



Wash-up 2010

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The wash-up period at the end of a Parliament allows a Government to get onto the statute book essential or non-controversial legislation that would not otherwise complete its passage through Parliament because of dissolution. The Government and the Opposition reach agreements on the bills or parts of bills that should be hurried through their remaining parliamentary scrutiny.

In 2010, wash-up proved more contentious than on recent previous occasions and prompted calls for the procedure to be reviewed or for additional checks and balances to protect against limited parliamentary scrutiny.

This paper describes the wash-up process; reviews the proceedings on wash-up in 2010; and provides details of bills that received Royal Assent in each of the last six wash-up periods.

This paper has been jointly authored by staff in the House of Lords and House of Commons Libraries. The same paper has been published as both a House of Lords Library Note (LLN 2011/007) and a House of Commons Library Research Paper (RP 11/18).

Richard Kelly (House of Commons Library)
Nicola Newson (House of Lords Library)

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Contributing Authors: A number of colleagues in the House of Commons Library contributed notes on the changes that were made to various bills during wash-up; details are given in Section 6

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Summary

There are generally a few days between the announcement of a general election and the subsequent dissolution of Parliament. In this short period, known as 'wash-up', the Government attempts to secure the passage of as much of its outstanding legislation as possible.

As several bills need to be considered in two or three days, it is not possible to debate measures in the usual way during wash-up. Because there is not enough time to complete parliamentary consideration in the normal way, the Government is reliant on the co-operation of the Opposition to secure its legislation. The influence of the House of Lords – where the Government does not have a majority, and where individual Members have a greater effect, than in the Commons, on the way in which legislation is considered – is also usually far greater during wash-up. In 2010, some clauses that appeared to have the support of the official Opposition were removed during wash-up because they were opposed by backbench peers.

The number of bills considered in wash-up and the stage reached beforehand in their parliamentary scrutiny varies. Sometimes the Government is willing to drop certain bills to secure the passage of others. Sometimes the Government is willing to provide time for private Members' bills. In the wash-up periods before the last six dissolutions, between 11 (2001) and 26 (1997) Government bills have received Royal Assent – some of these may have completed their passage through both Houses before the election in any case.

In 2010, all the Government bills that were being considered by either House when the general election was called, received Royal Assent before Parliament was dissolved. However, a number of provisions in some bills were sacrificed to secure their passage.

Wash-up in 2010 seemed to be more contentious than in other recent general election years. Concerns were expressed that Parliament was being asked to approve a constitutional bill in wash-up and that bills that had received little detailed scrutiny in at least one House were being hurried onto the statute book. In the House of Lords, Baroness Royall of Blaisdon, the then Leader of the House, argued that "the scope of the wash-up has not changed". In the Commons, Harriet Harman, the Leader of the House, noted that a bill "will make progress in the wash-up only on the basis of consensus". And Baroness Royall confirmed that "During wash-up, Governments do not put matters into Bills; they take them out".

Suggestions for reforming wash-up were made in the House of Lords during the last few days before dissolution, and by the Hansard Society after the general election. Lord Rooker proposed that a select committee should review the legislation made in the wash-up period and suggest changes to address defects caused by lack of scrutiny; Lord Norton of Louth recommended that the Constitution Committee in the Lords undertake an inquiry into wash-up; others supported greater use of sunset clauses in legislation – allowing measures agreed in wash-up to be reviewed by Parliament before it became permanent; and the Hansard Society suggested questions that any review of wash-up should consider. No review of wash-up has been instigated, and the Coalition's proposal to introduce fixed-term parliaments suggests that there would be far more certainty about the timing of dissolution and less need for wash-up in the future.

1 Introduction

There are generally a few days between the announcement of a general election and the subsequent dissolution of Parliament. In this short period, known as 'wash-up', the Government attempts to secure the passage of as much of its legislation before Parliament as possible. In practice, it cannot do so without the agreement of the Opposition.¹

There has long been criticism of the procedures used to ensure the passage of legislation at the end of a Parliament, and even at the end of a parliamentary Session. In 1904, the Earl of Selbourne complained in a memorandum that:

The House of Commons send up in the closing hours of the session a batch of important Bills which the House of Lords has to dispose of post-haste. As a consequence, the proceedings are undignified and the work is badly done. It is not an abuse of language to apply the words 'farce' and 'scandal' to what takes place.²

However, in 2010, the criticisms of the process came from all sides of both Houses and were more colourful than usual. Ruth Fox and Matt Korris, in a review of the 2010 wash-up, noted the following examples:

'A squalid stitch-up', a 'rather sad and tawdry affair', and a 'brazen disregard for Parliament' were just some of the colourful descriptions of the legislative wash-up in the days between the calling of the election on 6 April 2010 and the proroguing of Parliament two days later.³

They also summarised the arguments that both defenders and critics of the approach might cite:

To its defenders, the wash-up is a pragmatic if far from perfect solution to the problem of how to bring parliamentary business to an orderly close in a way that enables the government not to lose valuable legislation upon which much time and resources have been spent. For its critics, however, the wash-up enables the government of the day to wait out time in the final parliamentary session and then manipulate the process in order to evade scrutiny of the legislation before it reaches the statute book.

A magnanimous reading of the process might conclude that each interpretation contains more than a grain of truth.⁴

Further information on dissolution can be found in the Commons Library Standard Note on *Dissolution of Parliament* which also includes some information on wash-up.⁵ The Commons Library Research Paper on *Election Timetables* gives the details of the time period between announcement and dissolution for each election since 1918.⁶

¹ At Business Questions on 6 April 2010, in response to a question on the *Digital Economy Bill*, Harriet Harman, the Leader of the House of Commons, said that "Of course, the Bill will make progress in the wash-up only on the basis of consensus" [HC Deb 6 April 2010 c828]

² HL Deb 24 March 2010 c995 (Lord Pannick, speaking in 2010, cited Lord Adonis's book *Making Aristocracy Work* (1993), which quoted the Earl of Selbourne in 1904)

³ Ruth Fox and Matt Korris, "Reform of the Wash-up: Managing the Legislative Tidal-Wave at the End of a Parliament", *Parliamentary Affairs*, Vol 63, No 3, pp558-569

⁴ Fox and Korris, *op cit*, pp558-559

⁵ House of Commons Library Standard Note, *Dissolution of Parliament*, SN/PC/5085, 3 February 2010

⁶ House of Commons Library Research Paper, *Election Timetables*, RP 09/44, 13 May 2009

1.1 Outline of the Paper

This paper is a joint paper from the House of Lords Library and House of Commons Library. It has been developed from the Lords Library Note on *Wash-Up: Bills Receiving Royal Assent, 1987-2005*, and the Commons Library Standard Note, *Wash-up*.⁷

The paper begins by reviewing the mechanics of wash-up, and providing information on the procedures followed. It then reviews the time that has been available to both Houses to consider outstanding legislation following the announcement of the date of the general election in each election year since 1987.

In 2010, the procedures were criticised and concerns were raised about the lack of consideration some bills received. After noting the progress that bills caught up in the wash-up had already made, the paper then reviews the issues raised about the wash-up process in both Houses. The section concludes with a discussion of proposals for reforming wash-up.

The paper then briefly considers whether the proposals for fixed-term Parliaments will mean the end of wash-up.

Section 6 charts the progress of bills that were caught up in the wash-up in 2010 and notes the major changes that were made during the process.

In a final section, more statistical information is provided on the progress of bills during wash-up in each pre-election period from 1987 onwards. Details of the total number of bills receiving Royal Assent in each pre-election session are also presented. These statistics show how many and the proportion of bills that have been caught up in wash-up before recent general elections.

2 The mechanics of wash-up

2.1 Wash-up procedures

The triggering of a general election is caused by the dissolution of Parliament. At dissolution all parliamentary business is suspended – any outstanding legislation is lost. Usually, in order to secure the passage of as much of the outstanding legislation as possible, the Prime Minister announces the date of a general election a few days in advance of the required dissolution date, in order to allow Parliament a little time to pass some of that outstanding legislation.

The Cabinet Office's *Guide to Parliamentary Work* describes the need for compromise in the wash-up period:

Dissolution procedure

4.12 When the Prime Minister announces the date for the election he must also decide when Parliament will be dissolved. He can, if he so wishes, seek the dissolution immediately in which case any and all outstanding legislation is lost. More likely, there will be an interval between the announcement and the dissolution.

4.13 During this interval, usually referred to as the “wash-up” period, which might only be a few days (but possibly longer) the Government will decide what its priorities are and seek the co-operation [of] the Opposition in getting legislation through. In doing so there will invariably be sacrifices to be made. Some Bills might be lost completely, others might be

⁷ House of Lords Library Note, *Wash-Up: Bills Receiving Royal Assent, 1987-2005*, LLN 2010/011, 30 March 2010; House of Commons Library Standard Note, *Wash-up*, SN/PC/5398, 25 March 2010

progressed quickly but in a much-shortened form. A lot will depend on where the Bills are in the legislative process and whether or not they are controversial.

