

HOUSE OF LORDS

Procedure Committee

2nd Report of Session 2010-11

Law Commission Bills

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The Procedure Committee

The Select Committee on Procedure of the House is appointed each session to consider any proposals for alterations in the procedure of the House that may arise from time to time, and whether the standing orders require to be amended.

Current Membership

The members of the Procedure Committee are:

Baroness Anelay of St Johns
Lord Bassam of Brighton
Lord Brabazon of Tara (*Chairman*)
Baroness D'Souza
Lord Goldsmith
Baroness Gould of Potternewton
Lord Harries of Pentregarth
Baroness Hayman (*Lord Speaker*)
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Alternate members:

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Viscount Craigavon
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Lord Hunt of Wirral
Viscount Montgomery of Alamein

General Information

General information about the House of Lords and its Committees is on the Internet at <http://www.parliament.uk/lords/index.cfm>.

Contacts for the Procedure Committee

All correspondence should be addressed to the Clerk to the Procedure Committee, House of Lords, London, SW1A 0PW.

The telephone number for enquiries regarding the Committee's work is 020 7219 8796.

SECOND REPORT OF SESSION 2010-11 FROM THE PROCEDURE COMMITTEE

Law Commission Bills

1. On 3 April 2008 the House agreed, on a trial basis, to proposals from the then Leader of the House, Baroness Ashton of Upholland, for new procedures for handling Law Commission bills.¹ These procedures, set out in full in our earlier report, and summarised in the recent revision of the *Companion to the Standing Orders*,² were to be followed initially in respect of not more than two such bills. This Committee was then to review the procedures, before making final recommendations on whether or not they should be made permanent.
2. The new procedures have now been trialled in respect of two bills, both of which duly received Royal Assent: the Perpetuities and Accumulations Act 2009 and the Third Parties (Rights Against Insurers) Act 2010. In accordance with the House's decision in 2008, the Leader of the House has therefore invited us to review the procedure.
3. The Chief Executive of the Law Commission, Mr Mark Ormerod has confirmed that the Law Commission fully supports making the procedures permanent. Moreover, the former Chairman of the Constitution Committee, Lord Goodlad, wrote to the Chairman of Committees on 18 December 2009, reporting the Constitution Committee's view that the new procedures had worked well and had helped to clear the backlog of Law Commission bills.
4. The Leader of the House has therefore invited us to recommend to the House that the procedures for scrutinising Law Commission bills set out in our earlier report should be adopted permanently. He has also invited us to confirm that Law Commission bills originating in the work of the Scottish Law Commission are in principle also eligible for the new procedure, on the same terms and subject to the same safeguards—a point not covered in our earlier report.
5. **We recommend that the procedure for scrutinising Law Commission bills, adopted on a trial basis in April 2008, should be adopted permanently.**
6. **If this recommendation is accepted, we further confirm that Law Commission bills originating in the work of the Scottish Law Commission will also be eligible for the new procedure.**

¹ Procedure Committee, First Report, 2007–08 (HL Paper 63).

² See *Companion to the Standing Orders*, pp 129–30, 146–47.