



HOUSE OF LORDS

# A Guide to Public Bills in the House of Lords



**Further information on public bills can be found in:**

*A Guide to House of Lords Amendment Style*

*A Guide to using the Lords Amendments System*

*A Guide to Private Members' Bills in the House of Lords*

*Companion to the Standing Orders and Guide to the Proceedings of the House of Lords*

These publications are all available in the Printed Paper Office, in the Public Bill Office and on the Parliament website.

Members of the House of Lords have great freedom to participate in discussions on public bills. This pamphlet is intended to give practical guidance about the procedures on public bills in the Lords. More detailed information is contained in the [\*Companion to the Standing Orders\*](#).

### **The Public Bill Office**

The Public Bill Office is responsible for helping Members with the drafting of bills and amendments. The Office also arranges for the printing of bills and amendments and advises on the procedures of the House in relation to public bills. Members are encouraged to consult the Public Bill Office in advance if they are in doubt about what they can do or how to do it.

Public Bill Office, Room 28, First Floor, West Front

Email: [hlpublicbills@parliament.uk](mailto:hlpublicbills@parliament.uk)

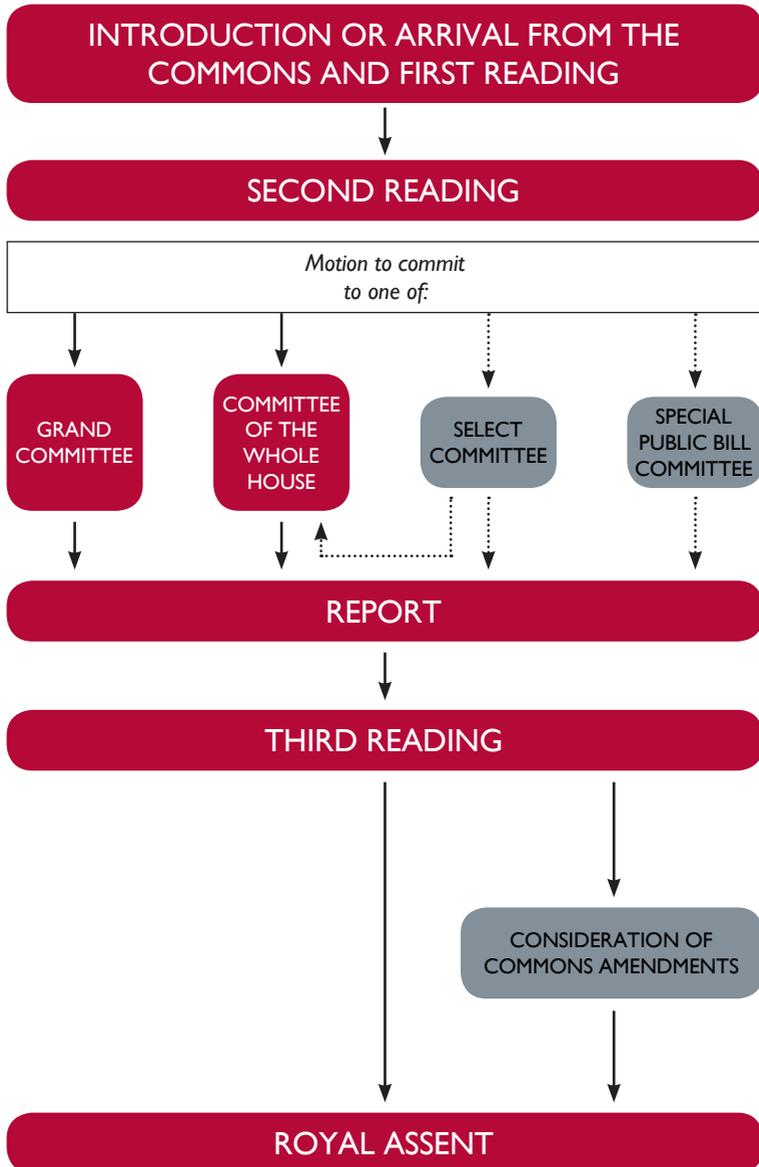
Tel: 020 7219 3153

Members considering introducing private members' bills may wish to read [\*A Guide to Private Members' Bills in the House of Lords\*](#).