It advises Departments as follows:

Outstanding business

4.18 Once an announcement is made that a General Election is to take place steps are taken in the Department to clear all outstanding parliamentary business:

Bills – Discussions are held with the Business Managers in Parliament about the action required to get outstanding Bills through their remaining stages. The Government usually needs the agreement of the Opposition to get Bills through in a much reduced timescale and concessions are often made (ie a controversial clause in a Bill may be removed). Any Bills that are not concluded are lost.

Statutory Instruments – Where affirmative instruments have been laid but not debated, action is taken to seek to get them debated and approved. If they are not debated before the dissolution they can be re-activated in the new parliament. Where negative instruments have been laid and made before the dissolution the coming into force date is not affected.

Parliamentary Questions – Steps are taken to get all outstanding PQs answered.⁸

Normally the House of Commons will spend most of a sitting day (or more) on a stage of a bill (committee stage is normally taken off the floor of the House). However, during the wash-up, when several bills need to be considered in two or three days this is not possible. After consultation with the Official Opposition, the Leader of the House makes a statement indicating how the Government wishes wash-up to proceed. However, to give effect to the timetable, the House has to agree an allocation of time motion.⁹

In the House of Lords, where the amount of time spent on a particular bill is much less rigid but the rules on the time between different stages of a bill are more strict, the House is asked to suspend Standing Orders that specify these limits and also to allow the Government greater control of the order paper.

Because both Houses need to agree the text of a bill before it can be presented for Royal Assent, there are occasionally times when one House is waiting for a bill that is still before the other, or times when preparatory work stops a House from considering a bill. During these periods, the Speaker in the Commons can suspend the sitting and the Lords “adjourn during pleasure”.

Because there is not enough time to debate measures in the usual way during wash-up, the Government is reliant on the co-operation of the Opposition to secure its legislation. Lord Norton of Louth, Professor of Government, at the University of Hull, writing on *Lords of the Blog*, explained that it is the Opposition that has a telling effect on the legislation that is passed:

In the wash-up, each opposition party essentially becomes a veto player. There has to be agreement on what Bills, or the particular parts of Bills, are to be rushed through

⁸ Cabinet Office, [Guide to Parliamentary Work](#): Chapter 4 Parliamentary calendar and sitting times [last viewed 19 October 2010]

⁹ Once the 2010 general election had been announced, the Leader of the House made a Business Statement on 6 April [HC Deb 6 April 2010 cc826-832]; the allocation of time motion was debated on 7 April [HC Deb 7 April 2010 cc975-1004]

before dissolution. Otherwise, the legislation is dead. On some Bills, I suspect such an outcome would not be unwelcome.¹⁰

The influence of the House of Lords – where the Government does not have a majority, and where individual Members have a greater effect, than in the Commons, on the way in which legislation is considered– was discussed by a number of commentators before the 2010 General Election. Peter Riddell, then the *Times*' political commentator, observed that:

When a general election is announced, there are a few days known as the “wash-up” before the dissolution of Parliament. Opposition parties, particularly in the Lords, in effect have a veto. But deals are done between the party whips about which Bills, or parts of Bills, will be nodded through, and which dropped. This depends both on progress made on Bills until then and the degree of controversy.¹¹

On his blog, Mark D'Arcy, a BBC parliamentary correspondent, described the wash-up process. He also commented that the lack of a government majority in the House of Lords could affect the dynamics of the negotiating process:

The government majority in the Commons will guarantee it gets its way there - but the most interesting action will be in the Lords. There, no party has a majority, and the rules of the Upper House make it hard for any bill to proceed, other than by consensus. They have to suspend the standing order that prevents more than one stage of a bill being taken in a single day, and then vote through any agreed amendments to bills in very rapid time, before giving them a third reading and dispatching them off for the Royal Assent.

But the whole process breaks down if the rapid fire voting is not unanimous, and there have to be divisions on particular issues. Each division can take 20 minutes or so, and if the House is divided repeatedly on amendments, the time available to get bills through will evaporate very rapidly. So even a small awkward squad of peers can throw the whole washup into chaos if they feel their concerns are not being taken seriously.¹²

2.2 Wash-up practice – bills passed and time available

Table 1 provides a summary of the number of bills that received Royal Assent during the wash-up period and in the final session as a whole before each of the last six general elections. Further detail is provided in Section 7.

At the end of some parliaments, Governments are prepared to sacrifice whole bills in order to secure the passage of others (or parts of others). For example, in 2005, the Government allowed 12 bills to fall but secured Royal Assent to 14. In response to questions following his statement on which bills would be taken forward, Peter Hain, the Leader of the House of Commons, indicated that there was not time to take all bills forward:

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): Why has the Road Safety Bill been left out of my right hon. Friend's list? Over which aspects of saving lives on roads was it not possible to reach agreement with Opposition parties?

Mr. Hain: The Opposition said that there was insufficient time for the proper scrutiny that they demanded, so it has not been possible to make progress on that Bill—which I

¹⁰ Lord Norton of Louth, “[The wash-up](#)”, *Lords of the Blog*, 21 January 2010 [last viewed 19 October 2010]

¹¹ Peter Riddell, “Queen’s Speech neglects the problems: the deficit and MPs’ expenses”, *Times*, 19 November 2009

¹² Mark D’Arcy, “[What could happen at washup?](#)”, *Mark D’Arcy’s Blog*, 19 March 2010 [last viewed 19 October 2010]

regret, because it is a vital life-saving measure on which we should have been able to achieve Royal Assent.¹³

Table 1: Bills receiving Royal Assent in the final parliamentary session before each of the last six general elections

Session	Bills receiving Royal Assent in wash-up	Of which: Private Members' Bills	Bills introduced during wash-up	Bills receiving Royal Assent in the Session	Of which: Private Members' Bills	Proportion of enacted Govt Bills receiving Royal Assent in wash-up (%)
1986-87	29	11	1	50	15	51.4
1991-92	21	8	2	45	13	40.6
1996-97	36	10	1	58	22	72.2
2000-011	11	-	1	21	-	52.4
2004-05	14	-	2	21	-	66.7
2009-10	17	4	1	30	7	56.5

Table 2 gives details of the number of bills that were dropped in the parliamentary sessions immediately before a general election since 1987.

Table 2: Bills dropped in the final parliamentary session before each of the last six general elections

Session	Number of bills dropped
1986-87	1
1991-92	5
1996-97	0
2000-01	7
2004-05	12
2009-10	0

Whilst the formal election timetable does not start until writs have been issued (at dissolution), campaigning is usually going ahead long in advance of a general election. However, the Prime Minister's announcement of the date of the election still marks the start of serious campaigning. It is usually considered sensible not to prolong the formal campaign. Hence the wash-up period is usually relatively short. Table 3, below, outlines the time between the election announcement and the dissolution for each of the last seven general elections – usually no more than a week, although in 1997, John Major extended this period – and shows the days allowed to 'wash-up' parliamentary business. Even in the long campaign of 1997, just four days were allowed.

The notes to Table 3 give details of the Business Statements and motions, which set out how wash-up would proceed and allocated times to specific bills.

¹³ HC Deb 5 April 2005 c1269

Table 3: The End of one Parliament, the Beginning of the Next, Sitting Days and Rising Times in the Wash-up Period, 1987-2010

	1987	1992	1997	2001	2005	2010
Election announced	11 May	11 March	17 March	8 May	5 April	6 April
Sitting days and rising times	12 May <i>Commons:</i> 8.34pm <i>Lords:</i> 8.24pm 13 May <i>Commons:</i> 10.17pm <i>Lords:</i> 8.16pm 14 May <i>Commons:</i> 7.58pm <i>Lords:</i> 8.42pm 15 May <i>Commons:</i> 1.27pm <i>Lords:</i> 11.10am	12 March <i>Commons:</i> 11.05pm <i>Lords:</i> See note a 6.29pm 13 March <i>Commons:</i> 6.22pm <i>Lords:</i> 3.14pm 16 March <i>Commons:</i> See note b <i>Lords:</i> 4.23pm	18 March <i>Commons:</i> 8.00pm <i>Lords:</i> 11.35pm 19 March <i>Commons:</i> 2.38am (on 20 March) <i>Lords:</i> 11.41pm 20 March <i>Commons:</i> 8.01pm <i>Lords:</i> 9.18pm 21 March <i>Commons:</i> See note b <i>Lords:</i> 11.39am	9 May <i>Commons:</i> 11.56pm <i>Lords:</i> 5.34pm 10 May <i>Commons:</i> 6.47pm <i>Lords:</i> 4.15pm 11 May <i>Commons:</i> 12.05pm <i>Lords:</i> 11.51am	6 April <i>Commons:</i> 10.30pm <i>Lords:</i> 11.24pm 7 April <i>Commons:</i> See note b <i>Lords:</i> 5.25pm	7 April <i>Commons:</i> 11.41pm <i>Lords:</i> 2.50am (on 8 April) 8 April <i>Commons:</i> See note b <i>Lords:</i> 5.41pm
Parliament prorogued		16 March	21 March		7 April	8 April
Parliament dissolved	18 May	16 March	8 April	14 May	11 April	12 April
Polling day	11 June	9 April	1 May	7 June	5 May	6 May
Parliament assembled	17 June	27 April	7 May	13 June	11 May	18 May
Queen's speech	25 June	6 May	14 May	20 June	17 May	25 May

Notes: ^a Continuation of the debate on the Budget, as previously announced

^b Commons was adjourned during Royal Commission and Queen's Speech announcing prorogation in the Lords; Acts receiving Royal Assent and the Queen's Speech were then repeated in the Commons, but no formal time for the end of the Commons session is given in *Hansard*.

