices which fall to European Committee A); International Trade; [. . .] ¹ together with any matters not otherwise allocated by this Order.
C	Business, Energy and Industrial Strategy; Education; Digital, Culture, Media and Sport; Health and Social Care.

(8) The chair may permit a member of the European Scrutiny Committee appointed to the committee under paragraph (4) above to make a brief statement of no more than five minutes, at the beginning of the sitting, explaining that committee's decision to refer the document or documents to a European Committee.

(9) The chair may permit Ministers of the Crown to make statements and to answer questions thereon put by Members, in respect of each motion relative to a European Union document or documents referred to a European Committee of which a Minister shall have given notice; but no question shall be taken after the expiry of a period of one hour from the commencement of the first such statement:

Provided that the chair may, if he sees fit, allow questions to be taken for a further period of not more than half an hour after the expiry of that period.

(10) Following the conclusion of the proceedings under the previous paragraph, the motion referred to therein may be made, to which amendments may be moved; and, if

¹ Amended on 2 March 2020 (text omitted: "Exiting the European Union;").

proceedings thereon have not been previously concluded, the chair shall interrupt the consideration of such motion and amendments when the committee shall have sat for a period of two and a half hours, and shall then put forthwith successively—

- (a) the question on any amendment already proposed from the chair; and
- (b) the main question (or the main question, as amended).

The chair shall thereupon report to the House any resolution to which the committee has come, or that it has come to no resolution, without any further question being put.

- (11) If any motion is made in the House in relation to any European Union document in respect of which a report has been made to the House in accordance with paragraph (10) of this order, the Speaker shall forthwith put successively—
 - (a) the question on any amendment selected by him which may be moved;
 - (b) the main question (or the main question, as amended);and proceedings in pursuance of this paragraph, though opposed, may be decided after the expiration of the time for opposed business.
- (12) With the modifications provided in this order, the following Standing Orders shall apply to European Committees—
 - No. 85 (Chairs of general committees);
 - No. 88 (Meetings of general committees); and
 - No. 89 (Procedure in general committees).

The text of the amended Standing Order No. 122B (Election of select committee chairs) is as follows.¹

122B. Election of select committee chairs

- (1) The chairs of the following select committees shall be elected by the House in accordance with paragraphs (2) to (14) below:
 - (a) select committees appointed under Standing Order No. 152 (Select committees related to government departments);
 - (b) the Environmental Audit Committee;
 - (c) the Petitions Committee;
 - (d) the Public Administration and Constitutional Affairs Committee;
 - (e) the Committee of Public Accounts;
 - (f) the Procedure Committee;
 - (g) the Committee on Standards; and
 - (h) *the Committee on the Future Relationship with the European Union².*
- (2) The day following his election at the start of a new Parliament, the Speaker shall communicate to the leaders of each party represented in the House the proportion of chairs of select committees to be elected under this order falling to each such party which would reflect the composition of the House.
- (3) If, within a week of the Queen's Speech, a motion in the name of the leaders of all the parties entitled to one or more chairs of select committees subject to election under this order specifying to which party each such chair is allocated is moved, the questions necessary to dispose of proceedings on the

1 New text is shown in italics. This amendment is to have effect until 16 January 2021.

2 Amended on 2 March 2020: words removed were "the Committee on Exiting the European Union".

motion shall be put not later than one hour after their commencement, proceedings on the motion shall be exempted business and Standing Order No. 41A (Deferred divisions) shall not apply.

- (4) If a motion to which paragraph (3) above applies also makes changes to Standing Order No. 152 (Select committees related to government departments) which are consequential on changes to the machinery of government, then the questions necessary to dispose of proceedings on the motion shall be put not later than one and a half hours after their commencement; proceedings on the motion shall be exempted business; and Standing Order No. 41A (Deferred divisions) shall not apply.
- (5) If, on the expiry of two weeks after the Queen's Speech, no motion in the name of the leaders of all the parties entitled to one or more chairs of select committees subject to election under this order specifying to which party each said chair is allocated has been tabled, on the following sitting day the Speaker shall give precedence to a motion tabled thereafter by any Member to allocate chairs under this order and the provisions of paragraphs (3) and (4) shall apply to proceedings on such a motion.
- (6) If the House has agreed a motion allocating chairs to parties the election of the chairs shall take place in accordance with the remaining provisions of this order.
- (7) The ballots shall take place fourteen days after the approval of the motion allocating chairs to parties.
- (8)
 - (a) Nominations of candidates shall be in writing and shall be received by the Clerk of the House by 5.00 pm on the day before the ballot.
 - (b) Each nomination shall consist of a signed statement made by the candidate declaring his willingness to stand for election, accompanied by the signatures of fifteen Members elected to the House as members of the same party as the candidate or ten per cent. of the Members

elected to the House as members of that party, whichever is the lower.

- (c) Statements may be accompanied by signatures of up to five Members elected to the House as members of any party other than that to which the candidate belongs, or members of no party.
 - (d) No Member may sign the statement of more than one candidate for chair of the same select committee.
 - (e) No Member may be a candidate for the chair of a select committee which has not been allocated to his party under paragraph (3) of this order or otherwise, or for which he is ineligible under Standing Order No. 122A (Term limits for chairs of select committees).
 - (f) No Member may be a candidate for the chair of the Committee of Public Accounts or the Committee on Standards unless his party is that of the official Opposition.
 - (g) No Member may be a candidate for more than one chair elected under this order.
 - (h) As soon as practicable following the close of nominations, lists of the candidates and their accompanying signatories shall be published.
- (9) Election of chairs of select committees under this order shall be by secret ballot.
- (10) Preparatory arrangements for the ballots shall be made under the supervision of the Clerk of the House.
- (11) (a) If there is only one candidate for the chair of a select committee, that candidate shall be declared elected without a ballot.
- (b) The ballot shall take place in a place appointed by the Speaker.

