

A Guide to House of Lords Amendment Style

This booklet sets out the various categories of amendments with examples of the most common variations. (It does not cover motions and amendments moved on consideration of Commons Amendments, Reasons etc.). It is designed to assist members of the House and their advisers in drafting amendments in proper form and reflects recent changes made in the layout of statute.

Points of procedure and rules of admissibility relating to amendments are set out in "Taking Part in Public Bills in the House of Lords", published by the Public Bill Office, and in the "Companion to Standing Orders". Both are available in the Printed Paper Office.

Public Bill Office staff are available to advise on amendments and if required will edit any text received.

Members or their advisers who intend to table a large number of amendments are encouraged to use the amendment proforma available from this office in paper or electronic form.

Amendments may be tabled between 10.00 am and 5.00 pm (4.00 pm on Friday). They must be signed by the member who wishes to table them. They may be handed in to the office or faxed.

Telephone: 020 7219 3153

Fax: 020 7219 5933

*Public Bill Office
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(1) AMENDMENTS TO LEAVE OUT

1. Amendments to leave out Clauses or Schedules

NB: Separate amendments are required to leave out more than one Clause or Schedule

(a) Committee Stage

NB: At Committee Stage amendments to leave out Clauses or Schedules take the form of opposition to the motion that each Clause or Schedule “stand part” of the bill, and are tabled as “ italic notices ” of opposition. Strictly speaking, they are not amendments. But they may have up to the usual four names (or four plus the member-in-charge) as signatories.

Clause 2

THE LORD SMITH
[THE LORD ADDITIONAL-NAME]

The Lord Smith gives notice of his intention to oppose the Question that Clause 2 stand part of the Bill.

[The above-named Lords give notice of their.....]

Schedule 3

THE BARONESS JONES
[THE BARONESS ADDITIONAL-NAME]

The Baroness Jones gives notice of her intention to oppose the Question that Schedule 3 be the Third Schedule to the Bill.

[The above-named Lords give notice of their.....]

(b) Report and Third Reading

Leave out Clause 2

Leave out Schedule 3

2. Amendments to leave out whole subsections (or any whole subdivision of a Clause or Schedule)

NB: For subdivisions of text inserted into previous Acts see 3.

In a Clause:

Page 2, line 10, leave out subsection (1)

Page 2, line 10, leave out subsections (1) and (2)

Page 2, line 10, leave out subsections (1) to (4)

Page 2, line 12, leave out paragraph (a)

Page 2, line 13, leave out sub-paragraph (i)

In a Schedule:

Page 100, line 14, leave out paragraph 1

Page 100, line 18, leave out sub-paragraph (1)

3. Amendments to leave out lines

NB: This form is applied to any block of text consisting of whole lines (other than a complete subdivision of a Clause or Schedule) and any subdivision of text inserted into a previous Act.

Page 2, leave out line 10

Page 2, leave out lines 10 and 11

Page 2, leave out lines 10 to 14

Page 2, leave out from beginning of line 10 to end of line 2 on page 3

4. Amendments to leave out text not consisting of whole lines

(a) Leave out from “x” to “y”

*NB: Use the form “leave out from “x” to “y”” where the words to be left out number more than eight. Remember that the words “x” and “y” are the words before and after the words to be left out and will **stay** in the bill.*

Page 2, line 10, leave out “(3),”

Page 2, line 10, leave out “, or the Director (or his deputy),

Page 2, line 10, leave out from beginning to “decide” in line 12

Page 2, line 10, leave out from beginning to “the” in line 3 on page 3

Page 2, line 10, leave out from “State” to end of line 12

Page 2, line 10, leave out from “State” to “shall” in line 11

(b) Leave out “words”

Page 2, line 10, leave out “after consultation with the relevant bodies”

(2) AMENDMENTS TO LEAVE OUT AND INSERT

1. Amendments to leave out Clauses or Schedules and insert new Clauses or Schedules

Leave out Clause 5 and insert the following new Clause—

“Title of the new Clause

- (1) Text of new Clause set out if necessary in numbered subsections ((1), (2) etc), each consisting of a whole sentence and divided where appropriate into paragraphs ((a), (b) etc) and sub-paragraphs ((i), (ii) etc).”

