

Parliamentary Voting System and Constituencies Bill

SECOND
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

The amendments have been marshalled in accordance with the revised Order tabled for consideration on 8th February 2011, as follows—

Clause 12	Schedules 1 to 8
Clauses 10 and 11	Schedules 10 and 11
Clauses 13 to 19	

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Clause 12

LORD McNALLY

27G Page 13, line 30, leave out from beginning to end of line 2 on page 14 and insert—

“(1) Once a Boundary Commission have decided what constituencies they propose to recommend in a report under section 3(1)(a) above—

(a) the Commission shall take such steps as they think fit to inform people in each of the proposed constituencies—

(i) what the proposals are,

(ii) that a copy of the proposals is open to inspection at a specified place within the proposed constituency, and

(iii) that written representations with respect to the proposals may be made to the Commission during a specified period of 12 weeks (“the initial consultation period”);

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(b) the Commission shall cause public hearings to be held during the period beginning with the fifth week of the initial consultation period and ending with the tenth week of it.

Amendment
No.Clause 12—*continued*

- (2) Subsection (1)(a)(ii) above does not apply to a constituency with respect to which no alteration is proposed.
- (3) Schedule 2A to this Act, which makes further provision about public hearings under subsection (1)(b) above, has effect.
- (4) After the end of the initial consultation period the Commission—
- 21 (a) shall publish, in such manner as they think fit, representations made
22 as mentioned in subsection (1)(a) above and records of public
23 hearings held under subsection (1)(b) above;
- 27 (b) shall take such steps as they think fit to inform people in the
28 proposed constituencies that further written representations with
respect to the things published under paragraph (a) above may be
made to the Commission during a specified period of four weeks
("the secondary consultation period").
- (5) If after the end of the secondary consultation period the Commission are
minded to revise their original proposals so as to recommend different
constituencies, they shall take such steps as they see fit to inform people in
each of those revised proposed constituencies—
- (a) what the revised proposals are,
- (b) that a copy of the revised proposals is open to inspection at a
specified place within the revised proposed constituency, and
- (c) that written representations with respect to the revised proposals
37 may be made to the Commission during a specified period of
eight weeks.
- (6) Subsection (5) above does not apply to any proposals to make further
revisions.
- 40 (7) Steps taken under subsection (4) or (5) above need not be of the same kind
41 as those taken under subsection (1) above.
- (8) A Boundary Commission shall take into consideration—
- 44 (a) written representations duly made to them as mentioned in
subsection (1)(a), (4)(b) or (5)(c) above, and
- (b) representations made at public hearings under subsection (1)(b)
above.
- (9) Except as provided by this section and Schedule 2A to this Act, a Boundary
Commission shall not cause any public hearing or inquiry to be held for the
purposes of a report under this Act.
- (10) Where a Boundary Commission publish—
- (a) general information about how they propose to carry out their
functions (including, in the case of the Boundary Commission for
England, information about the extent (if any) to which they
propose to take into account the boundaries mentioned in rule 5(2)
of Schedule 2 to this Act), or
- 56 (b) anything else to which subsection (1), (4) or (5) above does not
apply,
- it is for the Commission to determine whether to invite representations and,
if they decide to do so, the procedure that is to apply.””

Amendment
No.

Clause 12—continued

LORD KENNEDY OF SOUTHWARK

- 27H** Page 13, line 40, at end insert—
“() of all representations received in writing or any electronic format made to a Boundary Commission, by publishing item online within 72 hours of receipt”
- 27J** Page 13, line 43, leave out “not”
- 27K** Page 14, line 1, leave out from “proposals” to end of line 3

LORD McNALLY

- 27L** Page 14, line 2, at end insert—
“(1A) After Schedule 2 to the 1986 Act there is inserted the Schedule set out in Schedule (*Public hearings about Boundary Commission proposals*) to this Act.”

After Clause 12

LORD LIPSEY

- 28** Insert the following new Clause—
- “Assistant Commissioners’ report**
- (1) The Commission shall appoint Assistant Commissioners to report on and make recommendations emerging from the written representations submitted for each separate area that provisional recommendations have been published for.
 - (2) The report of each Assistant Commissioner shall be published by the Commission along with copies of all the representations received, before the Commission either publishes its revised recommendation for the area or confirms its provisional recommendations.”

Clause 12

LORD FALCONER OF THOROTON
LORD BACH

[Amendments 27GA to 27GJ are amendments to Amendment 27G]

- 27GA★** Line 11, leave out “12” and insert “6”
- 27GB★** Line 12, leave out from “public” to end of line 14 and insert “inquiries to be held following the end of the initial consultation period; the period from the end of the initial consultation period to the completion of the public inquiries shall be no more than four months.”
- 27GC★** Line 21, leave out from “above” to end of line 22
- 27GD★** Line 23, leave out from beginning to end of line 27
- 27GE★** Line 28, leave out “the secondary consultation period” and insert “a public inquiry”
- 27GF★** Line 37, leave out “eight” and insert “four”

Amendment
No.

