



# House of Commons

## Monday 8 February 2010

### Votes and Proceedings

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The House met at 2.30 pm.

#### PRAYERS.

1 Questions to the Secretary of State for the Home Department

2 Speaker's statement: Application of the *sub judice* rule

3 Statement: Devolution (Northern Ireland) (Prime Minister)

4 Terrorist Asset-Freezing (Temporary Provisions) Bill (Allocation of Time)

Motion made and Question put, That the following provisions shall apply to the Terrorist Asset-Freezing (Temporary Provisions) Bill:

#### *Timetable*

1.—(1) Proceedings on Second Reading, in Committee, on consideration and on Third Reading shall be completed at today's sitting in accordance with the following provisions of this paragraph.

(2) Proceedings on Second Reading shall (so far as not previously concluded) be brought to a conclusion four hours after the commencement of proceedings on the Motion for this Order or at 8 pm (whichever is the earlier).

(3) Proceedings in Committee, on consideration and on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 10 pm.

#### *Timing of proceedings and Questions to be put*

2. When the Bill has been read a second time—

(a) it shall (notwithstanding Standing Order No. 63 (Committal of bills not subject to a programme order)) stand committed to a Committee of the whole House without any Question being put;

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

3.—(1) On the conclusion of proceedings in Committee, the Chairman shall report the Bill to the House without putting any Question.

(2) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

4. For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1, the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

5. On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

6. If two or more Questions would fall to be put under paragraph 4(d) in relation to successive provisions of the Bill, the Chairman shall instead put a single question in relation to those provisions.

#### *Consideration of Lords Amendments*

7.—(1) Any Lords Amendments to the Bill shall be considered forthwith without any Question being put.

(2) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

8.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 7.

(2) The Speaker shall first put forthwith any Question already proposed from the Chair.

(3) If that Question is for the amendment of a Lords Amendment the Speaker shall then put forthwith—

(a) a single Question on any further Amendments to the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown that this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) a single Question on any Amendments moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown that this House agrees or disagrees to the Lords Amendment or (as the case may be) to the Lords Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown that this House disagrees to a Lords Amendment.

(6) The Speaker shall then put forthwith the Question that this House agrees to all the remaining Lords Amendments.

(7) As soon as the House has—

(a) agreed or disagreed to a Lords Amendment, or

(b) disposed of an Amendment relevant to a Lords Amendment which has been disagreed to,

the Speaker shall put forthwith a single Question on any Amendments moved by a Minister of the Crown and relevant to the Lords Amendment.

#### *Subsequent stages*

9.—(1) Any further Message from the Lords on the Bill shall be considered forthwith without any Question being put.

(2) Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

10.—(1) This paragraph applies for the purpose of bringing any proceedings to a conclusion in accordance with paragraph 9.

(2) The Speaker shall first put forthwith any Question which has been proposed from the Chair.

(3) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(4) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(5) The Speaker shall then put forthwith the Question that this House agrees with the Lords in all the remaining Lords Proposals.

#### *Reasons Committee*

11.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

(2) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(3) Proceedings in the Committee shall (so far as not previously concluded) be brought to a conclusion 30 minutes after their commencement.

(4) For the purpose of bringing any proceedings to a conclusion in accordance with sub paragraph (3), the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair, and

(b) then put forthwith successively Questions on motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(5) The proceedings of the Committee shall be reported without any further Question being put.

#### *Miscellaneous*

12. Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply so far as necessary for the purposes of this Order.

13.—(1) The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

(2) Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to those proceedings.

14. Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

15.—(1) No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken or to recommit the Bill.

(2) The Question on any such Motion shall be put forthwith.

16.—(1) No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown.

(2) The Question on any such Motion shall be put forthwith.

17. The Speaker may not arrange for a debate to be held in accordance with Standing Order No. 24 (Emergency debates)—

(a) at today's sitting, or

(b) at any sitting at which Lords Amendments to the Bill are, or any further Message from the Lords is, to be considered,

before the conclusion of any proceedings to which this Order applies.