Table 3: Further Notes: Business statements, following the announcement of a General Election and Business Motions to allow expedited consideration of bills

1987	HC Deb 11 May c21, c75	<i>HL Deb 11 May cc422-3, cc499-501; HL Deb 12 May 1987 c544 [motion]</i>
1992	HC Deb 11 March c851; 12 March c983, c991 [motion]	<i>HL Deb 11 March cc1328-9, cc1372-3; HL Deb 12 March c1437 [motion], c1457; HL Deb 13 March cc1558-60</i>
1997	HC Deb 17 March c625, c667; 18 March c765; 19 March c887 [motion], c943	<i>HL Deb 17 March c655-654, c722; HL Deb 18 March cc766-767, c768 [motion], c838</i>
2001	HC Deb 8 May c72; 9 May c118, c129 [motion]	<i>HL Deb 8 May c910, cc934-5; HL Deb 9 May c1034 [motion]; HL Deb 11 May c1146</i>
2005	HC Deb 5 April c1267; 6 April c1423 [motion]	<i>HL Deb 5 April c577-8; HL Deb 6 April c731 [motion]</i>
2010	HC Deb 6 April c826; HC Deb 7 April c975 [motion]	<i>HL Deb 6 April c1368-9; HL Deb 7 April cc1477-1503 [motion], cc1570-1</i>

3 Wash-up 2010 and the progress of Bills: Overview

The House will not adjourn until Royal Assent has been received to all Acts. The House will be prorogued when Royal Assent to all Acts has been signified. Parliament will be dissolved on Monday 12 April by proclamation.

- *Harriet Harman, Leader of the House of Commons, Business Statement made in the House of Commons, after the Prime Minister had announced the General Election on 6 April 2010.*¹⁴

After a brief Easter recess, the two Houses met on 6 April 2010. At that time, there were twelve Government bills making progress through Parliament.

- Bribery Bill
- Children, Schools and Families Bill
- Constitutional Reform and Governance Bill
- Crime and Security Bill
- Digital Economy Bill
- Energy Bill
- Equality Bill
- Finance Bill
- Financial Services Bill
- Flood and Water Management Bill
- Northern Ireland Assembly Members Bill
- Personal Care at Home Bill

Eleven of these bills went into the wash-up, which took place on 7 and 8 April 2010. The Commons considered Lords Amendments to the *Equality Bill* on 6 April 2010, as already planned, so it had been agreed before the wash-up process began.

Two (the *Digital Economy Bill* and the *Finance Bill*) had yet to receive a second reading in the Commons while others had more or less completed their passage through both Houses.

¹⁴ HC Deb 6 April 2010 c826

The *Digital Economy Bill* had been introduced in and passed by the Lords. It received a second reading in the Commons on 6 April, as previously scheduled. The *Finance Bill* had been introduced in the Commons on 30 March 2010.

On 6 April 2010, the Prime Minister announced the general election from outside 10 Downing Street. Later in the afternoon, the Leader of the House of Commons made a statement outlining the timetable for the consideration of the Government's bills. A similar announcement was made in the House of Lords.¹⁵ The Government also announced that it would make time available in the Commons to allow progress to be made on two private Members' bills:

- Debt Relief (Developing Countries) Bill
- Sustainable Communities Act (Amendment) Bill

In the House of Lords, Lord Bassam of Brighton announced that time would be made available for these bills and for two further private Members' bills which had been passed by the House of Commons:

- Mortgage Repossessions (Protection of Tenants Etc) Bill
- Sunbeds (Regulation) Bill

In addition, the *Appropriation (No 2) Bill* was introduced on 7 April and received Royal Assent the next day.

The eleven Government bills that went into wash-up, along with the *Equality Bill* and the *Appropriation (No 2) Bill* and four private Members' bills, all received Royal Assent before Parliament was prorogued on 8 April 2010.¹⁶ However, to secure the passage of some bills, the Government made a number of concessions – by dropping provisions in, for example, the *Children, Schools and Families Bill*, the *Constitutional Reform and Governance Bill* and the *Finance Bill*.

Table 4 shows the progress that the above bills had made in both Houses when wash-up began on 7 April 2010. Fuller details of the subsequent progress, with some commentary on the major changes to each bill, are given in Section 6.

¹⁵ HC Deb 6 April 2010 cc826-832; HL Deb 6 April 2010 cc1368-1371

¹⁶ HC Deb 8 April 2010 c1256; HL Deb 8 April 2010 c1738

Table 4: Bills in wash-up in the 2009-10 session: progress made before wash-up began

(a) Bills introduced in the House of Commons		
<u>Government Bill</u>	Progress in the	
	<u>Commons</u>	<u>Lords</u>
Children, Schools and Families	Passed	Awaiting Committee
Constitutional Reform and Governance	Passed	Awaiting Committee
Crime and Security	Passed	Awaiting Committee
Energy	Passed	Awaiting Committee
Finance	Awaiting Second Reading	-
Financial Services	Passed	Committee underway
Flood and Water Management	Passed	Awaiting Report
Personal Care at Home Bill	Passed	Awaiting Consideration of Commons Reasons
<u>Private Members' Bill</u>		
Debt Relief (Developing Countries)	Awaiting Report	-
Mortgage Repossessions (Protection of Tenants Etc)	Passed	Awaiting Committee
Sunbeds (Regulation)	Passed	Awaiting Committee
Sustainable Communities Act (Amendment)	Awaiting Report	-
(b) Bills introduced in the House of Lords		
<u>Government Bill</u>	Progress in the	
	<u>Lords</u>	<u>Commons</u>
Bribery	Passed	Awaiting Report
Digital Economy	Passed	Awaiting Committee
Northern Ireland Assembly Members	Passed	Awaiting Committee

4 Review of wash-up 2010

Ruth Fox and Matt Korris, of the Hansard Society, reviewed the 2010 wash-up process in a *Parliamentary Affairs* article – “Reform of the Wash-up: Managing the Legislative Tidal-Wave at the End of a Parliament”.¹⁷

They noted that wash-up was a “regular feature of every Parliament” but that the 2010 wash-up had “attracted particularly negative attention”. They argued that this was because:

... it brought into sharp relief a number of important and growing concerns regarding perceived legislative overreach by the executive coupled with manipulation of the parliamentary scrutiny process.¹⁸

Concerns about wash-up were raised in both Houses whilst the process was going on, and had been raised before the Easter Recess. Concerns focussed on the limited scrutiny that bills would receive and seemed to relate especially to the *Constitutional Reform and Governance Bill* (CRAG Bill) and to the *Digital Economy Bill [HL]*.

The CRAG Bill was a constitutional bill; it had originally been introduced in the Commons on 20 July 2009 (Session 2008-09) and was subject to a carry-over motion on 20 October 2009.

¹⁷ Ruth Fox and Matt Korris, “Reform of the Wash-up: Managing the Legislative Tidal-Wave at the End of a Parliament”, *Parliamentary Affairs*, Vol 63, No 3, pp558-569

¹⁸ Fox and Korris, *op cit*, p558

It spent two days in Committee in 2008-09 but then there was a long gap before the third day in Committee on 19 January 2010. It was sent to the Lords on 3 March. In the Lords, it had received its second reading on 24 March 2010 but was awaiting committee stage when the General Election was called.

The *Digital Economy Bill [HL]* had completed its passage through the Lords and was scheduled to receive a second reading in the Commons on 6 April 2010. The Bill was controversial because it included provisions on online infringement of copyright – illegal sharing or downloading of material.

4.1 House of Lords – comments on wash-up

During the wash-up debates in the House of Lords, criticisms were levelled at the inclusion of particular bills in the wash-up, and at the process itself. In particular, concerns were expressed that the CRAG Bill would not receive sufficient scrutiny during the wash-up period. In its report on the Bill, published prior to the announcement of the general election date, the House of Lords Constitution Committee found it “disappointing” that the House of Lords “is in all likelihood to be denied the opportunity to scrutinise the provisions in this Bill properly”.¹⁹ The report concluded that:

[...] we consider it to be extraordinary that it could be contemplated that matters of such fundamental constitutional importance as, for example, placing the civil service on a statutory footing should be agreed in the “wash-up” and be denied the full parliamentary deliberation which they deserve.

This is no way to undertake the task of constitutional reform.²⁰

To facilitate the wash-up process in the House of Lords, the Government tabled a business motion to suspend two Standing Orders: Standing Order 41 (*Arrangement of the Order Paper*) and Standing Order 47 (*No two stages of a Bill to be taken on one day*). The suspension of these Standing Orders would allow the Government to arrange the Order Paper to facilitate progress and would allow more than one stage of a bill to be taken on the same day.

