



HOUSE OF COMMONS

Tuesday 23 June 2020

Votes and Proceedings

The House met at 11.30 am.

Prayers

- 1 Questions to the Secretary of State for Health and Social Care**
- 2 Statements: (1) COVID-19 update (The Prime Minister)
(2) Windrush (Secretary Priti Patel)**
- 3 Desecration of War Memorials: Motion for leave to bring in a Bill (Standing Order No. 23)**

Ordered, That leave be given to bring in a Bill to create the offence of desecrating a war memorial; and for connected purposes.

That Jonathan Gullis, James Sunderland, Andrea Leadsom, Bob Seely, Esther McVey, James Gray, Tracy Crouch, Peter Bone, Theo Clarke, Jim Shannon, Tom Tugendhat and Lee Anderson present the Bill.

Jonathan Gullis accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 11 September, and to be printed (Bill 144).
- 4 Medicines and Medical Devices Bill (Report Stage): Consideration of the Bill, as amended in the Public Bill Committee**

New Clause NC1—(*Jo Churchill*)—brought up, read the first and second time, and added to the Bill.

Amendments 1 to 18 made.
- 5 Medicines and Medical Devices Bill: Third Reading**

Bill read the third time, and passed.
- 6 Business of the House (Today)**

Ordered, That, at this day's sitting, the Speaker shall put the Questions necessary to dispose of proceedings on the motions in the name of Mr Jacob Rees-Mogg relating to the Independent Complaints and Grievance Scheme (ICGS) one hour after the commencement of proceedings on the motion for this Order; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; the business may be proceeded with, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Mr Jacob Rees-Mogg*.)

7 Independent determination of complaints of bullying and harassment

The Deputy Speaker announced a time limit on backbench speeches (Standing Order No. 47(1)).

Motion made and Question proposed, 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.—(*Mr Jacob Rees-Mogg.*)

One hour after the commencement of proceedings on the motion for the Business of the House (Today) Order, the Deputy Speaker put the Questions necessary to dispose of proceedings on the motion (Order, today).

Question put and agreed to.

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.

8 Independent Expert Panel

Since it was one hour after the commencement of proceedings on the motion for the Business of the House (Today) Order, the Deputy Speaker put the Questions necessary to dispose of proceedings on the motion (Order, today).

Motion made and Question proposed, That the following Standing Orders, amendments to standing orders and amendments to the Code of Conduct be made:

A. 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 (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:

(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 sub-paragraph (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.

B. Independent Expert Panel: Sub-panels

- (1) Cases referred to the Independent Expert Panel under Standing Order (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.

C. 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.

D. 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 not later than one hour after the commencement of such proceedings.
- (3) Business under this order may be proceeded with until any hour, though opposed.

Amendments to other Standing Orders

- (1) Standing Order No 149 (Committee on Standards)

Paragraph (1)(a): after "Standards", insert "except in relation to the conduct of individual cases under the Independent Complaints and Grievance Scheme".

- (2) Standing Order No 150 (Parliamentary Commissioner for Standards)

Leave out paragraph (2)(f) and insert: "(2) (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 Panel of Experts where a sanction beyond her powers is contemplated; and to assist the Panel and its sub-panels in its work."

Delete paragraph (4)(c).

(3) Standing Order No 41A (Deferred divisions)

Paragraph (2)(d): at end of sub-paragraph 5, delete "and" and insert: "(vi) paragraph 1 of Standing Order (Motions consequent on the ICGS); and".

Amendments to the Code of Conduct

In the Code of Conduct for Members of Parliament (HC (2017–19) 1882):

(1) in paragraph 19, at end add "and for the Independent Expert Panel acting in accordance with Standing Order (Independent Expert Panel) in relation to the determination of cases under the Independent Complaints and Grievance Scheme."

(2) in paragraph 21, at end add "Failure to comply with a sanction imposed by a sub-panel of the Independent Expert Panel shall be treated as a breach of the Code."—(Mr Jacob Rees-Mogg.)

Amendment (a) proposed, in section D, paragraph 2, line 2, leave out 'not later than one hour after the commencement of such proceedings' and add 'forthwith'.—(Chris Bryant.)

Question put, That the Amendment be made.

The House divided.

Division No. 58

Ayes: 243 (Tellers: Mark Tami, Liz Twist)

Noes: 238 (Tellers: Mr Marcus Jones, David Rutley)

Question accordingly agreed to.

Main Question, as amended, put and agreed to.

Ordered, That the following Standing Orders, amendments to standing orders and amendments to the Code of Conduct be made:

A. 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 (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:

- (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 sub-paragraph (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.

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- (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.

C. 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.

D. 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.

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Delete paragraph (4)(c).

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(2) in paragraph 21, at end add "Failure to comply with a sanction imposed by a sub-panel of the Independent Expert Panel shall be treated as a breach of the Code."