Clause 12—continued

- 27GG★** Leave out lines 40 and 41
- 27GH★** Line 44, leave out “, (4)(b) or (5)(c)” and insert “or (4)(b)”
- 27GJ★** Line 56, leave out “, (4) or (5)” and insert “or (4)”

Before Clause 10

LORD WILLS

- 16HA★** Insert the following new Clause—

“Committee of Inquiry on Parliamentary constituencies

- (1) There shall be a Committee of Inquiry, chaired by a High Court judge, comprising members of both Houses of Parliament, including representatives of the principal political parties in the House of Commons, as well as individuals with no party attachment, and others.
- (2) The Committee of Inquiry shall—
 - (a) review the current rules for conducting Parliamentary boundary reviews (contained in Schedule 2 to the Parliamentary Constituencies Act 1986) considering in particular—
 - (i) how to address the inequality of constituency sizes;
 - (ii) how to stabilise the size of the House of Commons;
 - (iii) the relative importance of electoral equality against the specific character of individual constituencies, including the rules relating to geographical considerations, local ties and “inconveniences”, and the rules on crossing borough and county boundaries; and
 - (iv) make recommendations;
 - (b) examine in this context the question of the optimum size of a constituency taking into account the need to maintain the Union, the proper role of MPs in their constituencies and in Parliament, and the implications for these roles of the responsibilities of other representative bodies including local authorities and the House of Lords, and make recommendations;
 - (c) consider the implications of an optimum size for the House of Commons, for an optimum size for the House of Lords, and make recommendations;
 - (d) review the time taken to conduct boundary reviews, particularly in England, and make recommendations;
 - (e) review the alignment between the timing of local and parliamentary boundary reviews to ensure that stable local government electoral boundaries can form the basis for each parliamentary review, and make recommendations;
 - (f) examine the question of a role for keeping the operation of the rules under review and ensuring consistency of approach by the four Parliamentary Boundary Commissions, including monitoring their standards of performance, and make recommendations; and

**Amendment
No.**

Before Clause 10—continued

- (g) examine the arguments surrounding the statistical basis on which electoral areas are currently constructed, in particular whether the eligible population rather than electoral statistics should be used, and make recommendations.
- (3) The Committee of Inquiry established under subsection (1) shall report to Parliament annually on its progress, and deliver a final report with recommendations to the Secretary of State within three years of the passing of this Act.
- (4) Within 6 months of the Committee of Inquiry’s report, the Secretary of State shall lay before Parliament, for Parliament’s consideration, a scheme including draft Bills to implement the recommendations of the Committee of Inquiry.”

Clause 10

LORD FALCONER OF THOROTON
LORD BACH

16J Page 8, leave out lines 28 and 29 and insert “, initially by a date to be specified by the Boundary Commission, once the Electoral Commission has certified that every local authority has taken all reasonable steps to ensure that the electoral register is as complete and accurate as possible””

16K Page 8, leave out lines 28 and 29 and insert—

“(2ZA) Boundary reviews should take place no later than every seven years after the first review under the terms of this Act, subject to subsection (2ZB).

(2ZB) If there is a system of fixed-term Parliaments but a General Election is to be held other than on a 5 year cycle beginning with May 2015, then the Boundary Commission shall submit a report under subsection (1) no later than 18 months before the due date of each General Election.””

LORD KENNEDY OF SOUTHWARK

16L Page 8, line 28, leave out “2013” and insert “2016”

LORD FOULKES OF CUMNOCK

16M Page 8, line 29, leave out “fifth” and insert “fourth”

LORD KENNEDY OF SOUTHWARK

16N Page 8, line 29, leave out “fifth” and insert “eighth”

LORD LIPSEY

17 Page 8, line 29, leave out “fifth” and insert “tenth”

18 Page 8, line 29, at end insert—

“() If in the event a general election is not held in 2015, or in one of the subsequent five-yearly intervals thereafter, the government shall set up an independent inquiry to recommend appropriate changes to the provisions of this Act.”

Amendment
No.

Clause 10—*continued*

LORD McNALLY

- 18A** Page 9, line 8, leave out “, with or without modifications,”
- 18B** Page 9, leave out lines 10 to 14 and insert—
- “(5B) Where—
- (a) a Boundary Commission has submitted a report under subsection (1) above (but no draft under subsection (5A) above has yet been laid in relation to the report),
- (b) the Commission notifies the Secretary of State that the recommendations contained in the report are to have effect with specified modifications, and
- (c) the Commission submits to the Secretary of State a statement of the reasons for those modifications,
- the draft under subsection (5A) above shall give effect to the recommendations with those modifications.”
- 18C** Page 9, line 15, leave out from beginning to “states” and insert “Subsections (5A) to (5B) above do not apply where each of the reports mentioned in subsection (5) above”
- 18D** Page 9, line 20, leave out from “Council),” to end of line 21 and insert “for “a statement” there is substituted “the statement submitted under section 3(5B)(c) above”.”
- 18E** Page 9, line 26, at end insert—
- “() In paragraph 6 of that Schedule (assistant Commissioners)—
- (a) in sub-paragraph (1), for the words after “assistant Commissioners” there is substituted “to assist the Commission in the discharge of their functions.”;
- (b) in sub-paragraph (2), for “inquiry” there is substituted “matter”.”

Clause 11

LORD FALCONER OF THOROTON
LORD BACH

- 18F★** Page 9, leave out lines 36 and 37 and insert—
- “United Kingdom electoral quota*
- 1 The United Kingdom electoral quota shall be defined as the total electorate of the United Kingdom on the designated enumeration day divided by 650.”
- BARONESS McDONAGH
- 18FA★** Page 9, line 37, leave out from beginning to end of line 5 on page 10 and insert—
- “1 The number of constituencies in the United Kingdom shall not be substantially more than 600.