- (c) Each Member intending to vote shall be provided with a ballot paper for each select committee bearing the names of the candidates listed in alphabetical order.
 - (d) Members will vote by ranking as many candidates as they wish in order of preference, marking 1 by the name of their first preference, 2 by the name of their second preference, and so on. Any candidate who receives more than half the first preferences shall be elected. If no candidate is so elected, the candidate or candidates with the lowest number of first preferences shall be eliminated and their votes distributed among the remaining candidates according to the preferences on them. If no candidate has more than half the votes, the process of elimination and distribution is repeated, until one candidate has more than half the votes.
 - (e) The ballot shall be open between 10.00 am and 5.00 pm and counting shall take place under arrangements made by the Clerk of the House.
- (12) The Speaker shall have power to give directions on any matter of doubt arising from the conduct of a ballot or from an individual ballot paper and to vary the timings given in paragraphs (6) to (11) of this order.
 - (13) As soon as practicable after the closing of the ballot the results shall be published under the direction of the Speaker.
 - (14) A chair elected under this order is a member of the committee of which he is elected chair.

The text of the amended Standing Order No. 143 (European Scrutiny Committee) is as follows.¹

143. European Scrutiny Committee

- (1) There shall be a select committee, to be called the European Scrutiny Committee, to examine European Union documents and—
 - (a) to report its opinion on the legal and political importance of each such document and, where it considers appropriate, to report also on the reasons for its opinion and on any matters of principle, policy or law which may be affected;
 - (b) to make recommendations for the further consideration of any such document pursuant to Standing Order No. 119 (European Committees); and
 - (c) to consider any issue arising upon any such document or group of documents, or related matters.

The expression 'European Union document' in this order and in Standing Order No. 16 (Proceedings under an Act or on European Union documents), No. 89 (Procedure in general committees) and No. 119 (European Committees) means—

- (i) any proposal under the Community Treaties for legislation by the Council or the Council acting jointly with the European Parliament;
- (ii) any document which is published for submission to the European Council, the Council or the European Central Bank;
- (iii) any proposal for a common strategy, a joint action or a common position under Title V of the Treaty on European Union which is prepared for submission to the Council or to the European Council;

¹ New text is shown in italics. This amendment is to have effect until 16 January 2021.

- (iv) any proposal for a common position, framework decision, decision or a convention under Title VI of the Treaty on European Union which is prepared for submission to the Council;
 - (v) any document (not falling within (ii), (iii) or (iv) above) which is published by one Union institution for or with a view to submission to another Union institution and which does not relate exclusively to consideration of any proposal for legislation;
 - (vi) any other document relating to European Union matters deposited in the House by a Minister of the Crown.
- (2) The committee shall consist of sixteen Members.
 - (3) The committee and any sub-committee appointed by it shall have the assistance of the Counsel to the Speaker.
 - (4) The committee shall have power to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee's order of reference.
 - (5) The committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report from time to time.
 - (6) The quorum of the committee shall be five.
 - (7) The committee shall have power to appoint sub-committees and to refer to such sub-committees any of the matters referred to the committee.
 - (8) Every such sub-committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report to the committee from time to time.
 - (9) The committee shall have power to report from time to time the evidence taken before such sub-committees.

- (10) The quorum of every such sub-committee shall be two.
- (11) The committee shall have power to seek from any committee specified in paragraph (12) of this order its opinion on any European Union document, and to require a reply to such a request within such time as it may specify.
- (12) The committees specified for the purposes of this order are those appointed under Standing Order No. 152 (Select committees related to government departments) including any sub-committees of such committees, the Public Administration and Constitutional Affairs Committee, *the Committee on the Future Relationship with the European Union*¹, the Committee of Public Accounts and the Environmental Audit Committee.
- (13) Unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament.

*The text of the amended Standing Order No. 149 (Committee on Standards) is as follows.*²

149. Committee on Standards

- (1) There shall be a select committee, called the Committee on Standards—
 - (a) to oversee the work of the Parliamentary Commissioner for Standards *except in relation to the conduct of individual cases under the Independent Complaints and Grievance Scheme*³; to examine the arrangements proposed by the Commissioner for the compilation, maintenance and accessibility of the Register of Members' Financial Interests and any other registers of interest established by the House; to review from time to time the

¹ Amended on 2 March 2020: words removed were “the Committee on Exiting the European Union”.

² New text is shown in italics.