Lord Tyler, the Liberal Democrat spokesman for Constitutional Affairs, moved an amendment to the business motion which would have also suspended Standing Order 49 and allowed amendments to a bill to be moved at third reading with less than the usual day’s notice period. He explained that:

Obviously the reason for tabling this amendment is that some of the Bills scheduled for later today, including the Constitutional Reform and Governance Bill, and tomorrow might need to have amendments tabled to them after Report, in time for Third Reading, so that we can avoid the dangers of rushing our process. Mistakes and errors of judgment can so often occur in the wash-up stage.²¹

Lord Trefgarne (Conservative) also moved an amendment to the business motion which would have prevented the suspension of Standing Order 47 from applying to the CRAG Bill. He explained that, while he was not opposed to the principle of a wash-up process, he believed that it should be:

¹⁹ House of Lords Select Committee on the Constitution, *Constitutional Reform and Governance Bill*, HL Paper 98 of Session 2009-10, 18th March 2010, p 18

²⁰ *Ibid*, pp 18-19

²¹ HL Deb 7 April 2010 c1478

[...] an orderly process of bringing important and uncontroversial legislation to the statute book particularly where it has far advanced its legislative process. However, I put it to your Lordships that the Constitutional Reform and Governance Bill does not fall into that category. It is a major constitutional measure by any standards. It has not even been fully considered by the other place [...]

It is not right that it should be whizzed through your Lordships' house on a Wednesday afternoon, with all the remaining stages compressed into one and the Bill not properly considered. We will regret what we pass today if we follow that process.²²

Box 1: Wash-up conventions relating to constitutional bills

In their review of wash-up in 2010, Ruth Fox and Matt Korris commented on constitutional principles and wash-up:

Other constitutional principles were also put under pressure. There was no precedent for a constitutional bill to be pushed through the wash-up and as a matter of constitutional principle many, particularly in the upper house, considered it wholly inappropriate.²³

Lord Tyler's amendment was defeated on division and Lord Trefgarne's was withdrawn.²⁴

During the debate on the business motion, Lord Tyler complained that the Liberal Democrats and other groups had not been properly involved in behind-the-scenes discussions with the government whips about which provisions of the CRAG Bill should be considered during the wash-up:

[...] the Leader of the House said that the "main parties" agreed to the deletions in the Constitutional Reform and Governance Bill, but that does not include my noble friends on these Benches, nor do I believe it includes the Crossbenchers, nor any Back Benchers [...] We believe that the key clauses in the Bill [on House of Lords reform] should not have been struck out as part of the unholy alliance between the Government and the Conservative Front Benches.

[...] This is not a wash-up, it is a stitch-up, and a squalid little stitch-up. It was conceived in speed and in secrecy behind closed doors.²⁵

Baroness Royall of Blaisdon, the Leader of the House, said that although it had become clear during the course of the debate that there were concerns about the application of the wash-up process to the CRAG Bill, she felt that there was consensus in the House on certain parts of the Bill (a statutory basis for the Civil Service; provision for the Independent Parliamentary Standards Authority; the tax status of MPs and members of the House of Lords; clarification of eligibility of Commonwealth and Republic of Ireland citizens for membership of the House of Lords).²⁶ She undertook to ask the Lord Chancellor to have further discussions on the Bill with Lord McNally, Liberal Democrat spokesperson for Constitutional Affairs and Baroness D'Souza, Convenor of the Crossbench Peers, as well as

²² HL Deb 7 April 2010 cc1490-1

²³ Fox and Korris, *op cit*, p562

²⁴ HL Deb 7 April 2010 c1488 and c1503

²⁵ HL Deb 7 April 2010 c1478

²⁶ HL Deb 7 April 2010 c1500

Lord Strathclyde, Leader of the Opposition, although she stressed that the inclusion of Baroness D'Souza did not set a precedent.²⁷

Box 2: Inter-party consultations

In their review of wash-up in 2010, Ruth Fox and Matt Korris commented on the inter-party consultations that go on in the wash-up period:

The talks are held between the two main parties and do not have to involve the Liberal Democrats and the minor parties, though there is nothing particularly unusual about the management of business in this way. In the House of Lords the crossbenchers are also excluded from the deliberations despite constituting the second largest group in the House. In practical terms, however, this exclusionist approach ultimately proved unsustainable when it became clear that peers were not inclined to accept the parameters of the deal agreed between the main parties on what aspects of the Constitutional Reform and Governance Bill should be retained. When a number of peers proposed amendments, which threatened to eat into the limited wash-up time available, further compromise became the order of the day and the Liberal Democrats and crossbenchers were brought into negotiations by the Leader of the Lords in order to avoid endless divisions.²⁸

Lord Bach, Parliamentary Under-Secretary of State for the Ministry of Justice, announced at the beginning of the debate on the remaining stages of the Bill that the Government had decided to leave out a number of clauses following these further discussions.²⁹ Lord McNally, Lord Strathclyde and Lord Trefgarne thanked the Government for their constructive approach—although the Liberal Democrats maintained their objection to the dropping of Part 5 of the Bill which dealt with House of Lords reform.

Lord Tyler, speaking for the Liberal Democrats, also regretted that the clause introducing a referendum on the voting system for general elections had been dropped, “simply because this does not meet the party political interests of the Conservatives”. He argued that simply holding a referendum would not in itself introduce any constitutional change. Lord Bach responded that:

We understand and share his disappointment. We are committed to a referendum on AV [the alternative vote system]—watch this space—but we are also committed to trying to get an important Bill through Parliament and, being realistic, this is the way to do it.³⁰

Similarly, in response to criticisms from Lord Tyler, Lord Steel of Aikwood (Liberal Democrat) and Lord Howarth of Newport (Labour) about the dropping of the clause that would have ended by-elections for hereditary peers, Lord Bach explained that:

I should make it absolutely clear that we want to end the farce of hereditary by-elections as soon as possible, but the question is at what price. If we had insisted on that clause in this wash-up period, the price would have been no Bill, which it is hoped there will be by the end of tonight, and there may well have been no other Bills that the

²⁷ HL Deb 7 April 2010 c1501

²⁸ Fox and Korris, *op cit*, p561

²⁹ HL Deb 7 April 2010 c1609

³⁰ HL Deb 7 April 2010 c1624

Government wanted to get through in the last few days of this Parliament. So one has to make a choice.³¹

The Liberal Democrats also objected that they had been excluded from wash-up negotiations on other bills. Baroness Walmsley, the party's spokesperson for Children, Schools and Families, charged that the Government and the Conservatives had "conspired behind closed doors" to drop provisions from the *Children, Schools and Families Bill* that would have made Personal, Health and Social Education (PHSE) a foundation national curriculum subject.³² She argued that if the Government had "consulted with the Liberal Democrats, instead of just caving in to the wrong-headed prejudices of the Conservatives, we would have supported them in retaining these clauses".³³

However, Lord Lucas (Conservative) held that it was "extremely unfair to say that this is something that was taken away" as it was never a given that the measure would pass.³⁴ Likewise, Baroness Butler-Sloss (Crossbench) thought the government was "probably right" to remove "a matter that requires careful consideration" when there was not enough time remaining to discuss it properly.³⁵ However, with regard to Part 2 of the Bill—intended to enable wider reporting of proceedings in family courts—Baroness Butler-Sloss said she was "shocked that this should come before us in the wash-up without any debate or any scrutiny in either of the two Houses of Parliament".³⁶

On a similar theme, Lord Clement-Jones, the Liberal Democrat spokesman for Culture, Media and Sport, complained about the "unedifying prospect of a wash-up stitch-up between the Conservative and Labour benches on many elements of the [Digital Economy] Bill".³⁷ Lord Young of Norwood Green, Parliamentary Under-Secretary of State for the Department of Business, Innovation and Skills, replied:

I will respond generally to what seems to be the Lib Dems' rallying cry in this process about the wash-up being a stitch-up. Inevitably, during the wash-up process I cannot help thinking of that quote from Hobbes about life being "nasty, brutish and short". There is an element of that to the wash-up, but I do not think it is any different from how it has been previously.³⁸

With specific reference to the *Digital Economy Bill*, he said:

I cannot help smiling and thinking about the many days we have enjoyed each other's company in this Chamber as we went through approximately 750 amendments to a 48-clause Bill. There are many things that one could say about the Bill, but that there has been a lack of scrutiny in this Chamber is not one of them.³⁹

During the debate on the business motion, Baroness Royall of Blaisdon defended the wash-up process against more general criticisms made by other members. She described it as a "tried and tested procedure that has been going on for decades" and disputed the suggestion that only non-controversial bills had been included in the wash-up in the past.⁴⁰ Lord Lawson of Blaby and Lord Tebbit (both Conservative) both objected that the 2010 wash-up included a

³¹ HL Deb 7 April 2010 c1630

³² HL Deb 7 April 2010 c1577

³³ HL Deb 7 April 2010 c1588

³⁴ HL Deb 7 April 2010 c1589

³⁵ HL Deb 7 April 2010 c1590

³⁶ HL Deb 7 April 2010 c1604

³⁷ HL Deb 8 April 2010 c1713

³⁸ HL Deb 8 April 2010 c1717

³⁹ *Ibid*

⁴⁰ HL Deb 7 April 2010 c1485

greater number of bills than had been the case in previous years. Lord Lawson further charged that:

... this procedure gives an incentive for a Government to introduce a swathe of contentious legislation at the last moment in order that it may be rushed through in the wash-up without adequate scrutiny. That is clearly an undesirable precedent and we should not go along with it.⁴¹

In response, Baroness Royall of Blaisdon maintained that “the scope of the wash-up has not changed”.⁴² She also pointed out that: “During wash-up, Governments do not put matters into Bills; they take them out”.⁴³

4.2 House of Commons – comments on wash-up

In the Commons, in the run-up to the 2010 general election, there was some general concern about wash-up short-circuiting the full discussion of legislation before it was enacted. Specific concerns were also registered about the passage of the *Digital Economy Bill*.