**Amendment
No.**

Clause 11—continued

Electorate per constituency

- 2 (1) A Boundary Commission must, when recommending the number of constituencies under rule 1, aim to create constituencies with an electorate of 72,000 voters, subject to rule 2(2) below.
- (2) A Boundary Commission may vary the size of constituencies but must ensure that the electorate of any constituency is—
- (a) no less than 7.5% less than the electorate specified in rule 2(1), and
 - (b) no more than 7.5% more than the electorate specified in rule 2(1).

Factors for consideration

- 3 When recommending constituencies under rule 1, a Boundary Commission must ensure that constituency boundaries—
- (a) do not cross historic county boundaries, such as those between Cornwall and Devon,
 - (b) only cross London borough boundaries where absolutely necessary,
 - (c) in England, do not cross local government ward boundaries, and
 - (d) are sympathetic to local ties and natural boundaries.”

LORD KENNEDY OF SOUTHWARK

18G Page 9, line 37, leave out “600” and insert “650”

LORD FOULKES OF CUMNOCK
LORD McAVOY

18H Page 9, line 37, leave out “600” and insert “a figure between 600 and 650, to be recommended by the Boundary Commission following consultation with all interested parties and to be approved by Order in Council in time for a General Election to be held in 2015”

LORD KENNEDY OF SOUTHWARK

18J Page 9, line 40, leave out “95%” and insert “92.5%”

LORD LIPSEY

19 Page 9, line 40, leave out “95%” and insert “90%”

LORD KENNEDY OF SOUTHWARK

19A Page 9, line 41, leave out “105%” and insert “107.5%”

LORD LIPSEY

20 Page 9, line 41, leave out “105%” and insert “110%”

20A [*Withdrawn*]

Amendment
No.

Clause 11—*continued*

LORD PANNICK
LORD WILLIAMSON OF HORTON
BARONESS O'NEILL OF BENGARVE
LORD ARMSTRONG OF ILMINSTER

20B Page 10, line 1, after “4(2),” insert “5A,”

LORD LIPSEY
LORD FALCONER OF THOROTON
LORD BACH

21 Page 10, leave out lines 3 to 5 and insert—

“U
X

where U is the electorate of the United Kingdom minus the electorate of the constituencies mentioned in rule 6 or otherwise exempted from the equal constituencies provisions of this bill and X is 600 minus the number of constituencies exempted under rule 6 or otherwise under the provisions of this Act”

LORD FALCONER OF THOROTON
LORD BACH

21A Page 10, line 8, at end insert—

“() In England the Boundary Commission should where practicable have regard to the boundaries of counties and London boroughs and in any case no constituency shall include the whole or part of more than two counties or London boroughs.”

21B Page 10, leave out lines 12 to 19

21C Page 10, line 20, at end insert—

“() Wards shall be the building blocks for parliamentary constituencies.”

LORD KENNEDY OF SOUTHWARK

21D Page 10, line 20, at end insert—

“() A Boundary Commission must ensure that the City of London is wholly contained in one parliamentary constituency.”

21E Page 10, line 20, at end insert—

“() A Boundary Commission must ensure that in Coventry the St. Michael's ward remains in one parliamentary constituency.”

21F Page 10, line 20, at end insert—

“() A Boundary Commission must ensure that in London no constituency crosses the river Thames or is formed from more than the parts of two London Boroughs.”

21G Page 10, line 21, leave out “may” and insert “must”

21H Page 10, line 21, leave out “if and”

Amendment
No.

Clause 11—*continued*

LORD FALCONER OF THOROTON
LORD BACH

21J Page 10, line 28, after “ties” insert “, including wards,”

LORD DAVIES OF STAMFORD

22 Page 10, line 30, at end insert—

“() Except in circumstances they judge to be exceptional, a Boundary Commission may not allow a ward to form part of more than one constituency.”

LORD KENNEDY OF SOUTHWARK

22A Page 10, line 30, at end insert—

“() A Boundary Commission must ensure that no constituency shall cross the river Mersey.”

22B Page 10, line 31, leave out “may” and insert “must”

22C Page 10, line 31, leave out “if and”

LORD PANNICK
LORD WILLIAMSON OF HORTON
BARONESS O’NEILL OF BENGARVE
LORD ARMSTRONG OF ILMINSTER

22D Page 10, line 37, at end insert—

“Exceptional circumstances

5A If, but only if, a Boundary Commission is satisfied that—

- (a) it is necessary to do so in order to achieve a viable constituency, and
- (b) such necessity arises from special geographical considerations or local ties, as defined in rule 5(1)(a) or (d) above, of an exceptionally compelling nature, the Boundary Commission may decide that the electorate of the constituency shall be—
 - (c) no less than 92.5% of the United Kingdom electoral quota; and
 - (d) no more than 107.5% of that quota.”

LORD BROOKE OF SUTTON MANDEVILLE

22E★ Page 10, line 37, at end insert—

“Special authorities

- (1) The geographical area of a special authority shall, so far as is practicable having regard to the rules of this Schedule as they apply to England, form part of not more than one constituency at any time.

Amendment
No.

Clause 11—*continued*

- (2) Where the geographical area of a special authority forms part of not more than one constituency, the name by which that constituency is known shall refer to that area.
- (3) In this rule, “special authority” has the same meaning as in section 144(6) of the Local Government Finance Act 1988.”