³ Amended on 23 June 2020.

form and content of those registers; and to consider any specific complaints made in relation to the registering or declaring of interests referred to it by the Commissioner; and

- (b) to consider any matter relating to the conduct of Members, including specific complaints in relation to alleged breaches in any code of conduct to which the House has agreed and which have been drawn to the committee's attention by the Commissioner; and to recommend any modifications to such code of conduct as may from time to time appear to be necessary.
- (2) The committee shall consist of seven Members, and seven lay members.
 - (3) Unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for the remainder of the Parliament.
 - (4) The committee shall have power to appoint sub-committees and to refer to such sub-committees any of the matters referred to the committee.
 - (5) Lay members may take part in proceedings of the committee and of any sub-committee to which they are appointed and may ask questions of witnesses, may move motions and amendments to motions or draft reports, and may vote.
 - (6) The quorum of the committee shall be three members who are Members of this House and three lay members, and the quorum of any sub-committee shall be three, of whom at least one shall be a Member of this House and at least one a lay member.
 - (7) The committee and any sub-committee shall have power—
 - (a) to send for persons, papers and records, to sit notwithstanding any adjournment of the House and to adjourn from place to place;

-
- (b) subject to the provisions of paragraph (8) of this order, to report from time to time;
 - (c) to appoint legal advisers, and to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee's order of reference.
- (8) Any lay member present at a meeting at which a report has been agreed shall have the right to submit a paper setting out that lay member's opinion on the report. The Committee shall not consider a motion that the Chair make a report to the House until it has ascertained whether any lay member present wishes to submit such a paper; and any such paper shall be appended to the report in question before it is made to the House.
- (9) The committee shall have power to order the attendance of any Member before the committee or any sub-committee and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of a sub-committee or of the Commissioner, be laid before the committee or any sub-committee.
- (10) The committee, or any sub-committee, shall have power to refer to unreported evidence of former Committees on Standards and Privileges and of former Committees on Standards and to any documents circulated to any such committee.
- (11) The committee shall have power to refuse to allow proceedings to which the public are admitted to be broadcast.
- (12) The Attorney General, the Advocate General and the Solicitor General, being Members of the House, may attend the committee or any sub-committee, may take part in deliberations, may receive committee or sub-committee papers and may give such other assistance to the committee or sub-committee as may be appropriate, but shall not vote or make any motion or move any amendment or be counted in the quorum.

The text of the amended Standing Order No. 150 (Parliamentary Commissioner for Standards) is as follows.¹

150. Parliamentary Commissioner for Standards

- (1) There shall be an Officer of this House, called the Parliamentary Commissioner for Standards, who shall be appointed by the House.
- (2) The principal duties of the Commissioner shall be—
 - (a) to maintain the Register of Members' Financial Interests and any other registers of interest established by the House, and to make such arrangements for the compilation, maintenance and accessibility of those registers as are approved by the Committee on Standards or an appropriate sub-committee thereof;
 - (b) to provide advice confidentially to Members and other persons or bodies subject to registration on matters relating to the registration of individual interests;
 - (c) to advise the Committee on Standards, its sub-committees and individual Members on the interpretation of any code of conduct to which the House has agreed and on questions of propriety;
 - (d) to monitor the operation of such code and registers, and to make recommendations thereon to the Committee on Standards or an appropriate sub-committee thereof;
 - (e) to investigate, if he thinks fit, specific matters which have come to his attention relating to the conduct of Members and to report to the Committee on Standards or to an appropriate sub-committee thereof, unless the provisions of paragraph (4) apply; and
 - (f) *to oversee investigations and make findings in cases against Members under the Independent Complaints and Grievance Scheme; to refer such cases to the Independent*

¹ New text is shown in italics.

Panel of Experts where a sanction beyond her powers is contemplated; and to assist the Panel and its sub-panels in its work.¹

- (3) In determining whether to investigate a specific matter relating to the conduct of a Member the Commissioner shall have regard to whether in his view there is sufficient evidence that the Code of Conduct or the rules relating to registration or declaration of interests may have been breached to justify taking the matter further.
- (4) No report shall be made by the Commissioner—
 - (a) in any case where the Member concerned has agreed that he has failed to register or declare an interest, if it is the Commissioner's opinion that the interest involved is minor, or the failure was inadvertent, and the Member concerned has taken such action by way of rectification as the Commissioner may have required within any procedure approved by the Committee for this purpose;
 - (b) in any case involving parliamentary allowances, or the use of facilities or services, if the Commissioner has with the agreement of the Member concerned referred the matter to the relevant Officer of the House for the purpose of securing appropriate financial reimbursement, and the Member has made such reimbursement within such period of time as the Commissioner considers reasonable.

[. . .]²

- (5) The Commissioner may at any time in the course of investigating a complaint, and if so requested by the Committee on Standards shall, appoint an Investigatory Panel

¹ Amended on 23 June 2020.

² Text omitted by Order of 23 June: "(c) in any case arising from the Independent Complaints and Grievance Scheme where the Commissioner has proposed remedial action within any procedure approved by the Committee with which the Member concerned has complied or, if the remedy is prospective, undertaken to comply."

to assist him in establishing the facts relevant to the investigation.

- (6) An Investigatory Panel shall—
 - (a) consist of the Commissioner, who shall be Chair of the Panel, and two assessors, one of whom shall be a legally qualified person appointed by the Commissioner and the other shall be a Member, who shall not be a member of the Committee on Standards, appointed by the Speaker; and
 - (b) meet in private.
- (7) The Commissioner—
 - (a) shall determine the procedures of the Panel, subject to the provisions of this order; and
 - (b) may appoint counsel for the purpose of assisting the Panel.
- (8) Any report that the Commissioner may have made to the Committee on Standards in relation to the complaint before the appointment of the Panel shall be made available to the Panel by the Committee.
- (9) Any Member who is the subject of the complaint under investigation shall, if he so requests, be heard by the Panel; may call witnesses; and may examine other witnesses.
- (10) When the Panel has completed its proceedings—
 - (a) the Commissioner shall report as in paragraph (2)(e);
 - (b) the legal assessor shall report to the Committee on Standards his opinion as to the extent to which its proceedings have been consistent with the principles of natural justice; and
 - (c) the Member assessor may report to the Committee on Standards his opinion as to the extent to which its proceedings have had regard to the customs and practice of the House and its Members.

