



## In Focus

### Committee Procedures for Public Bills: Select Committees

Bills are committed to a select committee when it is considered that they require detailed investigation or when the hearing of evidence is considered necessary on the bill's provisions.<sup>1</sup> After finishing its deliberations the committee will decide whether or not the bill should proceed. If the committee believes that the bill should proceed, it will produce a report to the House which will include any amendments considered necessary. The bill is then re-committed to a committee of the whole House, after which it will follow the remaining stages of a public bill. If the committee believes that the bill should not proceed, then a report is made to the House accordingly, containing no amendments, and the bill will not be re-committed to a committee of the whole House. However, in any event the committee has no power to kill the bill. Bills are usually committed to a select committee after second reading but this can happen at any stage before third reading. Paragraphs 8.106 to 8.110 and 8.118 to 8.123 of the [Companion to the Standing Orders](#) provide full details of these procedures.

---

#### Government Bills

The most recent occasion on which a Government bill was referred to a select committee was the Constitutional Reform Bill in 2004. Lord Richard, the chair of that select committee, noted that “the select committee procedure is used very rarely in respect of Government bills. The last occasion on which a government Bill was so committed and reported back to the House with amendments was as far back as 1917. In 1976 a select committee on the Hare Coursing Bill recommended that the Bill should not proceed and it was thereby killed”.<sup>2</sup> Listed below are occasions since the Hare Coursing Bill when an attempt has been made (successfully or otherwise) to refer a Government bill to a select committee. The list of unsuccessful attempts may not be exhaustive, particularly for the earlier part of the period covered.

**Trade Union Bill, 11 January 2016:** Lord Tyler (Lib Dem) tabled an amendment to the commitment motion, to leave out “Committee of the Whole House” and insert “Select Committee in respect of clauses 10 and 11, in the light of the failure to take steps to implement the recommendations of the Committee on Standards in Public Life in their report *Political Party Finance: Ending the Big Donor Culture*”. **Outcome:** Lord Tyler did not move his amendment “in view of the lateness of the hour”, and the Bill was committed to a committee of the whole House.

**Succession to the Crown Bill, 14 February 2013:** Lord Trefgarne (Con) asked Lord Wallace of Tankerness (then Advocate General for Scotland) not to press the commitment motion, to allow time to explore the possibility of considering the Bill in a select committee. **Outcome:** Lord Wallace continued with commitment of the Bill. The Bill received royal assent on 25 April 2013.

**Health and Social Care Bill, 12 October 2011:** Lord Owen (then CB) moved amendment to the commitment motion, to appoint a select committee to examine and make recommendations to the House on issues raised by the Constitution Committee's report on the Bill. **Outcome:** The amendment was defeated by 330 votes to 262. The Bill received royal assent on 27 March 2012.

**Public Bodies Bill, 9 November 2010:** Lord Hunt of Kings Heath (Lab) moved an amendment to the commitment motion, to refer the Bill to a select committee instead of a committee of the whole House. **Outcome:** The amendment was defeated by 188 votes to 155. The Bill received royal assent on 14 December 2011.

**Constitutional Reform Bill, 8 March 2004:** Lord Lloyd of Berwick (CB) moved an amendment to the commitment motion, to refer the Bill to a select committee instead of a committee of the whole House. **Outcome:** The amendment was agreed to by 216 votes to 183. The select committee reported on the Bill in June 2004. The Bill was recommitted to a committee of the whole House, and then carried over to 2004–5 session. It received royal assent on 24 March 2005.

**Firearms (Amendment) Bill, 16 January 1997:** Lord Swansea (CB) moved that the committee of the whole House be instructed to report clause 6 without amendment, and that when the Bill was reported from the committee of the whole House, it be recommitted to a select committee in respect of clause 6. **Outcome:** After debate, Lord Swansea withdrew his motion. The Bill received royal assent on 27 February 1997.

**British Nationality Bill, 22 June 1981:** After second reading, Lord Avebury (Lib Dem) moved that the Bill be committed to a select committee. **Outcome:** The motion was defeated by 99 votes to 42. The Bill received royal assent on 30 October 1981.

**Hare Coursing Bill, 1975:** Lord Shepherd (then Leader of the House) moved after the Bill's second reading that it be referred to a select committee. **Outcome:** The motion was agreed to on question. The select committee reported in May 1976, recommending that the Bill should not proceed. It did not progress further.

---

## Private Member's Bills

A number of select committees were established to consider private member's bills in the 1970s and 1980s.<sup>3</sup> The Select Committee on the Constitutional Reform Bill noted in 2004 that "in recent times" the practice of committing a bill to a select committee was "not unusual in respect of contentious private members' bills".<sup>4</sup> The two most recent examples of this are the Assisted Dying for the Terminally Ill Bill in the 2004–05 session (which was defeated at second reading when it was re-introduced in the following session) and the Dangerous Dogs (Amendment) Bill in the 1995–96 session (which went on to receive royal assent when it was re-introduced in the following session).

<sup>1</sup> House of Lords Library, [Select Committees in the House of Lords](#), 30 September 2015, p 3.

<sup>2</sup> [HL Hansard, 13 July 2004, col 1137](#).

<sup>3</sup> See Appendix 4 in House of Lords Library, [Select Committees in the House of Lords](#), 30 September 2015.

<sup>4</sup> House of Lords Select Committee on the Constitutional Reform Bill, [Constitutional Reform Bill \[HL\]](#), 2 July 2004, HL Paper 125-I of session 2003–4, p 5.

Library In Focus are compiled for the benefit of Members of the House of Lords and their personal staff, to provide impartial, politically balanced briefings on a selection of topical subjects. Authors are available to discuss the contents of the Notes with the Members and their staff but cannot advise members of the general public.

Any comments on In Focus should be sent to the Head of Research Services, House of Lords Library, London, SW1A 0PW or emailed to [purvism@parliament.uk](mailto:purvism@parliament.uk).