At Business Questions on 25 March 2010, Douglas Hogg (Conservative) requested “an early debate entitled ‘The Wash-up Period’”. He said that it “would enable right hon. and hon. Members to express the view that during the wash-up period, we should not be enacting legislation that has not been fully discussed in both Houses”.⁴⁴

Throughout March 2010, Tom Watson (Labour) used Business Questions in the Commons to highlight concerns that the *Digital Economy Bill* would be finalised in the wash-up. On 11 March, he said that “I cannot be the only hon. Member who is concerned that to deal with it in a wash-up would be bad form at best”.⁴⁵ Then on 18 March, he warned that “If the House were asked to consider this in the wash-up, the law of unintended consequences might kick in”.⁴⁶ Then on 25 March, he expressed concerns about both the process of wash-up and the effect this would have on provisions in the Bill:

It now seems likely that the two Opposition Front-Bench teams will have as much influence on the outcome of the Digital Economy Bill as my right hon. and learned Friend the Leader of the House. If they allow their shadow Ministers to collude with the music industry to bounce through complex copyright proposals in the wash-up, they will be enabling a democratic impropriety to take place. Will she work with business managers to bang some heads together in Departments?⁴⁷

The *Digital Economy Bill* received its Second Reading in the Commons on 6 April. During the debate on the Business Statement, outlining the planned timetable for wash-up, Members raised doubts about the time available for scrutiny of the Bill. David Howarth (Liberal Democrat) expressed his concern:

Given that there are a number of highly controversial proposals in the Bill, especially that about web blocking, surely now that we are in the wash-up, the most appropriate thing for the Government and the Leader of the House to do at this stage is to say that

⁴¹ HL Deb 7 April 2010 c1487

⁴² HL Deb 7 April 2010 c1487

⁴³ *Ibid*

⁴⁴ HC Deb 25 March 2010 c389

⁴⁵ HC Deb 11 March 2010 c439

⁴⁶ HC Deb 18 March 2010 c980

⁴⁷ HC Deb 25 March 2010 c388

the Government will not proceed with those controversial parts of the Bill. That will save us all a lot of time and trouble over the next two or three days.⁴⁸

In response to the general concerns, Harriet Harman, the Leader of the House, outlined the process of wash-up:

Ms Harman: The wash-up period allows there to be agreement between the Government and the Opposition. With those Bills that have been agreed on in the House of Commons, which have gone through their first, or all their stages in the Lords, and which have had their first-level agreement in the House of Commons, the choice remains of whether they should be left by the wayside or whether agreement can be reached to make progress on them. That is the process undergone. It is a very exceptional process that happens only at the end of the Parliament. I cannot really add further to that.⁴⁹

In response to specific comments on wash-up and the *Digital Economy Bill*, she commented that “the Bill will make progress in the wash-up only on the basis of consensus”.⁵⁰

On 8 April 2010, during consideration of the Lords Amendments on the *CRAG Bill*, in the Commons, Jack Straw, the Lord Chancellor and Secretary of State for Justice, began by summarising the effect that the House of Lords had had on the Bill, directly as a result of the wash-up negotiations:

It might be helpful if I begin by explaining to the House the conclusion that was reached in the other place last night. As colleagues of some antiquity will appreciate, the wash-up, by definition, inevitably involves a compression of the legislative process, and business can get through only by agreement. In their lordships' House, that agreement requires not only a majority vote but widespread consent across the Chamber. We were faced with a situation where a number of Back-Bench Members had tabled amendments to delete every single clause. As a consequence, we were faced with difficult but inevitable choices that involved discussions with those Members, party leaders and the leader of the Cross-Bench group to arrive at an accommodation.⁵¹

4.3 Reviewing and reforming wash-up

During the debate on the Business Motion to facilitate wash-up in the Lords, Lord Rooker (Labour Independent) suggested a reform that would allow greater scrutiny of Bills passed during the wash-up, albeit retrospectively:

I think that there would be a case for institutionalising that this House—jointly preferably, but this House is the revising Chamber—should systematically say that an ad hoc committee of the House should look and monitor the wash-up package after six months and 18 months. It should get a report from the Clerk, the Clerk in the other place and the relevant department on how that legislation has worked. If defects are caused by the lack of scrutiny, the committee should find an institutional way to put them right before they become a disaster.

That would not need a lot of resources or cost a lot of money. Nor would it stop all the difficulties and the rows that we will have now. But it would stop our fellow citizens

⁴⁸ HC Deb 6 April 2010 c827

⁴⁹ HC Deb 25 March 2010 c389

⁵⁰ HC Deb 6 April 2010 c828

⁵¹ HC Deb 8 April 2010 c1203

being disadvantaged by laws being passed that have not been properly scrutinised and challenged.⁵²

Baroness Royall of Blaisdon accepted that Lord Rooker had made some good points and that there was merit in seeking better ways of engaging in the wash-up process in future, perhaps in discussion with the House of Commons.⁵³ During the debate on the CRAG Bill, Lord Bach said that all sides of the House had been impressed by Lord Rooker's suggestion. Lord Bach stated that he intended to undertake post-legislative scrutiny of the CRAG Bill if his party was still in government at the relevant time.⁵⁴ Lord Rooker's ideas also enjoyed some support in the House of Commons. During the debate on Lords Amendments to the CRAG Bill, Jack Straw said that Lord Rooker had made suggestions about monitoring the wash-up package after six months and after 18 months. Jack Straw continued:

... My noble Friend Lord Bach endorsed that from the Front Bench, and I endorse it too. I hope that that has the approbation of the other parties and that we shall look carefully at how the wash-up has happened, and the improvements we can make.⁵⁵

Lord Marlesford, however, took issue with Lord Rooker's proposal, as he was "not sure that it is sensible to pass legislation on the basis that it is possibly deeply flawed and will need correcting in 18 months' time".⁵⁶

Baroness Quin (Labour) drew a parallel between Lord Rooker's proposal for post-legislative scrutiny of wash-up legislation and the sunset clause introduced into the *Debt Relief (Developing Countries) Bill* by a Conservative amendment in the Commons:

I hope that the passing of that amendment will help to reassure Members of your Lordships' House, who may be understandably concerned about the shortage of time in which to consider these issues, as they have been about other measures, and that they will at least realise that the Bill's effect will be fully evaluated in Parliament after a year. I hope that informed decisions about its long-term future can then be taken. The sunset clause addresses some of the concerns about last-minute legislation and also, in a way, picks up on the very important points which my noble friend Lord Rooker made yesterday about the wash-up procedure.⁵⁷

Another reform was suggested by Baroness Noakes, Conservative spokesperson for the Treasury, during the debate on the *Finance Bill*:

[...] it is clear that a large amount of material in the Finance Bill will become law without any effective scrutiny, because a couple of hours in another place yesterday does not constitute effective scrutiny. My party's policy is that tax changes would be introduced only at the Pre-Budget Report stage, so that effective scrutiny would be held on a pre-legislative basis before the Finance Bill was published around the time of the Budget. In that way, we would never again be in this unsatisfactory position if an election were held at the time of the year when the Budget and Finance Bill were published.⁵⁸

Lord Norton of Louth (Conservative), a member and former Chair of the Constitution Committee, recommended that the Constitution Committee should "carry out an inquiry into

⁵² HL Deb 7 April 2010 c1483

⁵³ HL Deb 7 April 2010 c1486

⁵⁴ HL Deb 7 April 2010 c1609

⁵⁵ HC Deb 8 April 2010 c1213

⁵⁶ HL Deb 7 April 2010 c1496

⁵⁷ HL Deb 8 April 2010 c1696

⁵⁸ HL Deb 8 April 2010 c1685

wash-up, which would enable us to stand back, look at the whole issue and recommend how this ought to be addressed in the future”.⁵⁹

No review of wash-up or evaluation of bills passed in the wash-up has been announced.