-
- (11) The Commissioner shall report each year to the House on the exercise by him of his functions.
- (12) The Commissioner shall have leave to publish from time to time—
- (a) information and papers relating to—
 - (i) matters resolved in accordance with paragraph (4) of this order; and
 - (ii) complaints not upheld;and
 - (b) statistical information about complaints received.
- (13) The Commissioner may be dismissed only following a resolution of the House, moved for by a Member of the House of Commons Commission, after the Committee on Standards has reported to the House that it is satisfied that the Commissioner is unfit to hold his office or unable to carry out his functions; and any such report shall include a statement of the Committee's reasons for its conclusion.

The text of the amended Standing Order No. 152K (Public Bodies: draft orders) is as follows.¹

152K. Public Bodies: draft orders

- (1) Subject to paragraph (2), the select committee charged with reporting on a draft order for the purposes of section 11(5) and (6) of the Public Bodies Act 2011 shall be—
- (a) the select committee appointed under Standing Order No. 152 (Select committees related to government departments) appointed to examine the expenditure,

¹ New text is shown in italics. These amendments are to have effect until 16 January 2021.

administration and policy of the department of the Minister who has laid the draft order; or

- (b) in respect of a draft order laid by a Minister in the Cabinet Office, the Public Administration and Constitutional Affairs Committee.

[. . .]¹

- (2) The Liaison Committee may report that it has designated a select committee appointed under Standing Order No. 152 (Select committees related to government departments) [. . .]² or the Public Administration and Constitutional Affairs Committee as the select committee charged with reporting on a specified draft order for the purposes of section 11(5) and (6) of the Public Bodies Act 2011 in place of the select committee to which paragraph (1) applies.

STANDING ORDER DISAPPLIED FOR THE DURATION OF THE 2019 PARLIAMENT³

122A. Term limits for chairs of select committees

1 Amended on 2 March 2020 (text omitted: "(c) in respect of a draft order laid by a Minister in the Department for Exiting the European Union, the Committee on Exiting the European Union.").

2 Amended on 2 March 2020 (text omitted: ", or the Committee on Exiting the European Union").

3 By Order 2 March.

**STANDING ORDERS DISAPPLIED UNTIL
30 MARCH 2021¹**

- 7. Seats not to be taken before prayers**
- 8. Seats secured at prayers**
- 38. Procedure on divisions²**
- 40. Division unnecessarily claimed**
- 83J. Certification of bills etc. as relating exclusively to England or England and Wales and being within devolved legislative competence**
- 83K. Committal and recommitment of certified England only bills**
- 83L. Reconsideration of certification before third reading**
- 83M. Consent Motions for certified England only or England and Wales only provisions**
- 83N. Reconsideration of bills so far as there is absence of consent**
- 83O. Consideration of certified motions or amendments relating to Lords Amendments or other messages**
- 83P. Certification of instruments**
- 83Q. Deciding the question on motions relating to certified instruments**

¹ Disapplication of these Standing Orders by authority of the Order of 2 June 2020, Proceedings during the pandemic (No. 2), as amended on 1 July, 2 September and 22 October 2020.

² Replaced by paragraph (1) of the Order of 2 June 2020 (Proceedings during the pandemic (No. 2)), effect extended by Order of 2 September.

- 83R. Deciding the question on certain other motions**
- 83S. Modification of Standing Orders Nos. 83J to 83N in their application to Finance Bills**
- 83T. Modification of Standing Orders Nos. 83P and 83Q in their application to financial instruments**
- 83U. 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**
- 83V. Deciding the question on motions certified under Standing Order No. 83U**
- 83W. Legislative Grand Committees**
- 83X. Legislative Grand Committees: supplementary**

NEW STANDING ORDERS

The text of the new Standing Order 39A (Voting by proxy) (agreed on 23 September 2020, amended on both 23 September 2020¹ and on 3 November 2020²) is as follows.

39A. Voting by proxy

- (1) A Member eligible under paragraph (2) may arrange for their vote to be cast by one other Member acting as a proxy (a proxy

1 The amendments made to the new Standing Order on 23 September are shown in italics and footnoted accordingly. These amendments are to have effect until 31 March 2021 (by Order of 22 October 2020).

2 The amendments made to the new Standing Order on 3 November are shown in italics or by ellipsis and footnoted accordingly. These amendments are to have effect until 30 March 2021.

vote) under a scheme drawn up by the Speaker in accordance with this order and published by him.

- (2) A Member is eligible for a proxy vote [...] for childbirth or care of an infant or newly adopted child, *or for medical or public health reasons related to the pandemic*², subject to the conditions set out in the scheme published under paragraph (1) of this order.
- (3) A proxy vote may be cast in any division, including a deferred division, in the House, in Committee of the whole House, or in any legislative grand committee, save as provided in paragraph (5) below.

[...]³

- (4) *No Member who holds a proxy vote may participate in person in a division in the House, including a deferred division.*⁴
- (5) No proxy vote shall be reckoned in the numbers participating in a division for the purposes of Standing Order No. 37 (Majority for closure or for proposal of question).

