



HOUSE *of* LORDS

BRIEFING

BILLS AND HOW THEY BECOME LAW

A Bill is a draft law. It has to be approved by both the House of Commons and the House of Lords before it receives the Royal Assent and becomes an Act of Parliament.

This paper describes briefly the different types of Bills and illustrates overleaf how a Bill becomes an Act of Parliament. The chart notes important differences between the House of Commons and the House of Lords.

Public Bills

These are Bills of general effect and relate to public policy. Bills may start in either House. The title of a Bill which starts in the House of Lords is followed by the initials [HL] during its passage through the two Houses.

Most major Bills are introduced by Ministers on behalf of the Government and are outlined in the Queen's Speech which sets out the Government's plans for each parliamentary session. Public Bills introduced by a backbench Member are called **Private Members' Bills**. They must not be confused with **Private Bills**. Members of the House of Lords have an unrestricted right to introduce Private Members' Bills and time is normally found for them. However, because time is limited in the Commons, only Bills which command general support will succeed in reaching the Statute Book.

Private Bills

These Bills contain provisions which explicitly apply to only part of the community rather than the community as a whole. Most are local in character, promoted by bodies such as local authorities or statutory bodies seeking special powers. Private Bills are promoted by outside interests and may begin in either House in equal numbers. Procedure is broadly the same in each. Almost all of their consideration takes place off the floor of the House, where those whose interests are adversely affected by a Private Bill can have their case for redress heard by a Select Committee.

Hybrid Bills

These are a cross between a Public and a Private Bill i.e. Public Bills which affect private interests. A Hybrid Bill initially goes through the same procedures as a Private Bill where, if petitions are presented, it is then sent to a Select Committee; it is subsequently treated as a Public Bill.

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STAGES of LEGISLATION

HOUSE of COMMONS		TIMING
<i>First Reading</i>	<ul style="list-style-type: none"> • Formal reading out of title of the Bill by a Clerk. • Ordered to be printed. 	Two weekends usually elapse after <i>First Reading</i> .
<i>Second Reading</i>	<ul style="list-style-type: none"> • Main opportunity to debate the Bill. A division at this stage represents a direct challenge to the principle of the Bill. • After Second Reading, Government Bills are timetabled by Programme Motions. 	
<i>Committee Stage</i>	<ul style="list-style-type: none"> • Chance to debate and vote on the detail, clause by clause. • Amendments selected by Chairman (advised by a Clerk). • All Bills go to one of four Committee types: <ul style="list-style-type: none"> (i) <i>Committee of the Whole House</i>– for constitutional Bills and parts of the Finance Bill; (ii) <i>Standing Committee</i> – most usual procedure. 16-50 Members, in proportion to overall party strengths. (iii) <i>Select Committee</i> [Infrequently used]. (iv) <i>Special Standing Committee</i> [Rarely used] – has powers to send for persons, papers and records; holds up to 4 extra sittings when it can hear oral evidence in private and public. <p style="text-align: center;">R</p>	Usually starts two weeks after <i>Second Reading</i> and can take anything from one meeting to several months.
<i>Report Stage</i>	<ul style="list-style-type: none"> • A further chance to consider amendments, new clauses and, for MPs not on the Committee, to propose changes. 	Usually two weekends elapse between end of <i>Committee Stage</i> and <i>Report Stage</i> .
<i>Third Reading</i>	<ul style="list-style-type: none"> • Final chance to debate the Bill. • A vote gives chance to show dissatisfaction with amended Bill. • The Bill now goes to the Lords. 	Usually immediately after <i>Report Stage</i> on the same day.
HOUSE of LORDS		No significant delay in the