Members seeking advice about the form of amendments can obtain [\*A Guide to House of Lords Amendment Style\*](#).

Members wishing to table amendments may do so using the Lords Amendments System. Please see [\*A Guide to using the Lords Amendments System\*](#) for further details or ask PBO staff.

# STAGES OF PUBLIC BILLS



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## Stages of a Public bill

1. A public bill must go through a series of different stages before it is passed by the Lords.

### Introduction and first reading

2. A bill is introduced into the Lords or brought from the Commons and given a first reading without advance notice being given on the Order Paper. This stage is formal and enables the bill to be published. Bills are usually available from the Printed Paper Office and on the internet ([www.parliament.uk/bills](http://www.parliament.uk/bills)) on the following working day.
3. All bills introduced by Ministers (government bills) and some bills introduced by other Members (private members' bills) are accompanied by Explanatory Notes which are usually published at the same time as the bill.

### Second reading

4. This is the stage when the general principles of the bill are debated, and is an opportunity for Members of the House to give notice of issues they may want to discuss further at later stages.
5. This is the only stage of a public bill when Members wishing to speak should put their names on the speakers' list kept by the Government Whips' Office (Principal Floor, West Front). Members can also add their names by visiting the Whips' Office, online ([www.lordswhips.org.uk](http://www.lordswhips.org.uk)) or by telephone (020 7219 3131). The speakers' list closes at 6pm on the weekday before second reading (4pm on Friday for business on Monday). If any Members whose names are not on the list want to speak they can still do so before the winding-up speeches (known as speaking "in the gap") provided they speak for no longer than 4 minutes. A Member intending to speak in the gap should alert the Clerk at the Table of the House.
6. After second reading the Member in charge of a bill usually moves a motion to commit it to either a Committee of the Whole House or a Grand Committee.

## Committee

7. This stage provides for detailed consideration of a bill, and gives Members their first opportunity to table and debate amendments. At committee stage only, Members can speak as often as they wish on the same amendment.
8. When the amendments to each clause have been disposed of, the Question is put that the clause stand part of the bill. A general debate on the clause may take place. Any Member who wishes to leave out the clause (or raise a point on it which is not covered by an amendment) speaks to this Question, having normally given notice of their intention to do so by informing the Public Bill Office. The Schedules are dealt with in a like manner.
9. A Committee of the Whole House meets in the Chamber. A Grand Committee is a Committee of the Whole House in the sense that any Member may participate but it meets in a committee room (usually the Moses Room). Divisions are permitted in Committee of the Whole House but not in Grand Committee, where amendments can only be agreed by unanimity. Other types of committees are occasionally used. These are described in paragraphs 45–50.
10. The committee stage may be spread over several days. For larger bills, the Government Whips' Office may produce a timetable in ***Forthcoming Business*** indicating when clauses and schedules are likely to be debated, but actual progress is in the hands of the House. Bills for which no amendments are tabled in committee may have that stage discharged and proceed straight to third reading. A bill may be re-committed either in part or in its entirety at any time before third reading (for example if major new provisions are introduced).

## Report

11. For all bills which are amended in committee, and most which are not, detailed consideration is continued at the report stage. Issues which have not been resolved in committee may be further considered. The procedure is similar to committee, except that Members may speak only once on each amendment, and only the mover of an amendment may speak after the Minister has wound up. Arguments made in committee should not be repeated at length on report. Amendments which are identical (or of identical effect) to amendments pressed to a vote by the proposer in committee are inadmissible, and amendments which seek to reverse amendments agreed to in committee can be agreed only by unanimity. The report stage may be spread over several days.

