



HOUSE OF LORDS

Procedure Committee

3rd Report of Session 2017–19

**Private notice questions
timing**
**Noting overdue Government
responses to select
committee reports in *House
of Lords Business***

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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.

Membership

The members of the Procedure Committee are:

[Lord Brabazon of Tara](#)

[Baroness Evans of Bowes Park](#)

[Baroness Farrington of Ribbleton](#)

[Lord Fowler](#) (Lord Speaker)

[Lord Geddes](#)

[Lord Hope of Craighead](#)

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Alternate members:

[Lord Brown of Eaton-under-Heywood](#) (*for the Convenor*)

[Baroness Browning](#) (*for backbench Conservative members*)

[Lord Foulkes of Cumnock](#) (*for backbench Labour members*)

[Baroness Meacher](#) (*for Crossbench members, other than the Convenor*)

[Lord Scriven](#) (*for backbench Liberal Democrat members*)

Declaration of interests

A full list of Members' interests can be found in the Register of Lords' Interests:

<http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

Publications

All publications of the Committee are available at:

<http://www.parliament.uk/business/committees/committees-a-z/lords-select/procedure-committee/>

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Further information

Further information about the House of Lords and its Committees, including guidance to witnesses, details of current inquiries and forthcoming meetings is available at:

<http://www.parliament.uk/business/lords/>

Contact details

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Private notice questions submission deadline

1. A private notice question (PNQ) gives members of the House the opportunity to raise urgent matters on any sitting day. The deadline for submitting a private notice question in writing to the Lord Speaker is 12 noon on the day on which it is proposed to ask it, or by 10 a.m. on days when the House sits before 1 p.m. A consequence of this is that on days when the House sits before 1 p.m. but oral questions remain at the usual time (as has happened recently to accommodate debate on the European Union (Withdrawal) Bill), the deadline for PNQs is automatically brought forward despite oral questions remaining at 2.30 p.m. (Monday and Tuesday) or 3 p.m. (Wednesday). The Committee considers that this consequence is unintended and should be averted.
2. We recommend that paragraph 6.38 of the Companion be amended as follows (new text **in bold**, deleted text ~~struck through~~)

“... A PNQ should be submitted in writing to the Lord Speaker by 12 noon on the day on which it is proposed to ask it, or by 10 a.m. on **Fridays and** days when ~~the House sits~~ **oral questions are taken** before 1 p.m. ...”

Noting overdue Government responses to select committee reports in *House of Lords Business*

3. The Government aims to respond to select committee reports within two months. The undertaking forms part of the Osmotherly Rules, which provide guidance to Government departments about their engagement with select committees in both Houses.¹
4. On 14 November 2017, in a Question for Written Answer (HL3234) regarding the quality and timeliness of Government responses, Lord Norton of Louth asked what consideration had been given to listing in *House of Lords Business* the names of Government departments that had failed to respond to reports of Lords select committees, and joint committees, within two months. In her response on 27 November, the Leader of the House undertook to submit such a proposal to the Procedure Committee.
5. We have considered the Leader’s proposal and agreed that the House should be informed of the status of Government responses to select committee reports through the inclusion of a new section in the *House of Lords Business* document. The proposed section is predicated upon the following assumptions:
 - It will be printed in the *Business* once a week, every Monday.
 - Only reports for which a Government response has not been received within two months will be included.
 - The two-month period will be interpreted as a full two months. For example, a report published on 20 February would be due for response on 21 April.

1 Cabinet Office, *Giving Evidence to Select Committees* (October 2014): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364600/Osmotherly_Rules_October_2014.pdf

- Only responses to reports which were published from the beginning of the 2017–19 session, and in subsequent sessions, will be included.
 - Only substantive reports by investigatory and post-legislative scrutiny committees will be covered, excluding reports published for information only. Reports by domestic committees² and legislative scrutiny reports³ will be excluded.
 - In the past, extensions for submitting Government responses have often been agreed between the department and committee concerned but not necessarily on a formal basis and with no precise date set. Such agreements will in future always need to be agreed in writing and the revised date will be indicated in the list.
 - Although it is not uncommon for more than one Government department to be involved in responding to select committee reports, only the lead department will be indicated.
6. The new section will be included in *House of Lords Business* when the House returns from the forthcoming Easter recess. We report this to the House for information.

2 This includes reports by the House of Lords Commission, Services Committee and Finance Committee.

3 This includes reports by the Constitution Committee, Secondary Legislation Scrutiny Committee, Delegated Powers and Regulatory Reform Committee, and joint committees on pre-legislative scrutiny, which will usually be tagged to the relevant items of primary and secondary legislation which appear in *House of Lords Business*.