9 Statutory Instruments: Motions for Approval

Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft National Minimum Wage (Offshore Employment) (Amendment) Order 2020, which was laid before this House on 6 May, be approved.—(*Maria Caulfield.*)

Question agreed to.

10 Public petitions

A public petition from residents of the United Kingdom relating to the return of children to schools in September 2020 was presented and read by Munira Wilson.

11 Adjournment

Subject: Windrush Day 2020 (Helen Hayes)

Motion made and Question proposed, That this House do now adjourn.—(*Maria Caulfield.*)

At 7.00 pm, the Motion lapsed (Standing Order No. 9(3)).

Resolved, That this House do now adjourn.—(*Maria Caulfield.*)

Adjourned at 7.09 pm until tomorrow.

Other Proceedings

General Committees: Reports

12 Parliamentary Constituencies Bill Committee

Sir David Amess (Chair) reported written evidence submitted to the Committee.

Written evidence to be published.

13 Trade Bill Committee

Sir Graham Brady (Chair) reported written evidence submitted to the Committee.

Written evidence to be published.

Reports from Select Committees

14 Backbench Business Committee

Recommendation to the Liaison Committee on subjects for Estimates Day debates (Ian Mearns).

15 Defence Committee

(1) *Defence industrial policy: procurement and prosperity*: Oral evidence, to be published (HC 163);

(2) *Correspondence with the Secretary of State relating to the next review of the Single Source Contract Regulations*: Written evidence, to be published

(Mr Tobias Ellwood).

16 Digital, Culture, Media and Sport Committee

(1) *The work of Ofcom*: Oral evidence, to be published (HC 439);

(2) *Impact of COVID-19 on DCMS sectors*: Written evidence, to be published (HC 291)
(Julian Knight).

17 Environment, Food and Rural Affairs Committee

(1) *COVID-19 and food supply*: Oral and written evidence, to be published (HC 263);

(2) *Fisheries negotiations*: Written evidence, to be published (HC 355)
(Neil Parish).

18 Foreign Affairs Committee

(1) *The UK's role in strengthening multilateral organisations*: Oral evidence, to be published (HC 513);

(2) *Correspondence with ARM Limited relating to the status of Arm China*: Written evidence, to be published;

(3) *Correspondence with the Foreign and Commonwealth Office*: Written evidence, to be published
(Tom Tugendhat).

19 Future Relationship with the European Union (Committee on the)

Progress of the negotiations on the UK's future relationship with the EU: Oral and written evidence, to be published (HC 203) (Hilary Benn).

20 Health and Social Care Committee

(1) *Social care: funding and workforce*: Oral and written evidence, to be published (HC 206);

(2) *Delivering core NHS and care services during the pandemic and beyond*: Written evidence, to be published (HC 320);

(3) *Food Standards Agency Main Estimate 2020–21*: Written evidence, to be published
(Jeremy Hunt).

21 Housing, Communities and Local Government Committee

Long-term delivery of social and affordable rented housing: Written evidence, to be published (HC 173) (Mr Clive Betts).

22 Justice Committee

(1) *Coronavirus (COVID-19): the impact on prison, probation and court systems*: Oral and written evidence, to be published (HC 299);

(2) *Correspondence from the Minister of State, Ministry of Justice*: Written evidence, to be published;

(3) *Correspondence with the Criminal Cases Review Commission*: Written evidence, to be published (HC 497)

(Sir Robert Neill).

23 Liaison Committee

Estimates Days: Sir Bernard Jenkin reported, That, following the recommendation of the Backbench Business Committee on applications considered at its meeting of 23 June, the Liaison Committee recommendation for the allocation of time for the consideration of Estimates on the first two of any days to be allotted in the present session (Standing Order No. 145) is as follows:

(i) That a day not later than 5 August be allotted for the consideration of the following Estimates for financial year 2020–21:

Department for Education, so far as it relates to closing the disadvantage gap and support for left behind children (on the application of Robert Halfon);

HM Revenue and Customs, so far as it relates to the Coronavirus Job Retention Scheme and support for the self-employed through the Self-employment Income Support Scheme (on the application of Mel Stride);

Department of Business, Energy and Industrial Strategy (on the application of Darren Jones);

(ii) That a further day not later than 5 August be allotted for the consideration of the following Estimates for financial year 2020–21:

Department for International Development and the Foreign and Commonwealth Office, so far as they relate to Official Development Assistance (on the application of Sarah Champion, Tom Tugendhat, Darren Jones and Yvette Cooper);

Ministry of Housing, Communities and Local Government (on the application of Mr Clive Betts and Meg Hillier).

24 Petitions Committee

(1) *Public engagement on e-petitions*: Written evidence, to be published (HC 546);

(2) Record of the Committee's decisions relating to e-petitions, to be published (Catherine McKinnell).