Leave out Schedule 3 and insert the following new Schedule—

“SCHEDULE

TITLE OF NEW SCHEDULE

- 1 Text of new Schedule, set out if necessary in numbered paragraphs (1, 2, etc) and sub-paragraphs ((1), (2) etc; (a), (b) etc).”

2. Amendments to leave out whole subsections (or any whole subdivision of a Clause or Schedule) and insert new subsections (paragraphs, etc.)

Page 3, line 4, leave out subsection (2) and insert—

“(2) Where the Secretary of State [...]”

Page 3, line 4, leave out subsection (2) and insert—

“(2) Subsection (1) does not apply in the circumstances set out in subsection (2A) below.

(2A) Those circumstances are—

(a) where [...]”

3. Amendments to leave out lines and insert new text

Page 4, leave out line 10 and insert—

“having regard to the different sectors of employment,”

Page 104, leave out lines 10 to 14 and insert—

“This paragraph applies [...].”

Page 12, leave out line 5 and insert “except where directed by the Treasury.”

4. Amendments to leave out words and insert words

Page 1, line 10, leave out “may” and insert “shall”

Page 2, line 4, leave out “with the consent of the Treasury,” and insert “unless the Secretary of State otherwise directs,”

Page 5, line 8, leave out “(4)(b), (5) or (6)” and insert “(4), (5) or (6)(a)”

Page 10, line 24, leave out “may” and insert—

“(a) shall, if requested to do so by the Secretary of State, and

(b) may, in any other case,”

Page 12, line 12, leave out “except in Scotland” and insert “except where subsection (2A) applies.

(2A) This subsection applies where [...].”

Page 14, line 40, leave out from second “the” to “for” in line 42 and insert “information sought shall be used only”

Page 14, line 40, leave out from second “the” to end of line 2 on page 15 and insert “information sought shall be used only for the purposes set out in subsection (3) below.”

(3) AMENDMENTS TO INSERT

1. Amendments to insert new Clauses or Schedules

After Clause 3 / Before Clause 3

Insert the following new Clause—

“Title of the new Clause

- (1) Clause with Text of a new subsections.
- (2) Second subsection with paragraphs—
 - (a) written out,
 - (b) in order, and
 - (c) with the following—
 - (i) first sub-paragraph, or
 - (ii) further sub-paragraphs.
- (3) [.....].”

After Clause 100

Insert the following new Clause—

“Title of a new Clause to insert a Clause into another Act

After section 24 of the Pensions Act 1985 (c. 99) there is inserted the following section—

“24A Disapplication of section 24

- (1) Section 24 above shall not apply in the circumstances set out in subsection (2) below.
- (2) Those circumstances are—
 - (a) that person concerned does not consent, or
 - (b) that the court has made an order under section 25.””

After Schedule 2

Insert the following new Schedule—

“SCHEDULE

TITLE OF NEW SCHEDULE

1 Text of new Schedule, set out in numbered paragraphs, sub-paragraphs, etc.”

NB: Any amendment to insert a new Schedule must be accompanied by a new Clause (or, if appropriate, a new subsection in an existing Clause) to give effect to the new Schedule. See the following example.

After Clause 23

Insert the following new Clause—

“New cross heading

Clause title

Schedule (*Title of new Schedule*) shall have effect.”

2. Amendments to insert new subsections

*NB: A new subsection should normally be un-numbered unless numbering is required for cross-reference purposes. Subsections inserted **between** existing subsections (2) and (3) are numbered (2A), (2B) etc.; subsections added after subsection (3) if that is the last existing subsection may be numbered (4), (5) etc. The line number should refer to the line immediately preceding the point at which the new subsection is to be inserted.*

Page 2, line 10, at end insert—

“() An order under subsection (2) above shall not be made until a draft has been laid before both Houses of Parliament and approved by resolution of each House.”

Page 4, line 38, at end insert—

"(2A) This section does not apply in the circumstances referred to subsection (2B) below.