### **Third reading and passing**

12. The third reading and passing of a bill are its final Lords stages. If the bill affects the interests or prerogative of the Crown, the Queen's consent is signified by a Minister who is also a Privy Counsellor, before third reading. The third reading itself is taken formally, and is followed by consideration of any amendments, the procedure for which is the same as on report.
13. The practice of the House is normally to resolve major points of difference by the end of report stage and to use third reading for tidying up the bill. The principal purposes of amendments on third reading are to clarify any remaining uncertainties, to improve the drafting and to enable the government to fulfil undertakings given at earlier stages of the bill. An issue which has been fully debated and voted on or negated at a previous stage of a bill may not be reopened by an amendment on third reading. Manuscript amendments (amendments tabled on the day of the debate) are not in order. The Public Bill Office draws the attention of the Usual Channels to breaches of the guidance on third reading amendments.
14. Where a bill starting in the Lords involves expenditure out of voted funds or the imposition of a charge, a "privilege amendment" is moved formally by the Member in charge, after the other amendments have been dealt with, to avoid infringing the financial privilege of the Commons.
15. The motion "that this bill do now pass", which follows immediately after third reading or any amendments, is not normally debated, but there may be brief remarks. It is unusual for the combined stages to last for more than one day.

### **The Commons, and consideration of Commons amendments**

16. A bill introduced in the Lords is sent to the Commons in the form passed by the Lords. Any amendments subsequently made by the Commons to the bill must be considered by the Lords. This may take place at short notice. At this stage further amendments can be tabled but they must relate directly to the Commons amendments.
17. The procedure is reversed for bills which start in the Commons. In that case the Lords amendments are sent to the Commons for them to consider, and any disagreements by the Commons or further amendments to the Lords amendments are in turn considered by the Lords.

## Information about timetabling of bills

18. Notice of the next stage of a public bill is always given in *House of Lords Business* which often contains italic notes of the further days expected on that stage. *Forthcoming Business*, issued by the Government Whips' Office, also provides details of future business and sometimes includes provisional dates for future consideration as well. The bill's webpage also contains details of each stage, along with the relevant documents ([www.parliament.uk/bills](http://www.parliament.uk/bills)).
19. Any queries about timetabling should be addressed in the first instance to the Government Whips' Office. It is normally only possible to answer queries about when a particular clause or amendment is likely to be reached in committee or on report shortly before the stage in question begins though the Government Whips' Office will do their best to provide guidance.

### Minimum intervals

20. The House has agreed that certain minimum intervals should normally be observed between the stages of public bills. These are:

***Between first and second reading:*** 2 weekends.

***Between second reading and committee:*** 14 calendar days (inclusive of the day of second reading).

***Between committee and report:*** 14 calendar days (inclusive of the last day of committee) for bills of considerable length and complexity.

***Between report and third reading:*** 3 sitting days (exclusive of the last day of report).

## Tabling of amendments

21. Amendments for committee may be tabled at any time after second reading. Amendments for subsequent stages may be tabled from the day following the conclusion of the previous stage, as soon as the amended bill has been published. The PBO will publish amendments overnight if they have been submitted by 5pm on sitting Mondays to Thursdays or by 4pm on any other working day.
22. Amendments must be handed in, emailed to the Public Bill Office or submitted via the Lords Amendments System<sup>1</sup>.
23. Amendments which are handed in should be signed by the Member tabling them. Amendments which are emailed must be sent from the Member's own parliamentary email address, or another email address if they have first notified the Public Bill Office that they wish to use that address to table amendments. Members may also instruct the Public Bill Office to accept amendments on their behalf from named authorised persons.
24. Members may not table amendments by telephone, but they may indicate by telephone that they wish to add their names to amendments. No Member's name will be attached to any amendment unless the Public Bill Office has received explicit instructions from that Member to that effect.
25. The Public Bill Office can advise on the wording of amendments, and the booklet [A Guide to House of Lords Amendment Style](#) is available online and from the Office.
26. In general there is no advantage, and some disadvantage, in tabling amendments at the last moment. The House has agreed that late tabling of amendments is to be strongly deprecated since other Members have only a limited time to consider them and move amendments to them. Ministers will be less able to give a considered response and other Members of the House may be unprepared, reducing the prospects of the amendment receiving a favourable response. Amendments which are published for the first time on the marshalled list or a numbered supplementary list, or which have materially changed since their previous publication, are marked with a star.