[...]⁵

- (6) (a) A proxy vote may be cast only if the Speaker has certified that the Member for whom the vote is to be cast is eligible under the terms of this order.
- (b) The Speaker shall cause that certificate, including the name of the Member nominated as a proxy, to be entered

1 Amendment of 3 November 2020, omitted text: “by reason of absence from the precincts of the House”

2 Amended text of 23 September 2020 is shown in italics.

3 Amendment of 3 November 2020, omitted text: “; and (b) in a ballot cast in an election under Standing Order No. 1B (Election of Speaker by secret ballot), Standing Order No. 2A (Election of the Deputy Speakers), Standing Order No. 122B (Election of select committee chairs) and Standing Order No. 122D (Election of Chair of Backbench Business Committee).”

4 Amended text of 3 November 2020 is shown in italics.

5 Amendment of 3 November 2020, omitted text: “(a) Standing Order No. 41(1) (Quorum), and”

in the Votes and Proceedings no later than the sitting day on which it takes effect.

- (6A) *The Speaker may certify that a Member's eligibility for a proxy vote for medical or public health reasons related to the pandemic should take effect before the certificate is published in the Votes and Proceedings, or that a certificate already granted should be varied, if satisfied there are urgent and unforeseeable circumstances to justify this.*¹
- (7) A vote cast by a proxy shall be clearly indicated as such in the division lists published under the authority of the House.
- (8) A Member is also eligible for a proxy vote [...] in circumstances where there have been complications relating to childbirth; and the Speaker may make appropriate provision for the exercise of a proxy vote in such circumstances in the scheme drawn up under paragraph (1) above.

The text of the new Standing Orders 150A to 150D (agreed on 23 June 2020) is as follows.

150A. Independent Expert Panel

- (1) There shall be a Panel, to be known as the Independent Expert Panel for the Independent Complaints and Grievance Scheme (the "ICGS"), whose members shall be appointed by the House in accordance with Standing Order No. 150C (Appointment of Independent Expert Panel Members).
- (2) The Panel shall consist of eight members, of whom a quorum shall be four.
- (3) The functions of the Panel shall be—

¹ Amended text of 23 September 2020 is shown in italics.

² Amendment of 3 November 2020, omitted text: "by reason of absence from the precincts of the House"

-
- (a) to determine the appropriate sanction in ICGS cases referred to it by the Parliamentary Commissioner on Standards;
 - (b) to hear appeals against the decisions of the Parliamentary Commissioner for Standards in respect of ICGS cases involving Members of this House;
 - (c) to hear appeals against a sanction imposed under paragraph (a);
 - (d) to report from time to time, through the Clerk of the House, on the operation of the ICGS as it relates to Members of this House.
- (4) The Panel may elect its own Chair.
- (5) The responsibilities of the Chair shall include—
- (a) ensuring that the Panel and its sub-panels comply with the provisions of the relevant resolutions and standing orders of this House;
 - (b) the appointment of sub-panels to consider individual cases;
 - (c) co-ordinating the work of the Panel with that of the Parliamentary Commissioner for Standards;
 - (d) referring any report from a sub-panel which determines a sanction that can only be imposed by the House to the Clerk of the House who shall lay it upon the Table of the House;
 - (e) informing the parties concerned of the outcome of any other case reported to the Chair by a sub-panel and ensuring compliance as appropriate with its recommendations;
 - (f) establishing the procedure for an appeal against the findings or determination of a sub-panel in cases referred under (3)(a) above;

- (g) reporting to the Parliamentary Commissioner for Standards any case of non-compliance under subparagraph (e) above by a Member of this House;
 - (h) ensuring publication of an Annual Report on the functioning of the Panel and its sub-panels by referring the report to the Clerk of the House for laying on the Table.
- (6) The Panel and any sub-panel shall have power—
- (a) to sit notwithstanding any adjournment of the House;
 - (b) to order the attendance of any Member before it and to require that specific documents or records in the possession of a Member relating to its inquiries, or to the inquiries of the Commissioner, be laid before it;
 - (c) to appoint legal advisers, and to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the Panel's order of reference.

150B. Independent Expert Panel: Sub-panels

- (1) Cases referred to the Independent Expert Panel under Standing Order No. 150A (Independent Expert Panel) shall be considered by a sub-panel appointed under paragraph (5)(b) of that order.
- (2) A sub-panel shall consist of three members of the Panel and shall have a quorum of three.
- (3) Sub-panels shall sit in private.
- (4) A sub-panel may request the Parliamentary Commissioner for Standards to conduct further investigations in respect of a case referred to it and may specify the matters to be covered in that investigation.
- (5) In respect of each case referred to it, a sub-panel shall make a report of its findings to the Chair of the Panel.

- (6) Where an appeal is made against a finding or determination of a sanction by a sub-panel, a new sub-panel shall be established to hear that appeal. No member shall be eligible to hear an appeal against the decision of a sub-panel on which they have served.

150C. Appointment of Independent Expert Panel Members

- (1) Members of the Independent Expert Panel shall be appointed by a resolution of the House on a motion made under the provisions of this order and shall remain as members in accordance with the provisions of this order.
- (2) The period of appointment of each member shall be specified in the resolution of the House for appointment and shall not exceed six years. The appointment of a member is not terminated by any dissolution of Parliament.
- (3) No person who has once been a member may be appointed for a further term.
- (4) No person may be appointed as a member if that person is or has been a Member of this House or a Member of the House of Lords; and any person so appointed shall cease to be a member upon becoming a Member of this House or of the House of Lords.
- (5) No person may be appointed as a member unless that person has been selected on the basis of a fair and open competition.
- (6) A person appointed as a member may resign as a member by giving notice to the House of Commons Commission.
- (7) A person appointed as a member shall be dismissed from that position only following a resolution of the House, after the House of Commons Commission has reported that it is satisfied that the person should cease to be a member; and any such report shall include a statement of the Commission's reasons for its conclusion.
- (8) No motion may be made under the provisions of this order unless—

- (a) notice of the motion has been given at least two sitting days previously, and
 - (b) the motion is made on behalf of the House of Commons Commission by a Member of the Commission.
- (9) The Speaker shall put the questions necessary to dispose of proceedings on motions made under the provisions of this order not later than one hour after the commencement of those proceedings.
- (10) Business to which this order applies may be proceeded with at any hour, though opposed.