<p><i>First Reading</i></p> <ul style="list-style-type: none"> • Formal • The Bill is reprinted in the form finally agreed by the Commons (<i>see note 2 below</i>). <p>R</p>	<p>transfer of a Bill between the two Houses.</p>
<p><i>Second Reading</i></p> <ul style="list-style-type: none"> • Debate on general principles of the Bill. • Government Bills included in the election manifesto are, by convention, not opposed at the Second Reading, but “reasoned” amendments may be tabled as a means of indicating dissent and can be voted on. 	<p>Two weekends usually elapse after <i>First Reading</i>.</p>
<p><i>Committee Stage</i></p> <ul style="list-style-type: none"> • Bills usually go to a Committee of the Whole House or Grand Committee away from the Chamber and rarely to other types of committee (<i>see over</i>). • Detailed line by line examination. • Unlike the Commons, there is no selection of amendments - all can be considered. • Unlike the Commons, debate on amendments is unrestricted. <p>R</p>	<p>Usually start at least fourteen days after <i>Second Reading</i>. Often spread over several days.</p>
<p><i>Report Stage</i></p> <ul style="list-style-type: none"> • Further chance to amend Bill. • May be spread over several days. <p>R</p>	<p>Usually start at least fourteen days after the end of <i>Committee Stage</i>.</p>
<p><i>Third Reading and Passing</i></p> <ul style="list-style-type: none"> • Unlike in the Commons, amendments can be made provided the issue has not been voted on at an earlier stage • Passing: The final opportunity for peers to comment and vote on Bill. 	<p>Usually at least three sitting days after the end of <i>Report Stage</i>.</p>

Consideration of Amendments

- Depending on which House the Bill started in, each House now considers the other's amendments.
- Bills with contentious amendments pass back and forth between the Houses until agreement is reached. If each House insists on its amendments, a Bill is lost.
- Bills with agreed amendments await Royal Assent.

Royal Assent

- Queen's assent formally notified to both Houses.
- Bill becomes an Act.

Notes

- (1) For the purpose of this chart, the Bill is assumed to have started in the Commons. Bills may equally be introduced first into the Lords. There are no differences in the stages followed by a Bill starting in the Lords.
- (2) **R** = Bill is reprinted at these points if amended at previous stage.
- (3) To follow the progress of a Bill, **Contact:** Information Office: (Lords) 020 7219 3107 (Commons) 020 7219 4272
Consult: Weekly Information Bulletin (*see Progress on Bills*)
Visit: House of Lords web site at www.parliament.uk



COMMITTEE STAGE ON PUBLIC BILLS:

Committee of the Whole House

Many Bills are considered in the Chamber of the House of Lords with all members eligible to participate.

There are three procedures which may replace Committee of the Whole House:

Grand Committee

The Committee has unrestricted membership – all Lords are free to attend and participate. A Grand Committee works in the same way as Committee of the Whole House, but no votes can take place. This procedure is frequently used for less contentious bills with a view to saving time on the floor of the House.

Public Bill Committee

A limited number of Lords are selected to conduct the Committee Stage of Government Bills which are of a technical and non-controversial nature. Lords not selected for the Committee can participate but may not vote. This procedure is very rarely used.

Special Public Bill Committee

This is a Public Bill Committee which can take written and oral evidence on Bills, within 28 days of appointment, before considering the Bill line by line. Any Bill can be referred to such a Committee. This procedure is very rarely used.

In addition, a Bill may be referred to a Select Committee. This procedure allows detailed investigation of the policy in a Bill, with taking of evidence. The Committee reports the Bill to the House, recommending whether or not the Bill should proceed. If it is to proceed, the Select Committee may make amendments and the Bill is then re-committed to a Committee of the Whole House. Private Members' Bills are occasionally committed to a Select Committee.

Pre-legislative Scrutiny of Draft Bills

In addition to the above procedures for considering bills, both Houses of Parliament have recently carried out pre-legislative scrutiny of some draft bills, in the session prior to their introduction. The purpose of this scrutiny is to take evidence on the policies underlying bills, and to consider whether bills can be improved before they are introduced. Pre-legislative scrutiny should lead to better-informed debates on bills when they are introduced, and may save time in both Houses by identifying problems at an early stage. Such scrutiny may be carried out by Select Committees of either House, or by Joint Committees.