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<sup>1</sup> For further information see [A Guide to using the Lords Amendments System](#).

## Admissibility of amendments

27. The following general rules apply:
- Amendments must be relevant to the subject matter of the bill and to the clause or schedule to which they are proposed. The Public Bill Office can advise on relevance.
  - Amendments must not be inconsistent with a decision taken earlier at the same stage except where alternative amendments are proposed to the same place in the bill.
  - Amendments to a Schedule are not in order if they go beyond the scope of, or are contrary to, the relevant clause which has already been agreed to.
  - Amendments to the long title are in order only if they are to rectify a mistake in the original title, to restate the title more clearly, or to reflect amendments which have been made to the bill.
  - Clause headings and the headings placed above parts of the bill or above groups of clauses are technically not part of the bill and are not open to amendment. Punctuation is also technically not part of the bill.
28. In addition, tabling amendments to bills that originated in the House of Commons is unprofitable if such amendments appear to be “material and intolerable infringements” of Commons financial privilege (in that they impose a charge not covered by the financial resolutions passed in the Commons) unless there is reason to believe that the Commons will pass a supplementary financial resolution.
29. The Public Bill Office is able to give advice on the form, wording and admissibility of amendments. Whether an amendment is in order can ultimately be decided only by the House itself, though it is expected that the advice of the Public Bill Office will be accepted. If the Public Bill Office believes an amendment is not in order, it will notify the Member concerned and will not table the amendment unless the Member insists on putting the matter to the House to decide. In that event the PBO will notify the Leader of the House and the Usual Channels.

## Interests

30. Members are not required to give written notice of a relevant interest when tabling amendments, unlike questions or motions. However Members have a duty to declare relevant interests orally when moving or debating them in the House or in Grand Committee.

## Publishing and marshalling of amendments

31. Amendments handed in before the deadline are published on the next working day. All amendments to a particular bill tabled on the same day are published on one daily sheet. They are not numbered at this stage. The names of Members supporting an amendment are listed above it, up to a maximum of four, or five if the Member in charge of the bill adds their name.

## Marshalled lists

32. For each amending stage of a bill, the amendments received are numbered and published as a “marshalled list” collated in the order in which they relate to the bill (subject to any instruction by the House to take the amendments in a particular order). This is the order in which they will be decided. Italic notes giving notice of a Member’s intention to leave out a clause or schedule in committee are not given a number when published in the marshalled list.
33. In committee and at report stage marshalled lists are published on the working day before the stage is begun or resumed so amendments must therefore be received by the end of the day two working days before the stage. Amendments handed in the day before the stage are incorporated in a revised marshalled list or are published on a supplementary sheet. When a stage is not completed in one day any new amendments are printed on sheets supplementary to the marshalled list and further marshalled lists are published for each subsequent day of the stage.
34. At third reading marshalled lists are published on the morning that the stage is to take place so amendments must be tabled by the deadline on the preceding working day.

## Manuscript amendments

35. Whenever possible notice should be given of any amendments. But in committee and on report it is in order to move, as manuscript amendments, amendments of which notice has not been given. Occasionally a manuscript amendment is justified, for instance to correct an amendment already tabled, or when an amendment under consideration is objected to and it is clear that with slight alteration of language it would become acceptable. However the House has agreed that manuscript amendments should be rare. Manuscript amendments are prohibited on third reading. Any Member intending to table a manuscript amendment should, if time allows, consult the Public Bill Office. The text of the amendment is read out in the Chamber by the mover and the Lord on the Woolsack or in the Chair.