150D. Motions consequent on the ICGS

- (1) A motion may be moved by a member of the House of Commons Commission to implement a sanction in respect of an individual ICGS case determined by a sub-panel of the Independent Expert Panel.
- (2) The Speaker shall put the questions necessary to dispose of proceedings on a motion under paragraph (1) of this order forthwith.
- (3) Business under this order may be proceeded with until any hour, though opposed.

ORDERS AND RESOLUTIONS OF THE HOUSE

The text of the amended Resolution (Positions for which additional salaries are payable for the purposes of Section 4A(2) of the Parliamentary Standards Act 2009) is as follows.¹

Positions for which additional salaries are payable for the purposes of Section 4A(2) of the Parliamentary Standards Act 2009

Resolution of 19 March 2013 (amended 26 March 2015, 11 October 2016, 4 July and 12 September 2017, 30 January and 16 July 2018, 16 January, 3 February 2020 and 2 March 2020)

Resolved, That—

- (1) Subject to paragraphs (2) and (3), the following offices or positions are specified for the purposes of section 4A(2) of the Parliamentary Standards Act 2009, with effect from 1 April 2013—
 - (a) the Chair of a select committee appointed under Standing Order No. 152 (Select committees related to government departments), the Administration Committee, the Backbench Business Committee, the Environmental Audit Committee, the European Scrutiny Committee, *the European Statutory Instruments Committee*², the Finance Committee, the Liaison Committee, the Petitions Committee, the Select Committee on Procedure, *the Committee on the Future Relationship with the European Union*³, the Committee of Public Accounts, the Public

¹ New text is shown in italics.

² Words added by Order of 3 February, to have effect for the remainder of this Parliament.

³ Words added by Order of 2 March, to have effect until 16 January 2021; the words removed were “the Committee on Exiting the European Union”.

Administration and Constitutional Affairs Committee, the Regulatory Reform Committee, the Committee of Selection, the Committee on Standards, the Joint Committee on Human Rights or the Joint Committee on Statutory Instruments; and

- (b) a member of the Panel of Chairs appointed under Standing Order No. 4 (Panel of Chairs), other than a member who is the Chair of a committee specified in subparagraph (a) or a member who is entitled to an additional salary by virtue of any provision of the Ministerial and other Salaries Act 1975.
- (2) If a Member already holds an office or position referred to in paragraph (1)(a), then any other office or position referred to in paragraph (1)(a) is not specified for the purposes of section 4A(2) of the Parliamentary Standards Act 2009 in respect of any period for which that other post or position is held by that Member.
 - (3) Any office or position referred to in paragraph (1)(a) for the purposes of section 4A(2) of the Parliamentary Standards Act 2009 is not specified for the purposes of that section in respect of any period in which it is held by a Member who is also entitled to an additional salary by virtue of any provision of the Ministerial and other Salaries Act 1975.
 - (4) Any reference to any committee in paragraph (1)(a) shall, if the name of the committee is changed, be taken to be a reference to the committee by its new name.

The text of the Resolution (Liaison Committee (Membership)) is as follows.

Liaison Committee (Membership)

Resolution of 20 May 2020

Resolved, That:—

- (1) With effect for the current Parliament, notwithstanding Standing Order No. 121 (Nomination of select committees), the Members elected by the House or otherwise chosen to be chairs of each of the select committees listed in paragraph (2) shall be a member of the Liaison Committee;
- (2) The committees to which paragraph (1) applies are:
Administration; Backbench Business; Business, Energy and Industrial Strategy; Defence; Digital, Culture, Media and Sport; Education; Environmental Audit; Environment, Food and Rural Affairs; European Scrutiny; European Statutory Instruments; Finance; Foreign Affairs; Future Relationship with the European Union; Health and Social Care; Home Affairs; Housing, Communities and Local Government; Joint Committee on Human Rights (the chair being a Member of this House); International Development; International Trade; Justice; Northern Ireland Affairs; Petitions; Privileges (the chair not being the chair of the Committee on Standards); Procedure; Public Accounts; Public Administration and Constitutional Affairs; Regulatory Reform; Science and Technology; Scottish Affairs; Selection; Standards; Statutory Instruments; Transport; Treasury; Welsh Affairs; Women and Equalities; and Work and Pensions.
- (3) Sir Bernard Jenkin shall also be a member, and the chair, of the Liaison Committee.

The text of the Resolution (Presentation of documents under paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018) is as follows.¹

Presentation of documents under paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018

Order of 16 July 2018 and 3 February 2020

Ordered, That where, under paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018, any document is to be laid before this House, the delivery of a copy of the document to the Votes and Proceedings Office on any day during the existence of a Parliament shall be deemed to be for all purposes the laying of it before the House; and the proviso to Standing Order No. 159 (Presentation of statutory instruments) shall not apply to any document laid in accordance with this Order.

The text of the temporary Order (Sittings in Westminster Hall (Resumption)) is as follows.