In their review of wash-up in 2010, Ruth Fox and Matt Korris provided a succinct critique of the problems with the process, before going on to suggest a series of options to reform wash-up. Their critique of the problems read:

The problems that wash-up throws up are therefore issues of pragmatism versus principle; transparency and accountability; consultation and inclusion; provision for effective scrutiny; and the constitutional relationship between and responsibilities of the elected and unelected chambers. Normal democratic practice is effectively inverted during the wash-up with both the opposition and peers empowered through the possession of a legislative veto power. In light of these challenges, what might be done to ameliorate the situation?⁶⁰

They identified three options for reform:

- **abandon wash-up altogether.** Once a general election is called in many legislatures, legislation is simply lost. However, they felt that, in the UK, “Despite the flaws in the wash-up process there will likely be little political consensus in favour of this option”.⁶¹
- **allow carry-over of legislation to the new Parliament.** They noted that in New Zealand, the new Parliament can reinstate legislation at the stage it had reached in the previous Parliament.⁶²
- **incorporate safeguards into the process.** They noted that the super-affirmative procedure and sunset clauses were utilised in 2010 – “but their use was ad hoc and ultimately inadequate”.⁶³ An alternative safeguard was the suggestion of post-legislative scrutiny proposed by Lord Rooker but they noted the practical difficulties of his proposal.

They concluded that:

What is needed are measures that strike a judicious balance between the right of the Government to complete some of its legislative programme and the right of Parliament to effectively scrutinise that legislation. That begs several key questions: are the existing conventions governing the wash-up process sufficient; if not, how should this be addressed; and if new measures are to be put in place, what might these instruments be and how should they be governed?⁶⁴

They also noted that “the conventions governing wash-up are unclear”. They then posed a series of questions that any review of wash-up should consider:

Given the problems with timetabling, the tidal wave rather than the pipeline approach to the production of legislation, and flaws in the normal legislative scrutiny process, consideration needs to be given to determining what categories of legislation should

⁵⁹ HL Deb 7 April 2010 c1646

⁶⁰ Fox and Korris, *op cit*, p565

⁶¹ Fox and Korris, *op cit*, p565

⁶² Fox and Korris, *op cit*, p565, n27

⁶³ Fox and Korris, *op cit*, p565

⁶⁴ Fox and Korris, *op cit*, p567

perhaps not be eligible for inclusion in future wash-ups. Should, for example, any clauses in a bill that have not been considered in the Commons (for example, if they were added at report stage and were not reached before the timetable ran out) automatically be excluded from the wash-up even if the bill has received a second reading in the Lords? Is having completed second reading, after completing passage in the other House, sufficient to justify eligibility for the wash-up, particularly if it is the Commons that has only reached second reading? Or, should a bill only be eligible if, for example, it has completed committee stage as well? Should the eligibility of a bill starting in the Commons that has completed all its stages in the Commons be greater than a bill starting in the Lords that has done the same, because the bill from the Commons will have been subject to a public evidence process at Public Bill Committee stage, but the Lords bill will not? Should the criteria for eligibility in wash-up perhaps be lower for a bill that has received pre-legislative scrutiny? Should constitutional bills be automatically excluded from consideration in the wash-up, even if they deal largely with uncontested issues? If so, what should be the criteria that justifies distinguishing such bills from garden-variety legislation in the economic and social field that may entail billions of pounds of expenditure that will go un-scrutinised in the wash-up? Should peers be able to obstruct any measures in the wash-up that may be capable of commanding a majority in the House of Commons? And should members of one House be able to obstruct any measures that are the prime concern of members of the other House?⁶⁵

5 Wash-up and Fixed-term Parliaments

The consequence of not having fixed-term Parliaments is that we will always have a situation whereby there will be a great deal of legislation that we do not want to waste.
- Lord Rooker, 7 April 2010⁶⁶

The *Fixed-term Parliaments Bill*, which is currently before Parliament, provides for a regular pattern of general elections.⁶⁷ The Bill removes the prerogative power to dissolve Parliament. It provides that normally Parliament would be dissolved in order that a general election takes place on the first Thursday in May, in every fifth year. With a fixed polling date and date of dissolution, there should be less, if any, need for a wash-up period. Theoretically at least, the legislative programme could be arranged so that Bills are able to complete their passage through parliament before the dissolution without aggressive use of timetabling.

On 13 September 2010, the day of the Second Reading of the Bill, Sir George Young, the Leader of the House of Commons, announced proposals to introduce 12-month parliamentary sessions, beginning and ending in the spring. He argued that this would have benefits for the legislative programme:

The Fixed-term Parliaments Bill proposes that Parliamentary General Elections will, ordinarily, take place on the first Thursday in May, every five years. One of the benefits of this proposal is the greater certainty it brings to the parliamentary timetable. As a consequence, the Government believes that it would be appropriate to move towards five, 12-month, sessions over a parliament, beginning and ending in the spring. This

⁶⁵ Fox and Korris, pp567-568

⁶⁶ HL Deb 7 April 2010 c1483

⁶⁷ For background on the Bill see House of Commons Library Research Paper RP 10/54, *Fixed-term Parliaments Bill*, 26 August 2010

has the advantage of avoiding a final fifth session of only a few months, which restricts the ability of Parliament to consider a full legislative programme.⁶⁸

However, clause 2 of the Bill does provide for early parliamentary general elections, if the House of Commons agrees a motion to dissolve early or if a new government cannot be formed within 14 days of a successful motion of no confidence. In these circumstances, the Prime Minister would retain some discretion in their timing:

[Clause 2] (6) If a parliamentary general election is to take place as provided for by subsection (1) or (2), the polling day for the election is to be the day appointed by Her Majesty by proclamation on the recommendation of the Prime Minister (and, accordingly, the appointed day replaces the day which would otherwise have been the polling day for the next election determined under section 1).⁶⁹

The reasons for this are outlined in the Explanatory Notes to the Bill, which also indicate that were an early general election called a wash-up period would ensue:

19. *Subsections (5) and (6) [of Clause 2] provide that the Queen sets the date for an early election by proclamation on the recommendation of the Prime Minister. This means that, taken in conjunction with the rules in clause 3, a suitable date for an election can be set. Dissolution does not follow immediately on the triggering event, but can be timed so that, for example, essential business can be completed or the date of the election can be set to fall on a Thursday.*⁷⁰

During Committee Stage, an opposition amendment to fix the period between the Speaker issuing his certificate certifying that an early general election is required and the date of the general election was tabled. But the time allowed for Committee Stage had elapsed before it could be debated.

6 Wash-up 2010: the progress of bills

6.1 Government bills

This section notes the progress that bills had made before wash-up and provides a brief commentary on the changes made to them during wash-up, for each bill that was progressing through Parliament when the two Houses reassembled after the Easter recess and that received Royal Assent on 8 April.⁷¹

A similar tabular summary for the bills caught up in wash-up before each of the last six general elections (1987-2010) is set out in Section 7.2.

⁶⁸ HC Deb 13 September 2010 c33WS-34WS. The Government announced that “In order to ensure a smooth transition, the Government have decided that the current session of Parliament will run until around Easter 2012” [*Ibid*].

⁶⁹ *Fixed-term Parliaments Bill* [Bill 64 of 2010-11], clause 2(6)

⁷⁰ *Fixed-term Parliaments Bill* [Bill 64 of 2010-11], [Explanatory Notes](#), para 19

⁷¹ As noted in Section 3, in addition to these Bills, the *Appropriation Bill* was introduced, completed all its parliamentary stages, and received Royal Assent on 7 and 8 April

Bribery Bill

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting Remaining Stages	Passed	<u>Commons</u> Report stage and third reading on 7/4/10 (passed with amendments) [HC Deb 7 April 2010 cc1005-1014] <u>Lords</u> Commons Amendments considered on 8/4/10. Amendments agreed to [HL Deb 8 April 2010 cc1704-1713]

Some minor changes were made to the Bill at Report Stage in the Commons during the wash-up. It had been amended in public bill committee before the wash-up began.

The Lords agreed with the amendments made in the public bill committee and on Report in the Commons, on 8 April 2010. During the debate Lord Goodhart observed that “Unlike most bills dealt with as part of the wash-up, this Bill has been fully scrutinised”.⁷² At the end of the debate, Lord Mackay of Clashfern echoed Lord Goodhart’s observation, saying that “technically speaking” the Bill was not part of wash-up because there had been no setting aside of ordinary procedures. The Minister, Lord Bach, agreed. He said that “No, this Bill is not part of the wash-up”.⁷³

Children, Schools and Families Bill⁷⁴

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Awaiting Committee Stage	<u>Lords</u> Committee Stage; and remaining stages (without debate) on 7/4/10. Bill passed and returned to the Commons with amendments [HL Deb 7 April 2010 cc1575-1608] <u>Commons</u> Consideration of Lords Amendments on 8/4/10. Lords Amendments agreed to [HC Deb 8 April 2010 cc1223-1235]

The Bill, as introduced, covered a wide range of matters including: guarantees for parents and pupils, setting out what they were entitled to expect from the school system; parental satisfaction surveys; the powers of governing bodies of maintained schools; the remit of school improvement partners; school improvement; provision of information about school performance to pave the way for the introduction of school report cards; and the introduction of a licence to practise for teachers. The Bill also aimed to reform the curriculum; establish a registration system for home educators; and provide an additional right of appeal for parents of children with special educational needs. The Bill also sought to make changes to the reporting of information relating to family proceedings. Other provisions related to Local Safeguarding Children Boards, Youth Offending Teams, and the fees system for the inspection of independent schools.