18.—(1) Sub-paragraph (2) applies if the House is adjourned, or the sitting is suspended, before the conclusion of any proceedings to which this Order applies.

(2) No notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

19. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

20. The Speaker shall not adjourn the House at the sitting on the day on which the Bill is sent back to the House from the Lords until—

(a) any Message from the Lords on the Bill has been received;

(b) he has reported the Royal Assent to any Act agreed upon by both Houses.—(*Sarah McCarthy-Fry.*)

The House divided.

Division No. 72.

Ayes: 376 (Tellers: Mr Frank Roy, Mrs Sharon Hodgson).

Noes: 56 (Tellers: Sir Robert Smith, Dan Rogerson).

Question accordingly agreed to.

#### 5 Terrorist Asset-Freezing (Temporary Provisions) Bill: Second Reading

Bill read a second time and stood committed to a Committee of the whole House (Order, today).

#### 6 Terrorist Asset-Freezing (Temporary Provisions) Bill: Committee of the whole House

The House resolved itself into a Committee (Order, today).

(In the Committee)

Clause 1 (Temporary validity of certain Orders in Council)

Amendment 1 proposed.—(*Mr Mark Hoban.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 73.

Ayes: 125 (Tellers: Bill Wiggin, Mr John Baron).

Noes: 307 (Tellers: Mr Bob Blizzard, Kerry McCarthy).

Question accordingly negated.

Amendment 8 made.

Amendment 4 proposed.—(*David Howarth.*)

Question proposed, That the Amendment be made.

Amendment, by leave, withdrawn.

Amendment 5 proposed.—(*David Howarth.*)

Question put, That the Amendment be made.

The Committee divided.

Division No. 74.

Ayes: 53 (Tellers: Dan Rogerson, Martin Horwood).

Noes: 254 (Tellers: Mr Bob Blizzard, Kerry McCarthy).

Question accordingly negated.

Amendments 9 and 10 made.

Question put, That the Clause, as amended, stand part of the Bill.

The Committee divided.

Division No. 75.

Ayes: 302 (Tellers: Mr Bob Blizzard, Kerry McCarthy).

Noes: 42 (Tellers: Dan Rogerson, Martin Horwood).

Question accordingly agreed to.

Clause, as amended, accordingly agreed to.

Clause 2 agreed to.

Clause 3 (Short title, commencement and extent)

Amendment 11 made.

Clause, as amended, agreed to.

Bill to be reported, with Amendments.

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The Deputy Speaker resumed the Chair.

Mrs Sharon Hodgson reported, That the Committee had gone through the Bill and made Amendments.

7 Terrorist Asset-Freezing (Temporary Provisions) Bill, as amended in the Committee: Consideration

No Amendments on consideration.

8 Terrorist Asset-Freezing (Temporary Provisions) Bill: Third Reading

Bill read the third time, and passed.

9 Legislative Reform Orders: Motion for Approval

Motion made and Question put forthwith (Standing Order No. 18(1)), That the draft Legislative Reform (Dangerous Wild Animals) (Licensing) Order 2010, which was laid before this House on 7 December, be approved.—(Mrs Sharon Hodgson.)

Question agreed to.

10 Church of England (General Synod) Measures

(1) *Ordered*, That the Measure passed by the General Synod of the Church of England, entitled Church of England (Miscellaneous Provisions) Measure, which was laid before this House on 16 December, be referred to a Delegated Legislation Committee.—(Mrs Sharon Hodgson.)

(2) *Ordered*, That the Measure passed by the General Synod of the Church of England, entitled Crown Benefices (Parish Representatives) Measure, which was laid before this House on 16 December, be referred to a Delegated Legislation Committee.—(Mrs Sharon Hodgson.)

(3) *Ordered*, That the Measure passed by the General Synod of the Church of England, entitled Vacancies in Suffragan Sees and Other Ecclesiastical Offices Measure, which was laid before this House on 16 December, be referred to a Delegated Legislation Committee.—(Mrs Sharon Hodgson.)