Sittings in Westminster Hall (Resumption)

Order of 23 September 2020

Ordered, That:

- (1) sittings in Westminster Hall shall resume in accordance with Standing Order No. 10 on Monday 5 October; and

¹ This Resolution is to have effect for the remainder of this Parliament.

the Chair in Westminster Hall may limit the number of Members there present at any one time for as long as paragraph (4) of the Order of 2 June 2020 (Proceedings during the pandemic (No. 2)) remains in effect¹.

The text of the temporary Order (Select Committees (participation and reporting)) is as follows.²

Select Committees (participation and reporting)

Order of 24 March 2020 (as amended 8 June, 22 July and 13 October 2020)³

Ordered, That:—

- (1) for the period specified in paragraph (4) of this Order, the following measures shall have effect in relation to the proceedings of any select committee which has the power to report from time to time;
- (2) members of any select committee to which this Order applies may participate in select committee proceedings through such electronic means of communication as have been approved by the Speaker;
- (3) the Chair of any select committee to which this Order applies may report to the House an order, resolution or Report as an order, resolution or Report of the Committee which has not been agreed at a meeting of the Committee, if satisfied that all members of the Committee have been consulted about the

1 The Order of 2 June 2020 (Proceedings during the pandemic (No. 2)) is currently set to remain in effect until 30 March 2021.

2 Amendment of 13 October 2020 is shown in italics.

3 The effect of this Order was first extended by the Speaker from 30 June to 17 September, notified to the House on 8 June, then from 17 September to 30 October, notified to the House on 22 July, and then from 30 October 2020 to 22 January 2021, notified to the House on 13 October 2020.

terms of the order, resolution or Report and that it represents a decision of the majority of the Committee, and

- (4) this Order shall have effect from the date that it is made until *22 January 2021*¹, save that the Speaker may extend its effect by notifying the House that in his opinion it is expedient that these arrangements continue in force until a specified later date; more than one such notification may be given, but each such notification shall be given no less than a week before the expiry of this Order or any subsequent extension to it.

*The text of the temporary Order (Proceedings during the pandemic (No. 2)) is as follows.*²

Proceedings during the pandemic (No. 2)

*Order of 2 June 2020 (as amended 1 July, 2 September and 22 October 2020)*³

Ordered, That the resolution of the House of 21 April (Proceedings during the pandemic) be rescinded and the following orders be made and have effect until *30 March 2021*:—

- (1) That the following order have effect in place of Standing Order No. 38 (Procedure on divisions)—
- (a) If the opinion of the Speaker or the chair as to the decision on a question is challenged, the Speaker or the chair shall declare that a division shall be held.
- (b) Divisions shall be conducted under arrangements made by the Speaker provided that—

¹ Extended from 30 October 2020 until 22 January 2021.

² Amendment of 22 October 2020 is shown in italics.

³ The effect of this order has been extended from 2 September until 3 November 2020 by the Order of 2 September 2020 and then from 3 November 2020 until 30 March 2021, by the Order of 22 October 2020.

-
- (i) Members may only participate physically within the Parliamentary estate; and
 - (ii) the arrangements adhere to the guidance issued by Public Health England.
 - (2) Standing Order No. 40 (Division unnecessarily claimed) shall not apply.
 - (3) In Standing Order No. 41A (Deferred divisions)—
 - (a) At the end of paragraph (5)(a), insert “, provided that
 - (i) Members may only participate physically within the Parliamentary estate; and
 - (ii) the arrangements adhere to the guidance issued by Public Health England”.
 - (b) In paragraph (5)(b) delete “two and a half hours” and insert “at least two and a half hours”.
 - (c) In paragraph (5)(c) delete “after the expiry of the period mentioned in sub-paragraph (b) above”.
 - (4) The Speaker or chair may limit the number of Members present in the Chamber at any one time and Standing Orders Nos. 7 (Seats not to be taken before prayers) and 8 (Seats secured at prayers) shall not apply.
 - (5) Standing Orders Nos. 83J to 83X (Certification according to territorial application etc) shall not apply.

The text of the temporary Order (Virtual participation in proceedings during the pandemic) is as follows.

Virtual participation in proceedings during the pandemic

*Order of 4 June 2020 (as amended on 1 July, 2 September, 22 October and 30 December 2020)*¹

*Ordered, That the following order be made and have effect until 30 March 2021*²:—

- (1) Members may participate in proceedings in the Chamber by electronic means approved by the Speaker and in accordance with any scheme drawn up and published by the Speaker.*
- (2) For the purposes of paragraph (1) “proceedings” includes proceedings on Questions, Urgent Questions and Statements, participation in debate (including moving a motion) and presentation of petitions but does not include divisions, challenging the decision of the Chair as to the decision of a Question, or proceedings for which no notice is required, with the exception of any motion made in accordance with Standing Order No. 44 (Order in debate).*³

¹ The effect of this order has been extended from 2 September until 3 November 2020 by the Order of 2 September 2020, and then from 3 November 2020 until 30 March 2021 by the Order of 22 October 2020.

² Amendment of 22 October 2020 (shown in italics) changed the date from “3 November 2020”.

³ Amendment of 30 December 2020 is shown in italics, replacing this text: “(1) Members may participate in proceedings on Questions, Urgent Questions and Statements virtually, by electronic means approved by the Speaker. (2) Virtual participation in accordance with paragraph (1) may only be permitted by the Speaker in respect of Members who have self-certified that they are unable to attend at Westminster for medical or public health reasons related to the pandemic. The arrangements for self-certification shall be set out by the Speaker.”.