25 Public Administration and Constitutional Affairs Committee

(1) *Responding to COVID-19 and the Coronavirus Act 2020*: Oral and written evidence, to be published (HC 377);

(2) *Correspondence with the Minister for the Cabinet Office*: Written evidence, to be published;

(3) *Correspondence with the Minister of State, Cabinet Office, relating to the Government response to the First Report of the Committee, Session 2019, on Electoral Law: The Urgent Need for Review*: Written evidence, to be published;

(4) *Establishing a public inquiry into the Government's response to the coronavirus pandemic*: Written evidence, to be published (HC 541);

(5) *Parliamentary and Health Service Ombudsman Scrutiny 2018–19*: Written evidence, to be published (HC 117);

(6) *The Fixed-term Parliaments Act*: Written evidence, to be published (HC 167);

(7) *The Government's management of its major projects*: Written evidence, to be published (HC 125);

(8) *The work of the Electoral Commission*: Written evidence, to be published (HC 488) (Mr William Wragg).

26 Transport Committee

- (1) *Coronavirus: implications for transport*: Written evidence, to be published (HC 268);
(2) *HS2: next steps*: Written evidence, to be published (HC 298)
(Huw Merriman).

27 Welsh Affairs Committee

The Welsh economy and COVID-19: Written evidence, to be published (HC 324) (Stephen Crabb).

28 Welsh Affairs Committee, Northern Ireland Affairs Committee, Housing, Communities and Local Government Committee and Scottish Affairs Committee

Correspondence with the Minister for Regional Growth and Local Government relating to the UK Shared Prosperity Fund: Written evidence, to be published (Stephen Crabb).

29 Women and Equalities Committee

Unequal impact: coronavirus (COVID-19) and the impact on people with protected characteristics: Written evidence, to be published (HC 276) (Caroline Nokes).

Lindsay Hoyle

Speaker

Papers Laid

Other papers

1 Government Resources and Accounts

Report, Accounts and Product Accounts of National Savings and Investments for 2019–20, with the Report of the Comptroller and Auditor General (by Act), to be printed (HC 436) (John Glen)

2 Groceries Code Adjudicator

Report and Accounts of the Groceries Code Adjudicator for 2019–20, with the Report of the Comptroller and Auditor General (by Act), to be printed (HC 349) (Secretary Alok Sharma)

3 National Audit

Report by the Comptroller and Auditor General: Guide for audit and risk committees on financial reporting and management during COVID-19 (by Act), to be printed (HC 524) (Clerk of the House)

4 Pharmacy

Report, Fitness to Practise Report and Accounts of the General Pharmaceutical Council for 2019–20 (by Statutory Instrument) (Secretary Matt Hancock)

5 Water Industry

Report and Accounts of the Consumer Council for Water for 2019–20, with the Report of the Comptroller and Auditor General (by Act), to be printed (HC 440) (Secretary George Eustice)

SPEAKER'S CERTIFICATES

Proxy Voting (Medical or public health reasons connected with the pandemic)

1 - New proxy voting arrangements

The Speaker has certified, under the terms of the temporary Standing Order on voting by proxy and the Resolutions of the House of 28 January 2019 and 16 January and 4 and 10 June 2020, that the Members listed in the table below are eligible to have a proxy vote cast on their behalf by the nominated proxies listed in the table below, starting on the dates specified below and ending on Tuesday 28 July, unless the House otherwise orders.

Member	From	Proxy
Jeremy Corbyn	24 June 2020	Bell Ribeiro-Addy
Martin Docherty-Hughes	24 June 2020	Patrick Grady
Allan Dorans	24 June 2020	Patrick Grady

2 - Variation of existing proxy voting arrangements

The Speaker has certified, under the terms of the temporary Standing Order on voting by proxy and the Resolutions of the House of 28 January 2019 and 16 January and 4 and 10 June 2020, that the following Member has given notice that they wish to amend their proxy voting arrangement:

From 24 June 2020 the nominated proxy for Dr Lisa Cameron will be Patrick Grady instead of Owen Thompson.

3 - Ending proxy voting arrangements

The Speaker has certified, under the terms of the temporary Standing Order on voting by proxy and the Resolutions of the House of 28 January 2019 and 16 January and 4 and 10 June 2020, that the following Members have given notice that they wish to end their proxy voting arrangement with effect from when the Speaker takes the Chair on the dates specified below:

Member	From
Nadine Dorries	24 June 2020
Sarah Jones	24 June 2020
Alex Sobel	24 June 2020
Pete Wishart	24 June 2020

CORRECTION

Tuesday 2 June 2020

In Papers Laid for Wednesday 27 May 2020, item 6, listed under *Other papers*, should have been listed after item 3, under *Papers subject to Negative Resolution*, as follows:

European Union

European Communities (Designation) Order 2020 (SI, 2020, No. 533), dated 20 May 2020 (by Act), with an Explanatory Memorandum (by Command) (Penny Mordaunt)