11 Adjournment

Subject: Kingston Hospital (Susan Kramer).

Motion made and Question proposed, That this House do now adjourn.—(Mrs Sharon Hodgson.)

At 10.00 pm, the Motion lapsed (Standing Order No. 9(7)).

Motion made and Question proposed, That this House do now adjourn.—(*Mrs Sharon Hodgson.*)

House adjourned without Question put (Standing Order No. 9(7)).

Adjourned at 10.30 pm until tomorrow.

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*Other proceedings*

*Lords Messages*

12 Cluster Munitions (Prohibitions) Bill [*Lords*]

The Lords have passed a Bill to make provision for giving effect to the Convention on Cluster Munitions; to which they desire the agreement of the Commons.

*First Reading and Printing of Lords Bills*

13 Cluster Munitions (Prohibitions) Bill [*Lords*]

Bill read the first time; to be read a second time tomorrow, and to be printed (Bill 63), with Explanatory Notes (Bill 63–EN).

*General Committees: Reports*

14 European Committee B in respect of European Union Document No. 17691/09, relating to the Green Paper from the Commission of the European Communities on Obtaining evidence in criminal matters from one Member State to another

Mr Mike Hancock (Chairman) reported the following Resolution:

That the Committee takes note of European Union Document No. 17691/09, Commission Green Paper on obtaining evidence in criminal matters from one Member State to another and securing its admissibility; and supports the Government's objective of only supporting a new EU Mutual Legal Assistance instrument that will bring coherence and add real value to the operation of Mutual Legal Assistance amongst EU Member States.

15 First Delegated Legislation Committee

Mr Roger Gale (Chairman) reported the draft Regulation of Investigatory Powers (Communications Data) Order 2010 and the draft Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010.

16 Second Delegated Legislation Committee

Mr Martyn Jones (Chairman) reported the draft Rail Vehicle Accessibility (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2010.

17 Third Delegated Legislation Committee

Jim Sheridan (Chairman) reported the draft Employment Relations Act 1999 (Blacklists) Regulations 2010.

*General Committees: Appointments*

*The Speaker appoints the Chairman of General Committees and allocates Statutory Instruments to Delegated Legislation Committees.*

*The Committee of Selection nominates Members to serve on General Committees (and certain Members to serve on Grand Committees).*

18 First Delegated Legislation Committee (Draft Regulation of Investigatory Powers (Communications Data) Order 2010 and the draft Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010)

Members: Mr Neil Gerrard discharged and Mr Nick Raynsford nominated in substitution.

19 Third Delegated Legislation Committee (Draft Employment Relations Act 1999 (Blacklists) Regulations 2010)

Chairman: Jim Sheridan in place of Mrs Joan Humble

Members: Mr Peter Lilley, Sir Malcolm Rifkind and Gisela Stuart discharged and Peter Bottomley, Mr Oliver Heald and Laura Moffatt nominated in substitution.

20 Fifth Delegated Legislation Committee (Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2010 (S.I., 2010, No. 86))

Members: Paul Farrelly discharged and Mr Charles Clarke nominated in substitution.

21 Sixth Delegated Legislation Committee (Draft Data Protection (Monetary Penalties) Order 2010)

Members: Mr Michael Jack and Mr Michael Wills discharged and Mr Lee Scott and Bridget Prentice nominated in substitution.

22 Eleventh Delegated Legislation Committee (Draft Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2010)

Members: Mr Douglas Hogg discharged and Mr John Greenway nominated in substitution.

23 European Committee B in respect of European Union Document No. 17691/09, relating to the Green Paper from the Commission of the European Communities on obtaining evidence in criminal matters from one Member State to another

Members: Mrs Ann Cryer and Patrick Mercer discharged and David T. C. Davies and Alan Keen nominated in substitution.

#### *Reports from Select Committees*

24 Children, Schools and Families Committee

*Young people not in education, employment or training*: Evidence, to be printed (HC 316-iii) (Mr Barry Sheerman).