23 [Withdrawn]

LORD McAVOY

23A★ Page 10, line 38, leave out from beginning to end of line 10 on page 11, and insert—

“Whole numbers of constituencies

The following shall be allocated a whole number of constituencies by the Boundary Commission responsible—

- (a) South Lanarkshire Council;
- (b) Glasgow City Council.”

LORD LIPSEY

24 Page 11, line 5, at end insert—

“() a constituency named Brecon and Radnor, comprising the present constituency of Brecon and Radnor”

LORD KENNEDY OF SOUTHWARK

24A Page 11, line 5, at end insert—

“() a constituency named Ynys Môn comprising the whole of the island of Anglesey”

LORD GROCOTT

24B Page 11, line 5, at end insert—

“() 5 constituencies wholly within the county of Shropshire”

LORD McAVOY

24C★ Page 11, line 5, at end insert—

“() a constituency named Rutherglen and Hamilton West”

24D★ Page 11, line 5, at end insert—

“() 3 constituencies wholly within South Lanarkshire Council”

Amendment
No.

Clause 11—*continued*

LORD TEVERSON
LORD BERKELEY
LORD MYNERS

25 Page 11, line 10, at end insert—

“Cornwall and the Isles of Scilly

- (1) All parts of Cornwall and the Isles of Scilly must be included in constituencies which are wholly in Cornwall and the Isles of Scilly.
- (2) Rule 2 does not apply to these constituencies.”

LORD McAVOY

25ZA★ Page 11, line 10, at end insert—

“Rutherglen, Cambuslang and Halfway

- (1) All parts of Rutherglen, Cambuslang and Halfway must be included in one constituency wholly within South Lanarkshire Council.
- (2) Rule 2 does not apply to these constituencies.”

LORD FALCONER OF THOROTON
LORD BACH

25ZB★ Page 12, line 13, at end insert—

- (6) The total number of seats to be allocated to any part of the UK shall not be more than ten per cent fewer than the current number of constituencies. If the number of seats allocated by the process described in sub-paragraphs 1-5 of rule 9 exceeds that limit in any part of the UK then additional constituencies shall be allocated to that part to bring its allocation within ten per cent of the current number of constituencies.
- (7) This number of seats shall then be the allocation for that part of the UK for the purposes of rule 9.
- (8) Any reallocation to one or more parts of the UK made under the terms of sub-paragraphs (6) and (7) above shall not result in any change to the allocation already allotted to any other parts of the UK.”

LORD FOULKES OF CUMNOCK

25A Page 12, leave out lines 16 to 26 and insert—

- () The “electorate” for the purpose of this Act shall be the best estimate of those entitled to vote based on the figures obtained in the 2011 Census together with any other relevant figures available to the Boundary Commission to enable them to make the most accurate and up to date assessment.”

Amendment
No.

Clause 11—*continued*

LORD CAMPBELL-SAVOURS
LORD FOULKES OF CUMNOCK

- 26 Page 12, line 16, leave out from ““electorate”” to end of line 20 and insert “for the purpose of this Act shall be deemed to be all those eligible to vote in relation to the United Kingdom”

LORD LIPSEY

- 27 Page 12, leave out lines 28 to 36 and insert “the boundaries of wards, electoral areas and electoral divisions”

LORD McNALLY

- 27A Page 12, line 28, leave out from “of” to end of line 31 and insert “counties and their electoral divisions, districts and their wards, and London boroughs and their wards,”

LORD HOWARTH OF NEWPORT
[As an amendment to Amendment 27A]

- 27AA★ Line 3, at end insert “and all other unitary local authorities and their wards,”

LORD FALCONER OF THOROTON
LORD BACH

- 27B Page 12, leave out lines 29 to 36 and insert—
- “(i) each county for which there is a county council and electoral divisions thereof,
 - “(ii) each district that is not in such a county and electoral wards thereof, and
 - 6 “(iii) each London borough and electoral wards thereof,
 - “(b) in Wales, the boundaries of counties and county boroughs and electoral wards thereof,
 - “(c) in Scotland, the boundaries of the areas of councils and electoral wards thereof,
 - “(d) in Northern Ireland, the boundaries of wards”

LORD HOWARTH OF NEWPORT
[As an amendment to Amendment 27B]

- 27BA★ Line 6, at end insert—
- “(iv) each other unitary local authority and electoral wards thereof,”

LORD HOWARTH OF NEWPORT

- 27BB★ Page 12, line 31, at end insert—
- “(iv) all other unitary local authorities,”

LORD McNALLY

- 27C Page 12, line 32, leave out “and county boroughs” and insert “, county boroughs, electoral divisions, communities and community wards”

Amendment
No.