A number of key provisions were removed during the consideration of Lords Amendments on 8 April 2010.⁷⁵ These provisions included the following policy areas:

⁷² HL Deb 8 April 2010 c1706

⁷³ HL Deb 8 April 2010 cc1706-1707

⁷⁴ Provided by Christine Gillie, Social Policy Section

pupil and parent guarantees;
home school agreements;
parental satisfaction surveys;
reform of the primary curriculum;
introduction of compulsory Personal Social Health and Economic (PSHE) education, including the provision that all children receive at least one year of sex and relationship education;
the licence to practise for teachers;
registration and monitoring of home education;
the extended remit for School Improvement Partners;
data provisions for school report cards;
strengthened powers for local authorities and the Secretary of State to intervene where schools are causing concern; and
powers for the Secretary of State to intervene in failing Youth Offending Teams

The provisions that remained and are now contained in the [Children, Schools and Families Act 2010](#) include:

requirements for school inspections to take into account the needs of pupils with special educational needs (SEN) and disabilities, and provision for an additional right of appeal for parents of children with special educational needs statements;
a requirement for local authorities to provide full-time education for children and young people who, for various reasons, are in alternative provision;
greater powers for school governing bodies on how they use their budgets, and the power to set up new schools and academies;
new provisions on information sharing and the review of Local Safeguarding Children Boards' performance;
new arrangements to allow greater media reporting of proceedings in Family Courts;
amendments to the *Apprenticeships, Skills, Children and Learning Act 2009* relating to parent and pupils complaints system, including a change to enable a Local Government Ombudsman to reject a complaint on the basis that it is frivolous; and
an amendment to the *Education and Skills Act 2008* relating to fees for pre-registration inspections of independent schools.

The *Children, Schools and Families Bill* received Royal Assent on 8 April 2010.

⁷⁵ [Lords Amendments to the Children, Schools and Families Bill, Bill 105](#); and [HC Deb 8 April 2010 cc 1223-35](#)

Constitutional Reform and Governance Bill⁷⁶

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Awaiting Committee Stage	<p><u>Lords</u> Committee Stage; and remaining stages (without debate) on 7/4/10. Bill passed and returned to the Commons with amendments [HL Deb 7 April 2010 cc1609-1650]</p> <p><u>Commons</u> Consideration of Lords Amendments on 8/4/10. Lords Amendments agreed to; consequential amendment made [HC Deb 8 April 2010 cc1203-1222]</p> <p><u>Lords</u> Commons Amendments considered on 8/4/10. Consequential amendment agreed to [HL Deb 8 April 2010 cc1734-35]</p>

The CRAG Bill was a key bill in the process of wash-up, as it was a major constitutional bill which had yet to receive scrutiny, beyond second reading, in the House of Lords. It had been amended considerably during its passage through the House of Commons. For example, provisions for a referendum on using the alternative vote system to elect MPs were added at Committee stage; and changes to the responsibilities and enforcement powers of the Independent Parliamentary Standards Authority (IPSA) were made. On Wednesday 7 April 2010 Lord Trefgarne spoke to an amendment to stop CRAG being considered in the wash-up. A number of speakers took the opportunity to express their concern that an important constitutional bill was being rushed through because of the imminent dissolution of Parliament.⁷⁷ Lord Trefgarne withdrew his amendment after Baroness Royall of Blaisdon promised to hold further talks with Baroness D'Souza of the crossbenchers and the Liberal Democrats, as well as with the official Opposition.⁷⁸

In her statement on wash-up, Baroness Royall of Blaisdon had indicated the concessions the Government proposed on the CRAG Bill.⁷⁹ However, as a result of the cross-party meeting, it was agreed that the whole of part 5, rather than simply the ending of by-elections for hereditary peers and provision for the resignation of peers, would be removed from the Bill. The committee stage of the bill commenced at just after midnight and Lord Bach set out the clauses which would be removed as follows:

As a result of these discussions, I hope that we will meet the clearly expressed will of the House earlier today to proceed with all the remaining clauses. For the convenience of the House, the Government intend that the following clauses should be left out of the Bill. They are: Part 1, "The Civil Service Etc", Clauses 20 to 23 and Schedule 3 [provisions relating to Crown Employment – Nationality; provisions putting the Civil Service on a statutory footing were retained]; Part 3, "Referendum on Voting Systems", Clauses 29 to 37-all of this part; Part 5, "The House of Lords", Clauses 53 to 58 and Schedule 8-all of this part; Part 7, "Public Order", Clause 61 and Schedule 9-all of this part; Part 8, "Human Rights Claims Against Devolved Administrations", Clauses 62 to 64-all of this part; Part 9, "Courts and Tribunals", Clauses 65 to 67 and Schedule 10-all of this part; Part 10, "National Audit", Clauses 68 to 82 and Schedules 11 to 14-all of

⁷⁶ Provided by Oonagh Gay, Parliament and Constitution Centre

⁷⁷ HL Deb 7 April 2010 c1490

⁷⁸ HL Deb 7 April 2010 c1501

⁷⁹ HL Deb 7 April 2010 c1478

this part; and Part 13, "Miscellaneous and Final Provisions", Clauses 88 and 89 on referendums and Clause 91 on Electoral Commission accounts.⁸⁰

The Liberal Democrat spokesman Lord McNally expressed concern that the clause on the suspension and expulsion of peers had been removed; for the Conservatives, Lord Strathclyde, said that if they formed the next Government, they would want to "put that right".⁸¹

However some of the provisions added to the Bill during its passage through the House of Commons were retained. These included the new provisions on IPSA, the timing of the counting of the vote, freedom of information and records management. On the other hand, aspects of the Bill which had been included when the Bill was introduced, such as the national audit provisions, were dropped.

The Government accepted an amendment from the Conservative peer Lord Norton of Louth, which was designed to ensure that civil servants were aware of their wider duty to Parliament and the conventions governing the relationship between Parliament and Government. The Minister for the Civil Service was given a specific duty to ensure this wider duty became known. The Government did not accept other amendments from Lord Norton in respect of Civil Service matters, including special advisers.⁸²

Lord Norton was also successful in persuading the Government to accept an amendment requiring an Explanatory Memorandum for each treaty laid before Parliament.⁸³

Government amendments made a series of changes to Schedule 5, to give effect to the recommendations of the Delegated Powers and Regulatory Reform Committee, reflecting that the IPSA only oversaw the House of Commons. There was also an amendment to allow for the new 20 year period for public records to be phased in, in the anticipation that there would be a large number of requests for records in the 20-30 year period.⁸⁴

Some further probing amendments followed: on the definition of being domiciled for the purpose of what became sections 41 and 42 of the Act on the tax status of MPs and members of the House of Lords and a debate initiated by Lord Ramsbotham on the question of prisoner voting rights. No amendment was made and the bill passed all stages.⁸⁵ It was returned to the Commons on 8 April where the Lords Amendments were accepted.

Crime and Security Bill⁸⁶

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Awaiting Committee Stage	<u>Lords</u> Committee Stage; and remaining stages (without debate) on 7/4/10. Bill passed and returned to the Commons [HL Deb 7 April 2010 cc1540-1570]

The *Crime and Security Bill* passed through the Lords completely unamended as part of the wash-up process,⁸⁷ receiving Royal Assent on 8 April 2010. The Act therefore contains the

⁸⁰ HL Deb 7 April 2010 c1610

⁸¹ *Ibid*

⁸² HL Deb 7 April 2010 c1615

⁸³ HL Deb 7 April 2010 c1622

⁸⁴ HL Deb 7 April 2010 c1641

⁸⁵ HL Deb 7 April 2010 c1642-48

⁸⁶ Provided by Pat Strickland, Home Affairs Section

same provisions as the Bill as brought from the Commons on 9 March 2010,⁸⁸ including the controversial clauses on the taking, retention and destruction of fingerprints and DNA data. However, the Conservative and Liberal Democrat Coalition Government have since pledged to adopt “the protections of the Scottish model for the DNA database”.⁸⁹ Background on the issues, including a description of the Scottish model, can be found in the Commons Library Research Paper on the *Crime and Security Bill*.⁹⁰

Digital Economy Bill⁹¹

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting Second Reading Note: received Second Reading on 6 April	Passed	<u>Commons</u> Committee stage; formal report stage and third reading on 7/4/10 (passed with amendments) [HC Deb 7 April 2010 cc1106-1144] <u>Lords</u> Commons Amendments considered on 8/4/10. Amendments agreed to [HL Deb 8 April 2010 cc1713-1734]

The *Digital Economy Bill* emerged from the wash-up process with its most controversial measures – dealing with online copyright infringement – largely intact. Much amended during the Lords Committee and Report stages, the House of Commons added a further barrier to the potential introduction of technical measures to limit user internet access: a superaffirmative procedure would now apply to the introduction of the necessary secondary legislation. Wash-up also saw “superaffirmation” deployed in connection with the introduction of any powers to allow copyright holders to apply to a court to block access to websites hosting a significant amount of copyright infringing material. Significant casualties of wash-up were clauses to allow Ofcom to appoint independently funded providers of local and regional news and to extend copyright licensing schemes to include, among other things, orphan works. The latter measure had been controversial particularly among photographers fearful that their work could become “orphaned” whereby the copyright owner (usually the photographer) would remain unidentified and unrewarded. A clause extending Ofcom’s general duties was also lost.