25 Communities and Local Government Committee

*FiReControl*:

(i) Written evidence, to be published;

(ii) Evidence, to be printed (HC 352-i)

(Dr Phyllis Starkey).

26 London Regional Select Committee

*London's population and the 2011 Census*: Evidence, to be printed (HC 349-ii) (Ms Karen Buck).

27 Public Accounts (Committee of)

(1) *Excess Votes 2008–09*: Thirteenth Report, to be printed, with the Formal Minutes relating to the Report (HC 360);

(2) *The BBC's management of its coverage of major sporting and music events*: Evidence, to be printed (HC 359-i)

(Mr Edward Leigh).

28 Science and Technology Committee

*Evidence Check 2: Homeopathy*: Fourth Report, to be printed, with the Formal Minutes relating to the Report, and written evidence reported and ordered to be published on 21 October 2009 in the last session of Parliament, and 25 November and 6 January (HC 45) (Mr Phil Willis).

*Reports from other Committees*

29 House of Commons Members Estimate Committee

*Resettlement Grant*: Letter from the Speaker to the Accounting Officer for the Members Estimate, to be published (The Speaker).

***John Bercow***

*Speaker*

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The Speaker will take the Chair at 2.30 pm.

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APPENDIX

*Papers presented or laid upon the Table:*

*Papers subject to Affirmative Resolution:*

1 Building Societies

Draft Building Societies (Insolvency and Special Administration) (Amendment) Order 2010 (by Act), with an Explanatory Memorandum (by Command) (Sarah McCarthy-Fry).

*Papers subject to Negative Resolution:*

2 Education

School Budget Shares (Prescribed Purposes) (England) (Amendment) Regulations 2010 (S.I., 2010, No. 190), dated 2 February 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Ed Balls).

3 Energy

Draft Modifications to the Standard Conditions of Electricity Supply Licences (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (Secretary Edward Miliband).

4 Excise

Warehousekeepers and Owners of Warehoused Goods (Amendment) Regulations 2010 (S.I., 2010, No. 250), dated 4 February 2010 (by Act), with an Explanatory Memorandum (by Command) (Sarah McCarthy-Fry).

5 Local Government

(1) Business Rate Supplements (Collection and Enforcement) (England) Regulations 2010 (S.I., 2010, No. 187), dated 1 February 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary John Denham); and

(2) Local Authorities (Alteration of Requisite Calculations) (England) Regulations 2010 (S.I., 2010, No. 219), dated 4 February 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary John Denham).

#### 6 Pensions

Pension Protection Fund and Occupational Pension Schemes (Miscellaneous Amendments) Regulations 2010 (S.I., 2010, No. 196), dated 2 February 2010 (by Act), with an Explanatory Memorandum (by Command) (Secretary Yvette Cooper).

#### *Other Papers:*

#### 7 Home Affairs

Government Response to the Sixth Report from the Home Affairs Committee, Session 2009–10, on the Home Office's Response to Terrorist Attacks (by Command) (Cm. 7788) (Secretary Alan Johnson).

#### 8 Isle of Man

Account of the Commissioners of HM Revenue and Customs in Account with the Government of the Isle of Man for 2008–09 (by Act); to be printed (HC 285) (Stephen Timms).

#### 9 Members' Financial Interests

Register of Members' Financial Interests as at 3 February 2010 (pursuant to the Resolutions of 22 May 1974, 28 June 1993, 6 November 1995, 14 May 2002, 27 March 2008 and 9 February and 30 April 2009); to be printed (HC 364) (Clerk of the House).

#### 10 Parliamentary Commissioner

Fourth Report of the Parliamentary Commissioner for Administration, Session 2009–10: Fast and Fair? A Report by Parliamentary Ombudsman on the UK Border Agency (by Act); to be printed (HC 329) (Clerk of the House).

#### *Withdrawn Papers:*

#### 11 Energy

Draft Modifications to the Standard Conditions of Electricity Supply Licences (by Act), with an Explanatory Memorandum and an Impact Assessment (by Command) (laid 3 February 2010).