Clause 11—*continued*

- 27D** Page 12, line 33, leave out from first “of” to “, and” in line 35 and insert “local government areas and the electoral wards into which they are divided under section 1 of the Local Governance (Scotland) Act 2004”

LORD FALCONER OF THOROTON
LORD BACH

- 27E** Page 13, line 1, leave out “ten” and insert “six”

After Clause 11

LORD FALCONER OF THOROTON
LORD BACH

- 27F** Insert the following new Clause—

“Variation in limit of number of holders of ministerial offices

- (1) The House of Commons Disqualification Act 1975 is amended as follows.
- (2) For section 2(1) substitute—
 - “(1) The number of holders of offices specified in Schedule 2 to this Act (in this section referred to as Ministerial offices) entitled to sit and vote in the House of Commons at any one time, whether paid or unpaid, must not exceed 95 if the number of constituencies in the United Kingdom is 650.”
- (3) After section 2(1) insert—
 - “(1A) If the number of constituencies in the United Kingdom decreases below 650, the limit on the number of holders of Ministerial offices entitled to sit and vote in the House of Commons referred to in section 2(1) must be decreased by at least a proportionate amount.”
- (4) In subsection (2), after “subsection (1)”, insert “or subsection (1A)”.

LORD HOWARTH OF NEWPORT

- 27FA★** Insert the following new Clause—

“Variation in number of parliamentary private secretaries

If the number of constituencies in the United Kingdom decreases below 650, the number of parliamentary private secretaries entitled to sit and vote in the House of Commons shall be decreased by at least a proportionate amount.”

Amendment
No.

After Clause 13

LORD McNALLY

28A Insert the following new Clause—

“Review of reduction in number of constituencies

- (1) The Minister must make arrangements—
 - (a) for a committee to carry out a review of the effects of the reduction in the number of constituencies brought about by section 11;
 - (b) for the findings of the review to be published.
- (2) A majority of the members of the committee are to be Members of the House of Commons.
- (3) Arrangements under subsection (1)(a) are to be made no earlier than 1 June 2015 and no later than 30 November 2015.
- (4) In this section “the Minister” means the Lord President of the Council or the Secretary of State.”

Clause 14

LORD LIPSEY

29 Page 15, line 14, at end insert “by the affirmative resolution procedure”

LORD HOWARTH OF NEWPORT

29ZA★ Page 15, line 14, at end insert “and in the case of an order under section 8(1) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

LORD KENNEDY OF SOUTHWARK

29A Leave out Clause 14 and insert the following new Clause—

“Orders

- (1) Any order laid under this Act must first be laid in draft and is subject to a super-affirmative procedure as follows.
- (2) The Minister must have regard to—
 - (a) any representations,
 - (b) any resolution of either House of Parliament, and
 - (c) any recommendations of a committee of either House of Parliament charged with reporting on the draft order, made during the 60-day period with regard to the draft order.
- (3) If, after the expiry of the 60-day period, the Minister wishes to make an order in the terms of the draft, he must lay before Parliament a statement—
 - (a) stating whether any representations were made under subsection (2)(a); and

Amendment
No.

Clause 14—*continued*

- (b) if any representations were so made, giving details of them.
- (4) The Minister may after the laying of such a statement make an order in the terms of the draft if it is approved by a resolution of each House of Parliament.
- (5) However, a committee of either House charged with reporting on the draft order may, at any time after the laying of a statement under subsection (3) and before the draft order is approved by that House under subsection (4), recommend under this subsection that no further proceedings be taken in relation to the draft order.
- (6) Where a recommendation is made by a committee of either House under subsection (5) in relation to a draft order, no proceedings may be taken in relation to the draft order in that House under subsection (4) unless the recommendation is, in the same Session, rejected by resolution of that House.
- (7) If, after the expiry of the 60-day period, the Minister wishes to make an order consisting of a version of the draft order with material changes, he must lay before Parliament—
- (a) a revised draft order; and
- (b) a statement giving details of—
- (i) any representations made under subsection (2)(a); and
- (ii) the revisions proposed.
- (8) The Minister may after laying a revised draft order and statement under subsection (7) make an order in the terms of the revised draft if it is approved by a resolution of each House of Parliament.
- (9) However, a committee of either House charged with reporting on the revised draft order may, at any time after the revised draft order is laid under subsection (7) and before it is approved by that House under subsection (8), recommend under this subsection that no further proceedings be taken in relation to the revised draft order.
- (10) Where a recommendation is made by a committee of either House under subsection (9) in relation to a revised draft order, no proceedings may be taken in relation to the revised draft order in that House under subsection (8) unless the recommendation is, in the same Session, rejected by resolution of that House.
- (11) For the purposes of subsections (4) and (8) an order is made in the terms of a draft order if it contains no material changes to the provisions of the draft order.
- (12) In this section the “60-day period” means the period of 60 days beginning with the day on which the draft order was laid before Parliament.”

Amendment
No.

Clause 18

LORD TOUHIG
LORD ANDERSON OF SWANSEA

30 Page 15, line 34, at end insert—

“() Notwithstanding any provision of this or any other Act, there shall be no change to the number or boundaries of constituencies in Wales unless the Assembly Act provisions as defined in Part 4 of the Government of Wales Act 2006 have come into force.”

LORD FORSYTH OF DRUMLEAN

30A Page 15, line 34, at end insert—

“() Section 11 shall not come into force until legislation has been introduced into either House of Parliament limiting the number of members of the House of Lords.”

Schedule 1

LORD LIPSEY

31 Page 17, line 8, at end insert—

“() The minimum period between the passing of this Act and the date of the referendum shall be six months.”