The text of the Resolution (Independent determination of complaints of bullying and harassment) is as follows.

Independent determination of complaints of bullying and harassment

Resolution of 23 June 2020

Resolved, That this House reaffirms its commitment to the Independent Complaints and Grievance Scheme (ICGS) and to tackling bullying, harassment and sexual misconduct on the part of anyone who is or was a member of the parliamentary community; accepts the recommendation in the report by Dame Laura Cox QC on The Bullying and Harassment of House of Commons Staff that complaints against Members should be determined by an independent body; agrees with the proposal brought forward by the House of Commons Commission to implement this recommendation; accordingly agrees to the establishment of an independent panel of experts which shall operate in accordance with the principles of fairness, transparency and natural justice; and expects all Members of this House to cooperate with the Panel's work and comply with its decisions.

TEMPORARY STANDING ORDERS

The text of the temporary Standing Order (Committee on the Future Relationship with the European Union) is as follows.

Committee on the Future Relationship with the European Union

Order of 16 January 2020¹ (amended on 2 March 2020)

- (1) There shall be a select committee, to be called the *Committee on the Future Relationship with the European Union*², to examine *matters relating to the negotiations on the future relationship with the European Union*.²
- (2) The committee shall consist of no more than twenty-one Members; and the provisions of Standing Order No. 121(2) shall apply to motions for the nomination and discharge of Members to and from the committee as if it were a committee not established under a temporary Standing Order.
- (3) Unless the House otherwise orders, each Member nominated to the committee shall continue to be a member of it for as long as this Order has effect.
- (4) The committee shall have the power to appoint a sub-committee.
- (5) The committee and any sub-committee appointed by it shall have the assistance of the Counsel to the Speaker.

¹ This order is to have effect until 16 January 2021.

² Amendments of 2 March 2020 shown in italics. The text removed was: "Committee on Exiting the European Union" and "the expenditure, administration and policy of the Department for Exiting the European Union and related matters falling within the responsibilities of associated public bodies" respectively.

- (6) The committee and any sub-committee appointed by it shall have power to appoint legal advisers and specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee's order of reference.
- (7) The committee and any sub-committee appointed by it shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place and to report from time to time the evidence taken before them.
- (8) The quorum of the committee shall be six and the quorum of any sub-committee appointed by it shall be three.
- (9) The committee shall have power to report from time to time, and any sub-committee appointed by it shall have power to report to the committee from time to time.

The text of the temporary Standing Order (European Statutory Instruments Committee) is as follows.

European Statutory Instruments Committee

Order of 3 February 2020¹

- (1) There shall be a select committee, called the European Statutory Instruments Committee, to examine and report on—
 - (a) any of the following documents laid before the House of Commons in accordance with paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018—
 - (i) a draft of an instrument; and

¹ This order is to have effect for the remainder of this Parliament.

- (ii) a memorandum setting out both a statement made by a Minister of the Crown to the effect that in the Minister's opinion the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament (the negative procedure) and the reasons for that opinion, and
 - (b) any matter arising from its consideration of such documents.
- (2) In its consideration of a document referred to in paragraph (1)(a) the committee shall include, in addition to such other matters as it deems appropriate, whether the draft instrument—
 - (a) contains any provision of the type specified in paragraph 1(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 in relation to which the Act requires that a draft of the instrument must be laid before, and approved by a resolution of, each House of Parliament (the affirmative procedure);
 - (b) otherwise appears to make an inappropriate use of the negative procedure;and shall report to the House its recommendation of the procedure which should apply.
- (3) The committee shall have regard to the reasons offered by the Minister in support of the Minister's opinion that the instrument should be subject to the negative procedure.
- (4) Before reporting on any document, the committee shall provide to the government department concerned an opportunity to provide orally or in writing to it or any sub-committee appointed by it such further explanations as the committee may require except to the extent that the committee considers that it is not reasonably practicable to do so within the period provided by the Act.

-
- (5) It shall be an instruction to the committee that it shall report any recommendation that the affirmative procedure should apply within the period specified by the Act.
 - (6) The committee shall consist of sixteen Members.
 - (7) The committee and any sub-committees appointed by it shall have the assistance of the Counsel to the Speaker.
 - (8) The committee shall have power to appoint specialist advisers either to supply information which is not readily available or to elucidate matters of complexity within the committee's order of reference.
 - (9) The committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report from time to time.
 - (10) The committee shall have power to appoint sub-committees and to refer to such sub-committees any of the matters referred to the committee.
 - (11) Each such sub-committee shall have power to send for persons, papers and records, to sit notwithstanding any adjournment of the House, to adjourn from place to place, and to report to the committee from time to time.
 - (12) The committee shall have power to report from time to time the evidence taken before such sub-committees, and the formal minutes of sub-committees.
 - (13) The quorum of each such sub-committee shall be two.
 - (14) The committee shall have power to seek from any committee of the House, including any committee appointed to meet with a committee of the Lords as a joint committee, its opinion on any document within its remit, and to require a reply to such a request within such time as it may specify.
 - (15) Unless the House otherwise orders each Member nominated to the committee shall continue to be a member of it for the

remainder of the Parliament, or until this Standing Order lapses, whichever occurs sooner.

- (16) This Standing Order, to the extent that it relates to a regulation-making power provided to the Government under sections 8 or 23(1) of the European Union (Withdrawal) Act 2018, shall lapse upon the expiry of the power to make new regulations under those sections and shall lapse entirely upon expiry of the last such remaining power.