

LORDS AMENDMENTS TO THE
PARLIAMENTARY STANDARDS BILL

[The page and line references are to HL Bill 60, the bill as first printed for the Lords.]

Before Clause 1

1 Insert the following new Clause –

“Bill of Rights

Nothing in this Act shall be construed by any court in the United Kingdom as affecting Article IX of the Bill of Rights 1689.”

2 Insert the following new Clause –

“House of Lords

(1) Nothing in this Act shall affect the House of Lords.

(2) But that is subject to –

(a) section (*Expiry of provisions of the Act*)(5),

(b) paragraphs 5(3) and (4), 16(2), 22(1), 24(2)(b) and 25(1) of Schedule 1, and

(c) paragraphs 4(2) and 8(1) of Schedule 2.”

Clause 1

3 Page 1, line 12, at end insert “(“the Committee”)”

Clause 2

4 Page 2, line 2, leave out “(as to which see further section 7)”

Clause 3

5 Page 2, line 11, at end insert –

“() the Speaker of the House of Commons,”

- 6 Page 2, line 14, leave out paragraph (c)
- 7 Page 2, line 30, at end insert –
- “(7A) The scheme may provide for allowances to be payable in connection with a person’s ceasing to be a member of the House of Commons; and references in this Act to the payment of an allowance to a member are to be read accordingly.”

- 8 Page 2, line 33, at end insert –
- “() In section 3A(1) of the European Parliament (Pay and Pensions) Act 1979 (c. 50) (power to make order aligning MEPs’ resettlement grants with MPs’ resettlement grants), after “resolutions of the House of Commons” insert “, or a scheme under section 3 of the Parliamentary Standards Act 2009,”.

Clause 4

- 9 Page 3, line 15, leave out from “is” to “to” in line 16

After Clause 4

- 10 Insert the following new Clause –

“Information and guidance about taxation

- (1) The IPSA must provide to members of the House of Commons –
- (a) details of any general information or guidance about taxation issues published by HMRC that it considers they should be aware of, and
 - (b) any other general information or guidance about taxation issues that it considers appropriate (consulting HMRC for this purpose as it considers appropriate).
- (2) “Taxation issues” means –
- (a) issues about the taxation of salaries payable under section 2 and allowances payable under the MPs’ allowances scheme, and
 - (b) any other issues about taxation arising in connection with those salaries and allowances.
- (3) “HMRC” means Her Majesty’s Revenue and Customs.”

Clause 6

- 11 Page 4, line 23, after “with” insert “a requirement included by virtue of section 5(7) (registration of interests) in”
- 12 Page 4, line 28, leave out paragraph (c)
- 13 Page 4, line 30, leave out from “investigation,” to “provide” in line 31 and insert “the IPSA must”
- 14 Page 4, line 33, leave out subsections (4) and (5) and insert –
- “(4) If, after conducting an investigation, the Commissioner finds that the member was paid an amount under the scheme that should not have been allowed, the Commissioner must refer the Commissioner’s findings to the House of Commons Committee on Standards and Privileges.
- (5) But the Commissioner need not refer the findings if –

- (a) the member accepts the findings,
 - (b) such other conditions as may be specified by the IPSA are, in the Commissioner's view, met in relation to the case, and
 - (c) the member repays to the IPSA, in such manner and within such period as the Commissioner considers reasonable, such amount as the Commissioner considers reasonable.
- (5A) If, after conducting an investigation, the Commissioner finds that the member failed to comply with a requirement included in the code by virtue of section 5(7), the Commissioner must refer the Commissioner's findings to the Committee on Standards and Privileges.
- (5B) But the Commissioner need not refer the findings if –
- (a) the member accepts the findings,
 - (b) the Commissioner considers that the financial interest concerned was minor or that the failure was inadvertent,
 - (c) such other conditions as may be specified by the IPSA are, in the Commissioner's view, met in relation to the case, and
 - (d) the member takes any steps required by the Commissioner to correct the register.
- (5C) If the Commissioner finds that a member who is the subject of an investigation has not provided the Commissioner with information the Commissioner reasonably requires for the purposes of the investigation, the Commissioner may refer the finding to the Committee on Standards and Privileges.”
- 15 Page 5, line 6, leave out “a report under subsection (4) is” and insert “the Commissioner's findings are”
- 16 Page 5, line 8, after “procedures” insert “or any conditions under subsection (5)(b) or (5B)(c)”
- 17 Page 5, line 10, at end insert –
“(ba) the Commissioner, and”
- 18 Page 5, line 12, after “must” insert “be fair and”
- 19 Page 5, line 16, leave out from first “the” to end of line 17 and insert “Commissioner, before the Commissioner's findings are referred to the Committee on Standards and Privileges, about the findings”
- 20 Page 5, line 17, at end insert –
“() Procedures by virtue of subsection (8)(a) must include –
(a) an opportunity to be heard in person;
(b) an opportunity, where the Commissioner considers it appropriate, to call and examine witnesses.”

Clause 7

- 21 Leave out Clause 7

Clause 8

- 22 Page 6, line 30, leave out subsections (2) and (3)
- 23 Page 6, line 42, leave out subsection (5)

Clause 10

24 Page 8, line 17, after “to” insert “the Committee on Standards in Public Life or to”

Clause 12

25 Page 9, line 27, at end insert –
 “(d) section (*Expiry of provisions of the Act*).”

After Clause 12

26 Insert the following new Clause –

“Expiry of provisions of the Act

- (1) The relevant provisions shall expire at the end of the period of two years starting with the day on which section 5 comes into force (“the effective period”).
- (2) The relevant provisions are sections 1(3) and (4) and 5 to 9 (and Schedule 2).
- (3) But a Minister of the Crown may by order extend, or (on one or more occasions) further extend, the effective period.
- (4) An order under subsection (3) –
 - (a) is to be made by statutory instrument,
 - (b) must be made before the time when the effective period would end but for the making of the order, and
 - (c) shall have the effect of extending, or further extending, that period for the period of two years beginning with that time.
- (5) A statutory instrument containing an order under subsection (3) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Schedule 1

27 Page 13, line 36, leave out “ensure that” and insert “comply with sub-paragraph (2)”

28 Page 14, line 10, leave out “6(6)” and insert “6(5)(b), (5B)(c), (6) and (7)”

29 Page 14, line 11, leave out paragraph (d)

30 Page 15, line 29, at end insert “(“the Committee”)”

31 Page 15, line 34, leave out “consistency” and insert “the consistency specified under sub-paragraph (3)”

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