LORD LOW OF DALSTON

31ZA★ Page 19, line 26, at end insert—

“() directions about the discharge of their functions in relation to voters with disabilities”

31ZB★ Page 19, line 26, at end insert—

“() directions as to their policy and procedures for the handling of complaints from persons entitled to vote in the referendum on any matter connected with the discharge of their functions”

LORD FALCONER OF THOROTON
LORD BACH

31A Page 21, line 3, at end insert “subject to the approval of the Speaker’s Committee on the Electoral Commission”

LORD LIPSEY

32 Page 21, line 6, at end insert—

“(1A) Those steps must include the preparation of an explanatory pamphlet.

(1B) The leaflet shall be distributed, so far as is practicable, to all households in the United Kingdom.”

**Amendment
No.**

Schedule 1—continued

LORD HOWARTH OF NEWPORT
[As an amendment to Amendment 32]

- 32A★** Line 4, at end insert—
“(1C) In preparing the explanatory pamphlet under sub-paragraph (1A), the Chief Counting Officer must take account of any relevant report of any Select Committee of either House of Parliament.”

LORD LIPSEY

- 33** Page 21, line 9, at end insert—
“() These steps shall include measures to ensure that all those wishing to vote and arriving at the polling station within the appointed hours are able to do so.”
- 34** Page 21, line 9, at end insert—
“() Anyone arriving within the precincts of the polling station within the prescribed hours of opening who has not been able to cast their vote by the expiry of those prescribed hours shall nevertheless be permitted to cast their vote.”

Schedule 2

LORD McNALLY

- 34A** Page 35, line 27, after “entry” insert “1A,”
- 34B** Page 35, line 30, after “entry” insert “1A,”
- 34C** Page 35, line 33, at end insert—
“() in the case of a peer within entry 1A of the table, state that the peer’s entitlement to vote by proxy in the referendum arises by virtue of the peer’s inclusion in the list of proxies for a specified poll mentioned in that entry;”

Schedule 3

LORD McNALLY

- 34D** Page 80, line 17, at end insert—
- | | | |
|-----|---|--|
| “1A | A person who—
(a) is entitled to vote in the referendum and in a poll that is taken together with the referendum,
(b) is included in the postal voters list for that poll, and
(c) is not within entry 1 in this table or entry 1 in the table in sub-paragraph (3). | Address provided in the application that gave rise to the person being included in the postal voters list or, if the person is included in more than one, the address provided in the latest of those applications.” |
|-----|---|--|

- 34E** Page 80, line 23, after “1” insert “or 1A”

Amendment No.	Schedule 3—continued	
34F	Page 80, line 24, after “1” insert “or 1A”	
34G	Page 80, line 37, after “1” insert “or 1A”	
34H	Page 80, line 38, after “1” insert “or 1A”	
34J	Page 81, line 14, after “1” insert “or 1A”	
34K	Page 81, line 15, after “1” insert “or 1A”	
34L	Page 81, line 23, at end insert—	
	<p>“1A</p> <p>A person who—</p> <p>(a) is entitled to vote in the referendum and in a poll that is taken together with the referendum,</p> <p>(b) is included in the list of proxies for that poll, and</p> <p>(c) is not within entry 1 in this table or entry 1 or 1A in the table in sub-paragraph (2).</p>	<p>Proxy appointed for the purposes of that poll or, if there is more than one, the proxy appointed for the poll in respect of which the latest of the person’s applications to vote by proxy was made.”</p>
34M	Page 81, line 29, after “1” insert “or 1A”	
34N	Page 81, line 30, after “1” insert “or 1A”	
34P	Page 81, line 43, after “1” insert “or 1A”	
34Q	Page 81, line 44, after “1” insert “, 1A”	
34R	Page 82, line 14, after “1” insert “or 1A”	
34S	Page 82, line 15, after “1” insert “, 1A”	
34T	Page 83, line 9, at end insert—	
	<p>“() in relation to a principal who is included in the list of proxies by virtue of entry 1A in that table, the appointment of the person mentioned in column 3 of that entry;”</p>	
34U	Page 84, line 2, leave out from “paragraph” to “, and” in line 3 and insert “7(2)(a)”	
34V	Page 84, line 7, after “7(2)” insert “(b), (c) or (d)”	
34W	Page 84, line 28, at end insert—	
	<p>“1A</p> <p>A proxy who—</p> <p>(a) was appointed as mentioned in column 3 of entry 1A in the table in paragraph 5(3) for a person mentioned in column 2 of that entry, and</p> <p>(b) is included in the proxy postal voters list for the poll in respect of which that appointment was made.</p>	<p>Address provided in the proxy’s application to vote by post as proxy in that poll.”</p>
34X	Page 85, line 41, after “3(9)” insert “, 4(6)”	

Amendment No.

Schedule 3—continued

- 34Y** Page 85, line 43, at end insert—
- “() articles 8(9), 9(6) and 12(13) of the National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236) (dates of birth and signatures of certain electors and proxies) in relation to persons entitled to vote in the referendum,
 - () articles 8(9), 9(8) and 11(12) of the Scottish Parliament (Elections etc.) Order 2010 (dates of birth and signatures of certain electors and proxies) in relation to persons entitled to vote in the referendum,”

34Z Page 89, line 27, at end insert—

“1A	A person who— (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is shown in the absent voters list for that poll as voting by post, and (c) is not within entry 1 in this table or entry 1 in the table in sub-paragraph (3).	Address provided in the application that gave rise to the person being included in the absent voters list or, if the person is included in more than one, the address provided in the latest of those applications.”
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34AA Page 89, line 33, after “1” insert “or 1A”