## Debating amendments

36. There is no selection of amendments in the Lords. Every amendment published on a marshalled list or supplementary sheet is called unless notice is received that the amendment has been withdrawn or it is pre-empted by an earlier amendment. An amendment which has been tabled need not be moved but if none of the Members named as supporters of the amendment moves it any other Member may do so. Once an amendment has been moved it can be withdrawn only by unanimous leave. If there is no such unanimity the question is put on the amendment. If a Member decides not to move an amendment, the Member says "Not moved". No explanatory speech should be made.

## Grouping of amendments

37. In order to avoid repetition related amendments are often grouped and debated together. Lists of such groupings are prepared by agreement between the Government Whips' Office and the Members tabling the amendments and are available in the Printed Paper Office, on the Government Whips' Office website, and in the Prince's Chamber and Peers' Lobby, usually about one hour before the House sits on the day the amendments are to be debated. For committee stage a draft list of groupings is available in the Government Whips' Office at 2.30pm on the day before the stage is taken; for other stages the draft list is available in that Office from about 11am on the day of the stage (earlier when the House sits at 11am).

38. Groupings are informal and not binding but it may be inconvenient to other Members if they are departed from without advance notice. This makes it important for those Members who have tabled amendments to contact the Government Whips' Office in advance to discuss the draft lists of groupings. For committee stages this should be by the afternoon of the working day before that stage: for other stages it should be between 11am and 12.30pm on the day the amendments are to be debated (6pm the night before when the House sits at 10am or 11am). It can also be helpful to let the Whips' Office know in advance how far a Member wants (or does not want) their amendments to be grouped.
39. When the first amendment in a group is called the normal procedure is for the Member in whose name the amendment has been tabled to move the amendment and to make a speech. Following that speech the Chairman puts the Question for the first time "that Amendment X be agreed to". The debate then follows, covering the first amendment, any subsequent amendments in the group and any notices on the question that the clause stand part which are included in the group. Members speaking to subsequent amendments in a group should not say "I beg to move" in the debate – they should simply say that they are "speaking to" their amendment. Their amendment will be called when its place in the marshalled list is reached. Further debate may take place at this stage but is not common. Many such amendments are either not moved or moved formally as follows: "My Lords, I have already spoken to this amendment. I beg to move."
40. If the first amendment in a group is agreed to, it does not follow that the other amendments in the group will all be agreed to, unless they are directly consequential. It is a matter for the House or committee to judge in each case how the decision on the first amendment affects the others.
41. If a Member believes that an amendment at committee or report stage has been wrongly grouped he or she should make this clear in debate. This is because if an amendment in the group is voted on at either stage a Member may not be allowed to retable the amendment on third reading because of the rule prohibiting the reopening at that stage of issues previously decided.

42. At committee, italic notes of opposition to the Question that clause/Schedule stand part are dealt with in a similar way to amendments, except that the Question “that clause X stand part of the bill” is put for the first time before anyone speaks. So a Member with his or her name to an italic note does not need to say “I beg to move”. Whereas a Member supporting an amendment is “Content”, a Member opposing a clause at committee stage is “Not Content”.
43. Italic notes may be grouped with other earlier amendments and, in those circumstances, they would not normally give rise to a separate debate.
44. It is in order to speak on the question that a clause stand part without having given notice by means of an italic note but, in such circumstances, it is helpful to warn the Chair and/or the Clerk at the Table.

## Alternative committee procedures

45. The most common forms of committee procedure are Committee of the Whole House and Grand Committee. There are, however, two other procedures which either replace those or are in addition to them.

### Special Public Bill Committee

46. The Special Public Bill Committee procedure hands the conduct of the committee stage to a select committee, which can take written and oral evidence over a maximum period of 28 days from its appointment, before going through the bill clause by clause and considering amendments. Any bill can be scrutinised in this way, though it is usually reserved for technical measures which are not controversial in party-political terms, such as uncontroversial Law Commission bills. All Members of the House can participate in the hearing of evidence and the consideration of amendments but only members of the committee can vote.
47. Notice of Special Public Bill Committee proceedings is given in *House of Lords Business*. Any Member of the House can table amendments to a bill before a Special Public Bill Committee and the amendments, marshalled lists and groupings are produced in the usual way. The Official Report of the committee stage proceedings is published as a report by the committee.
48. The next stage is report.

