



*Promoting a*  
**PRIVATE MEMBER'S BILL**  
*in*  
*The HOUSE of LORDS*

*A Guide for Members*



### *What is a private member's bill?*

A private member's bill is a public bill sponsored by a member of either House who is not a Minister. Any member of the House can introduce such a bill.

### *How and when are private member's bills introduced?*

The Public Bill Office gives advice and assistance to members of the House considering whether to introduce bills, and can suggest alternative courses of action. The Office can help to draft bills and give advice on the form of a bill already drafted. Because it is necessary to ensure that a bill complies with rules about form and content, the text of a bill must be settled with the Public Bill Office before it is introduced.

When the text is agreed, the bill can be introduced on any sitting day. Introduction and first reading of new bills take place immediately after Starred Questions (or on Fridays after prayers), and no formal notice is necessary, though the Public Bill Office should be informed at least 24 hours in advance.

The introduction and first reading of a bill are formal. No debate takes place at this stage. If the member of the House sponsoring the bill cannot be present, he can authorise another member to introduce it on his behalf, but this should be exceptional: the Public Bill Office must be informed in advance if this is the case.

The Public Bill Office prepares a procedural brief setting out the form of words to be used by the member in charge, as it does for every subsequent stage. A copy of the brief is available from 2pm (10am when the House sits at 11am) in the Peers' Lobby and in the Prince's Chamber, or on request from the Public Bill Office.

The bill will be printed overnight and is available in the Printed Paper Office and on the Internet on the next working day following introduction, together with any Explanatory Notes produced for the bill.

### *How does a bill proceed after introduction?*

It is the responsibility of the member in charge of the bill to fix a date for its second reading, and subsequently for each of its remaining stages. This is done by contacting the Private Secretary to the Leader of the House and the Government Chief Whip in the Government Whips' Office (ext. 3131).

There is no set time for taking private member's bills. This depends heavily on the weight of other business. At busy times of the year, and especially towards the end of the session, it may be difficult to find a convenient time for private member's bills, particularly if many members of the House wish to speak on them or if large numbers of amendments are tabled. In addition, there is only a set number of days when private member's bills can be taken in the Commons: in a normal session the last day is usually



in early July. It is therefore advisable to introduce private member's bills early in the Session, and to get them to the Commons as soon as possible.

In practice, stages of private member's bills are often taken on Wednesdays (after the debates), as dinner break business on other days, and on sitting Fridays.

Private member's bills are subject to the same guidance about minimum intervals between stages as are government bills.

### *Second Reading*

When a date is fixed for the second reading the Government Whips' Office will arrange for the bill to be entered in the Minute and in Forthcoming Business. A speaker's list will be opened in the Government Whips' Office in the usual way.

The member in charge of the bill opens the second reading debate, and has a right of reply after the Minister has spoken.

### *Can a private member's bill be opposed?*

Unlike the practice for government bills, it is not uncommon for divisions to take place on the second reading of private member's bills. Notice of this prospect is now almost always given by the tabling of an amendment to the motion for second reading. If a division occurs the member in charge must, within 3 minutes, appoint a teller to act with him, and ensure that a supporter of the bill remains in the Chamber to respond when the question is again put, or the division will be lost.

Private member's bills can similarly be opposed at subsequent stages, or by means of amendment. The member of the House in charge will get advance notice of such possibilities by looking at the Minute and any amendment sheets (available in the Printed Paper Office and on the Internet).

### *Subsequent stages*

Dates are fixed for subsequent stages by agreement with the Government Whips' Office. Should the member in charge wish to amend the bill in the light of points raised, the Public Bill Office can assist in drafting. If other amendments are tabled the member in charge is responsible for dealing with them, though a Government Minister also usually speaks. Marshalled lists are published in the usual way.

Where there are a number of amendments, the Government Whips' Office may assist in preparing a list of groupings. Decisions about groupings can only be made with the agreement of the member in charge of the bill and it is advisable to discuss groupings with the Government Whips' Office a day or so before the stage in question (earlier in the case of committee stage).



### *What happens after a private member's bill is passed by the Lords?*

A Lords' private member's bill will not be proceeded with, or even printed, in the Commons until an MP has informed the Commons Public Bill Office that he wishes to take it up. The member in charge should therefore ensure that a colleague in the Commons is prepared to do this. If a member of the House has difficulty in finding an MP to take up a bill the Government and other Whips' Offices may be able to assist.

Because of the restrictions on the time for private member's bills in the Commons, members of the House should be aware that a Lords private member's bill can be blocked in the Commons by a single MP. In particular, a bill which is opposed by the Government or Opposition front benches stands little or no chance of proceeding in the Commons. A short, uncontroversial bill is more likely to succeed.

If the Commons amend a Lords private member's bill the amendments have to be agreed by the Lords before the bill can go for Royal Assent. The member of the House in charge will be responsible for moving the appropriate motions and should liaise with the Government Whips' Office and with the Public Bill Office about arrangements for this

### *Sponsoring a Commons private member's bill*

Commons private member's bills have to be taken up in the Lords by a backbencher. Proceedings on such bills are similar to those described above for Lords private member's bills after first reading. (A Commons bill is automatically given a first reading and printed for the Lords without any action by the member of this House in charge).

A member of the House who has agreed with the MP sponsoring a Commons bill to take it up should inform the Public Bill Office and should arrange a date for the second reading with the Government Whips' Office.

In practice, such bills usually carry all-party support and proceedings in the Lords after second reading may be formal: but members of the House who take up Commons bills should be prepared for amendments. Since Commons private member's bills may be sent to the Lords late in the session members of the House should also be prepared to be flexible about the time when stages of a bill are taken.

As with Lords bills, the Public Bill Office is available to give advice and assistance.

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