34AB Page 89, line 34, after “1” insert “or 1A”

34AC Page 90, line 14, after “1” insert “or 1A”

34AD Page 90, line 15, after “1” insert “or 1A”

34AE Page 90, line 29, after “1” insert “or 1A”

34AF Page 90, line 30, after “1” insert “or 1A”

34AG Page 90, line 38, at end insert—

“1A	A person who— (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is shown in the absent voters list for that poll as voting by proxy, and (c) is not within entry 1 in this table or entry 1 or 1A in the table in sub-paragraph (2).	Proxy appointed for the purposes of that poll or, if there is more than one, the proxy appointed for the poll in respect of which the latest of the person’s applications to vote by proxy was made.”
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34AH Page 90, line 44, after “1” insert “or 1A”

34AJ Page 90, line 45, after “1” insert “or 1A”

34AK Page 91, line 14, after “1” insert “or 1A”

34AL Page 91, line 15, after “1” insert “, 1A”

34AM Page 91, line 29, after “1” insert “or 1A”

- 34AN** Page 91, line 30, after “1” insert “, 1A”
- 34AP** Page 92, line 15, at end insert—
“() in relation to a principal who is included in the list of proxies by virtue of entry 1A in that table, the appointment of the person mentioned in column 3 of that entry;”
- 34AQ** Page 93, line 9, leave out from “paragraph” to the end of line 10 and insert “18(2)(a),”
- 34AR** Page 93, line 24, after “18(2)” insert “(b), (c) or (d)”
- 34AS** Page 93, line 45, at end insert—

“1A	A person who— (a) was appointed as mentioned in column 3 of entry 1A in the table in paragraph 16(3) for a person mentioned in column 2 of that entry, and (b) is included in the proxy postal voters list for the poll in respect of which that appointment was made.	Address provided in the proxy’s application to vote by post as proxy in that poll.”
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Schedule 4

LORD McNALLY

- 34AT** Page 135, leave out lines 16 to 20 and insert—

“For “returning officer” (in each place) substitute “counting officer”.

In paragraph (2), for the words from “and endorse” to the end substitute “, endorse the packet as mentioned in paragraph (1)(a) and retain the packet”.

For paragraph (3) substitute—
“(3) Rules 51 and 52 of the referendum rules shall apply to any packet or document retained under this regulation.””

Schedule 5

LORD McNALLY

- 34AU** Page 159, line 6, after “entry” insert “1A,”
- 34AV** Page 159, line 10, after “entry” insert “1A,”

Schedule 6

LORD McNALLY

- 34AW** Page 194, line 26, after “entry” insert “1A,”
- 34AX** Page 194, line 30, after “entry” insert “1A,”

Amendment
No.**Schedule 7**

LORD LIPSEY

- 35 Page 226, line 17, at end insert—
“() Priority shall be given to counting the ballots cast in the local, Scottish Parliament and Welsh Assembly elections over the counting of ballots in the referendum.”

LORD McNALLY

- 36 Page 235, line 26, after “entry” insert “1A,”
37 Page 235, line 30, after “entry” insert “1A,”

Schedule 10

LORD McNALLY

- 38 Page 304, line 24, at end insert—
“*Parliamentary Constituencies Act 1986*
In Schedule 2A to the Parliamentary Constituencies Act 1986 (public hearings about Boundary Commission proposals), in the definition of “qualifying party” in paragraph 9, for “votes” there is substituted “first-preference votes”.”

After Schedule 10

LORD McNALLY

- 39 Insert the following new Schedule—
- “SCHEDULE Section 12
- 3 PUBLIC HEARINGS ABOUT BOUNDARY COMMISSION PROPOSALS
The Schedule referred to in section 12(1A) is as follows—
- “SCHEDULE 2A Section 5
- 6 PUBLIC HEARINGS ABOUT BOUNDARY COMMISSION PROPOSALS
- 7 *Purpose of hearings*
- 8 1 The purpose of a public hearing is to enable representations to be
10 made about any of the proposals with which the hearing is
concerned.
- 11 *Number of hearings*
- 2 (1) In relation to any particular report under section 3(1)(a) of this
Act—
- 15 (a) the Boundary Commission for England shall cause at least
two and no more than five public hearings to be held in each
English region;

Amendment
No.**After Schedule 10**—*continued*

- 18 (b) the Boundary Commission for Scotland shall cause at least two and no more than five public hearings to be held in Scotland;
- 21 (c) the Boundary Commission for Wales shall cause at least two and no more than five public hearings to be held in Wales;
- 24 (d) the Boundary Commission for Northern Ireland shall cause at least two and no more than five public hearings to be held in Northern Ireland.
- 26 (2) The public hearings in an English region shall be concerned with proposals for that region, and shall between them cover the whole region.
- 29 (3) The public hearings in Scotland shall be concerned with proposals for Scotland, and shall between them cover the whole of Scotland.
- 32 (4) The public hearings in Wales shall be concerned with proposals for Wales, and shall between them cover the whole of Wales.
- 34 (5) The public hearings in Northern Ireland shall be concerned with proposals for Northern Ireland, and shall between them cover the whole of Northern Ireland.
- 37 *Chair of hearings*
- 38 3 For each public hearing the Boundary Commission concerned
39 shall appoint a person to chair the hearing.
- 40 *Length of hearings*
- 41 4 A public hearing shall be completed within two days.
- 42 *Procedure at hearings*
- 43 5 It is for the chair of each public hearing to determine the
44 procedure that is to govern that hearing.
- 45 6 The chair shall make arrangements for a public hearing to begin
with an explanation of—
- 47 (a) the proposals with which the hearing is concerned;
- (b) how written representations about the proposals may be made (as mentioned in section 5(1)(a), (4)(b) or (5)(c) of this Act).
- 52 7 The chair of a public hearing must allow representations to be made—
- (a) by each qualifying party;