### Select committee on a bill

49. This procedure allows detailed investigation by a select committee at any stage between second and third readings. The committee may take evidence and reports to the House on the provisions of the bill, recommending whether or not it should proceed. If recommending that the bill should proceed, the committee may make amendments if it sees fit. Notice of meetings is given in *House of Lords Business*.
50. The next stage is Committee of the Whole House (on re-commitment).

### Bills on which proceedings are limited

51. There are certain types of bills which it is not in order for the House to amend and other types where the opportunity is limited.

### Finance, Consolidated Fund and Appropriation bills

52. All of these are "Supply" bills. The Commons alone have the right to grant supply and the Lords cannot amend these bills. The committee stage is accordingly negated. Consolidated Fund and Appropriation bills are not debated at all, while Finance bills are usually debated at second reading.

### Money bills

53. A money bill is one which contains only provisions dealing with national (but not local) taxation, public money or loans or their management.
54. If the Commons Speaker certifies a Commons bill as a money bill the Lords have, under the terms of the Parliament Act 1911, one calendar month to pass the bill. Though, in theory, this does not stop the Lords from amending such bills in the period, the Commons do not have to consider the Lords amendments. The committee stage of such bills in the Lords is accordingly almost invariably negated.

## Consolidation bills

55. Consolidation bills do not change the law (unless there are special recommendations to do so from the Law Commissions). They are considered by a Joint Committee. Any amendment seeking to do anything other than consolidate the law is not in order. In general only amendments to improve clarity or drafting are admissible.

## QUICK REFERENCE

*To table amendments, and for advice on public bill procedures and amendments –*

**Public Bill Office** (Room 28, First Floor, West Front)

Tel 020 7219 3153 email [hlpublicbills@parliament.uk](mailto:hlpublicbills@parliament.uk)

Amendments may be tabled between 10am and 5pm (4pm on Fridays and in recesses). They may be handed in to the office (signed by the Member who wishes to table them), emailed (usually from the Member's parliamentary email address) or submitted using [las.parliament.uk](mailto:las.parliament.uk).

*For all bill documents, and reports of debates on bills –*

[www.parliament.uk/bills](http://www.parliament.uk/bills)

Each bill before Parliament has its own web page, with links to all bill documents including PDFs of the bill, explanatory notes, impact assessments, amendment documents and any relevant briefing papers prepared by the Lords or Commons Libraries. The pages also contain links to the Hansard report of debates on each stage of a bill.

*To sign up to speak at second reading, and to discuss grouping of amendments –*

**Government Whips' Office** (Principal Floor, West Front)

Tel: 020 7219 3131 email: [holgovernmentwhips@parliament.uk](mailto:holgovernmentwhips@parliament.uk)

online: [www.lordswhips.org.uk](http://www.lordswhips.org.uk)

*To read existing legislation –*

[www.legislation.gov.uk](http://www.legislation.gov.uk)

Provides the text of existing Acts of Parliament, both as enacted and up-to-date.

**Lexis Library**

The House of Lords Library also subscribes to Lexis Library, which provides the text of existing Acts of Parliament, as up-to-date versions, and as historical versions as at a certain date. Accessible directly via the intranet, or with the assistance of Lords Library staff.

*Further information –*

- [A Guide to House of Lords Amendment Style](#)
- [A Guide to using the Lords Amendments System](#)
- [A Guide to Private Members' Bills in the House of Lords](#)
- [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#)

Available from the Printed Paper Office, the Public Bill Office, or online at

[www.parliament.uk/business/publications](http://www.parliament.uk/business/publications)



Issued by the Legislation Office  
House of Lords  
London SW1A 0PW

Email: [hlpublicbills@parliament.uk](mailto:hlpublicbills@parliament.uk)

Telephone: 020 7219 3153

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