(2B) Those circumstances are [....]."

3. Amendments to insert new paragraphs, sub-paragraphs etc.

*NB: New paragraphs should normally be un-numbered unless numbering is required for cross-reference purposes. Paragraphs inserted **between** existing paragraphs (b) and (c) are numbered (bb), (bc) etc.; paragraphs added after paragraph (c) if that is the last existing subsection may be numbered (d), (e) etc. The line number should refer to the line immediately preceding the point at which the new paragraph is to be inserted.*

Page 3, line 22, at end insert—

"() where the Secretary of State so directs,"

Page 4, line 19, at end insert "; or

() the Isle of Man"

Page 35, line 2, at end insert—

"(iv) the Director General, or

(v) any person authorised by the Secretary of State to carry out the functions of one of the persons referred to in sub-paragraphs (i) to (iv)."

3. Amendments to insert words

Page 5, line 35, after "Director" insert "or his deputy"

Page 5, line 35, after first "to" insert "his normal place of residence or"

Page 5, line 40, at beginning insert "Subject to subsection (3A) below,"

Page 5, line 45, at end insert "or (3)(b)"

(4) AMENDMENTS TO DIVIDE OR TRANSPOSE CLAUSES OR SCHEDULES

Clause 24

Divide Clause 24 into two clauses, the first (*Title of first new Clause*) to consist of subsections (1) to (3) and the second (*Title of second new Clause*) to consist of subsections (4) to (6)

Clause 24

Transpose Clause 24 to after Clause 25

(5) AMENDMENTS TO THE LONG TITLE

In the Title

Line 5, leave out “; and for connected purposes”

Line 3, leave out from “appeal” to first “to” in line 4

Line 3, leave out “dangerous substances” and insert “pathogens and toxins”

Line 3, after “appeal;” insert “to amend the law of trespass;”

Line 5, at end insert “; and for connected purposes”

(6) AMENDMENTS TO AMENDMENTS

Clause 3

THE LORD SMITH

[As an amendment to amendment 241]

Line 2, leave out “or the Secretary of State”

Clause 4

THE LORD JONES

*[As an amendment to the [first] amendment [to page 2, line 4] printed on sheet
HL Bill 22(a)]*

Line 2, after “State” insert “or Attorney General”

(7) AMENDMENTS IN SUBSTITUTION

Clause 5

THE BARONESS ANOTHER

[In substitution for the amendment to Clause X printed on sheet HL Bill 34-II(a)]

Page 12, line 16, leave out “£300 million” and insert “£500 million”

(8) AMENDMENTS TO TEXT IN COLUMNS

Page 145, column 3, leave out line 5

Page 145, line 24, column 2, leave out “or (3)”

Page 145, line 3, column 2, at end insert—

“and in section 24, the words “,
Auditor General for Scotland”.”

Page 145, line 7, at end insert—

“The Charities Act 1960 (c.58)

In Schedule 6, paragraph 2.”

(9) SUBDIVISIONS OF CLAUSES AND SCHEDULES: AN ILLUSTRATION

Subdivisions of clauses

2 Clause title

- Subsection* —→ (1) It shall be the function of the body to carry out all, any or none of the tasks which are specified by the Secretary of State.
- (2) Subsections should form a complete sentence, which may be broken down into—
- Paragraph* —→ (a) paragraphs;
(b) which look like this; and
(c) they can even be broken down into smaller subdivisions—
- Sub-paragraph* → (i) called sub-paragraphs
(ii) like this.

Subdivisions of schedules

- Paragraph* —→ 1 (1) Before appointing a person to be the Chairman or a member of the body, the Secretary of State shall satisfy himself that that person has no relevant financial interests.
- Sub-paragraph* → (2) The Secretary of State shall also satisfy himself from time to time that the Chairman or any current member of the body has not acquired any relevant financial interests.
- (3) In the exercise of this function the Secretary of State may require the Chairman or any member of the body to provide any relevant—
- Sub-sub-paragraph* —→ (a) information; or
(b) documents.