**Amendment
No.****After Schedule 10—continued**

- (b) by any other persons (whether individuals or organisations) considered by the chair to have an interest in any of the proposals with which the hearing is concerned.
- 58 Paragraph (b) above has effect subject to sub-paragraph (3)(b) below.
- (2) The chair may restrict the amount of time allowed for representations—
- (a) by qualifying parties, and
- (b) by other persons,
and need not allow the same amount to each.
- (3) The chair may determine—
- (a) the order in which representations are made, and
- 68 (b) if necessary because of shortage of time, which of those wishing to make representations are not
- 70 allowed to do so,
- in whatever way the chair decides.
- 8 (1) The chair may put questions, or allow questions to be put, to a person present at the hearing.
- (2) If questions are allowed to be put, the chair may regulate the manner of questioning or restrict the number of questions a person may ask.

Interpretation

- 9 In this Schedule—
- “the chair” means the person appointed under paragraph 3 above;
- “English region” means an electoral region specified in Schedule 1 to the European Parliamentary Elections Act 2002 (ignoring paragraph 2(2) of that Schedule and the references to Gibraltar) as it has effect on the day referred to in rule 5(2) of Schedule 2 to this Act;
- 86 “public hearing” means a hearing under section 5(1)(b) of this Act;
- “qualifying party” means a party that is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 and either—
- (a) has at least one Member of the House of Commons representing a constituency in the region, or (as the case may be) the part of the United Kingdom, in which the hearing is held, or
- 94 (b) received at least 10% of the votes cast in that region or part in the most recent parliamentary general election.”

Amendment
No.

After Schedule 10—*continued*

LORD FALCONER OF THOROTON

LORD BACH

[*Amendments 40 to 68 are amendments to Amendment 39*]

- 40★ Line 3, leave out “HEARINGS ABOUT” and insert “INQUIRIES INTO”
- LORD FALCONER OF THOROTON
LORD BACH
- 41★ Line 6, leave out “HEARINGS ABOUT” and insert “INQUIRIES INTO”
- 42★ Line 7, leave out “*hearings*” and insert “*inquiries*”
- 43★ Line 8, leave out from “purpose” to end of line 10 and insert “of a public inquiry is to enable everyone with a view on the proposals of a Boundary Commission to have the opportunity to be heard, to make objections and counter-proposals; to see and understand all the objections and counter-proposals that have been made by others; and to have these arguments heard in front of an independent legally qualified Assistant Commissioner empowered to adjudicate between the arguments and to make a final recommendation on proposed boundary changes”
- 44★ Line 11, leave out “*hearings*” and insert “*inquiries*”
- 45★ Line 15, leave out “hearings” and insert “inquiries”
- 46★ Line 18, leave out “hearings” and insert “inquiries”
- 47★ Line 21, leave out “hearings” and insert “inquiries”
- 48★ Line 24, leave out “hearings” and insert “inquiries”
- 49★ Line 26, leave out “hearings” and insert “inquiries”
- 50★ Line 29, leave out “hearings” and insert “inquiries”
- 51★ Line 32, leave out “hearings” and insert “inquiries”
- 52★ Line 34, leave out “hearings” and insert “inquiries”
- 53★ Line 37, leave out “*hearing*” and insert “*inquiry*”
- 54★ Line 38, leave out from “public” to end of line 39 and insert “inquiry the Boundary Commissions concerned shall appoint a legally qualified person from the panel of independent Assistant Commissioners to chair the inquiry.”
- 55★ Line 40, leave out “*hearings*” and insert “*inquiries*”
- 56★ Line 41, leave out “hearing” and insert “inquiry”
- 57★ Line 41, leave out “two days” and insert “four months”
- 58★ Line 42, leave out “*hearings*” and insert “*inquiries*”
- 59★ Line 43, leave out “hearing” and insert “inquiry”
- 60★ Line 44, leave out “hearing” and insert “inquiry”
- 61★ Line 45, leave out “hearing” and insert “inquiry”
- 62★ Line 47, leave out “hearing” and insert “inquiry”
- 63★ Line 52, leave out “hearing” and insert “inquiry”
- 64★ Line 58, leave out “hearing” and insert “inquiry”

Amendment
No.

After Schedule 10—*continued*

- 65★ Leave out lines 68 to 70
- 66★ Line 86, leave out first “hearing” and insert “inquiry”
- 67★ Line 86, leave out second “hearing” and insert “inquiry”
- 68★ Line 94, leave out “hearing” and insert “inquiry”

Parliamentary Voting System and Constituencies Bill

SECOND

MARSHALLED

LIST OF AMENDMENTS TO BE

MOVED ON REPORT

7th February 2011

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS
LONDON – THE STATIONERY OFFICE LIMITED

£4.00

HL Bill 44—II

(8934)

55/1



PEFC™

PEFC/16-33-622

ISBN 978-0-10-848041-6



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