Energy Bill⁹²

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Awaiting Committee Stage	<u>Lords</u> Committee Stage; and remaining stages (without debate) on 7/4/10. Bill passed and returned to the Commons with amendments [HL Deb 7 April 2010 cc1571-74] <u>Commons</u> Consideration of Lords Amendments on 8/4/10. Lords Amendments agreed to [HC Deb 8 April 2010 cc1236-1241]

⁸⁷ HL Deb 7 April 2010 c1570

⁸⁸ *Crime and Security Bill 2009-10* [HL Bill 45 of 2009-10]

⁸⁹ Conservative Party and Liberal Democrat Party, *Conservative Liberal Democrat coalition negotiations Agreements reached*, 11 May 2010

⁹⁰ House of Commons Library Research Paper, *Crime and Security Bill*, RP 09/97, 22 December 2009

⁹¹ Provided by Grahame Danby, Home Affairs Section

⁹² Provided by Louise Smith, Science and Environment Section

A few technical amendments were made by the Government, during the *Energy Bill's* Committee stage in the Lords. They were agreed to when the Commons considered Lords amendments. The Government did not have to make any concessions to secure the Bill's passage.

Equality Bill

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting consideration of Lords Amendments Note: Lords Amendments considered on 6 April	Passed	

The House of Commons considered Lords amendments on 6 April 2010, as announced on 25 March.⁹³ As the Commons agreed to all the Lords amendments, no ping-pong was required and the Bill was ready for Royal Assent before the wash-up began.

Finance Bill⁹⁴

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting Second Reading	-	<u>Commons</u> Second reading and Committee Stage; formal report stage and third reading on 7/4/10 (passed) [HC Deb 7 April 2010 cc1058-1105] <u>Lords</u> Introduced on 7/4/10 [HL Deb 7 April 2010 c1571] <u>Lords</u> Second Reading and Third Reading (without debate on 8 /4/10). Bill passed [HL Deb 8 April 2010 cc1677-1690]

Following the 2010 Budget statement on 24 March, and the House approving the relevant Budget resolutions on 30 March, the *Finance Bill* was published on 1 April.⁹⁵

The Bill was a good deal shorter than usual (73 clauses, 22 schedules, pp 167). By way of comparison, *Finance Act 2009* is over twice the length (127 sections, 61 schedules, pp 450). It is common practice, when the timing of a General Election requires a finance bill to be passed relatively quickly after the Budget and before the Dissolution, for the Government to introduce a shorter Bill with a view to there being a second *Finance Bill* later in the same tax year after the election of a new Government.

Introducing the Bill on its second reading, the Financial Secretary, Stephen Timms, explained that the Bill was “focused on the key Budget measures.” He did not give a detailed explanation as to the rationale for including individual Budget provisions in this Bill, or delaying them for a second Finance Bill in the new Parliament, but explained that “some two thirds of the measures in the Bill have been aired for comment and consultation already”.⁹⁶

⁹³ HC Deb 25 March 2010 c379

⁹⁴ Provided by Antony Seely, Business and Transport Section

⁹⁵ HC Deb 30 March 2010 c90WS

⁹⁶ HC Deb 7 April 2010 c1058

The Government had given some indication in the individual Budget notes, published alongside the Budget report, whether a measure would be included in *Finance Bill 2010*, or in a *Finance Bill* “to be introduced as soon as possible in the next Parliament”.

The Bill was subject to an abbreviated scrutiny in the Commons under the Business Motion approved on 7 April, and was debated, and approved, in its entirety in three hours, without division.⁹⁷ Four changes were made to the Bill, following agreement through the usual channels. Three provisions were removed from the Bill:

- Landline duty (clause 23 and schedule 2): details in Budget Note BN51, 24.03.2010
- Security for payment of PAYE (clause 58): details in Budget Note BN70, 24.03.2010
- Furnished holiday lettings (clause 65 and schedule 21): details in Pre-Budget Note PBRN24, 9.12.2009

One amendment was made to the Bill:

- Rate of duty on cider: the rate was increased by 10% in real terms from 29 March, though other alcohol duty rates rose by only 2% in real terms (Budget Note BN61, 24.03.2010). The Bill was amended to limit this increase to 2%, from 30 June 2010.

The Financial Secretary told the House that all three measures that the Government had agreed not to include would “all be in the second *Finance Bill* at the start of the new Parliament”. In addition, provision would be made in this second Bill to reverse the amendment made to the cider duty rate. This provision was one of only three clauses to be debated briefly, after the second reading debate.⁹⁸ At this juncture, the Financial Secretary stated that the Government would “legislate to confirm the originally planned increases in a second *Finance Bill*, just after the election”.

Financial Services Bill⁹⁹

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Committee Stage underway	<p><u>Lords</u> Committee Stage (3rd day) on 7/4/10 [HL Deb 7 April 2010 cc1504-1540]</p> <p><u>Lords</u> Report Stage and Third Reading (without debate) on 8/4/10. Bill passed and returned to Commons with amendments [HL Deb 8 April 2010 cc1663-1664]</p> <p><u>Commons</u> Consideration of Lords Amendments on 8/4/10. Lords Amendments agreed to [HC Deb 8 April 2010 cc1242-1251]</p>

All the parts of the *Financial Services Bill* to do with changing the structure of the tripartite authorities concerned with monitoring financial stability and a measure regarding disclosure of Bank assistance to other banks were lost in the wash up. These were clauses 1-6 in the Bill.

⁹⁷ HC Deb 7 April 2010 cc 1058-1105

⁹⁸ HC Deb 7 April 2010 cc 1102-4

⁹⁹ Provided by Tim Edmonds, Business and Transport Section

Flood and Water Management Bill¹⁰⁰

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Committee Stage underway Note: Bill reported on 6 April	<u>Lords</u> Report Stage and Third Reading (no debate). Debate on the motion that the Bill do pass on 8/4/10. Bill passed and returned to the Commons with amendment [HL Deb 8 April 2010 cc1664-1667] <u>Commons</u> Consideration of Lords Amendments on 8/4/10. Lords Amendments agreed to [HC Deb 8 April 2010 cc1252-1255]

During the Committee stage in the Lords, 25 amendments were made to the *Flood and Water Management Bill*. In the wash-up, in the Commons, on 8 April, all of the Lords Amendments were agreed to. Three were 'purely technical', and 18 changes had been made as a result of recommendations by the Delegated Powers and Regulatory Reform Committee.

Northern Ireland Assembly Members Bill

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting Committee Stage ¹⁰¹	Passed	<u>Commons</u> Committee stage and third reading on 7/4/10 (passed without amendment) [HC Deb 7 April 2010 cc1015-1026]

The Committee and remaining stages were scheduled for 7 April 2010, when the Leader of the House of Commons announced forthcoming business before the Easter Recess,¹⁰² but in the event were caught up in the wash-up before dissolution. An hour was provided for consideration of the Bill.¹⁰³

No amendments were made to the Bill,¹⁰⁴ and it received an unopposed third reading.¹⁰⁵

Personal Care at Home Bill¹⁰⁶

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Lords Amendments considered	Awaiting Consideration of Commons Reasons	<u>Lords</u> Consideration of Commons Reasons on 8/4/10. Reasons agreed [HL Deb 8 April 2010 cc1667-1669]

¹⁰⁰ Provided by Oliver Bennett, Science and Environment Section

¹⁰¹ The Programme Order, agreed on 11 March 2010 [HC Deb 11 March 2010 c508], provided for the Committee Stage and remaining stages to take place on a single day. At Business Questions on 25 March, Harriet Harman announced that the Bill would be considered in Committee of the whole House on 7 April 2010.

¹⁰² HC Deb 25 March 2010 c379

¹⁰³ HC Deb 7 April 2010 cc975-1004

¹⁰⁴ HC Deb 7 April 2010 cc1015-1020

¹⁰⁵ HC Deb 7 April 2010 cc1020-1026

¹⁰⁶ Provided by Manjit Gheera, Social Policy Section

Following its stages in the House of Lords, where four amendments were agreed,¹⁰⁷ the Bill was returned to the House of Commons on 30 March 2010. The Commons disagreed with all but one of those amendments. Lords Amendment 2, which would require the Bill to be brought into force by statutory instrument, was agreed to. The statutory instrument would first have to be laid in draft and approved by both Houses under the affirmative resolution procedure. During the wash-up session on 8 April 2010, the Lords did not insist on its remaining three amendments.

6.2 Private Members' Bills

*Debt Relief (Developing Countries) Bill*¹⁰⁸

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting Report Stage	-	<u>Commons</u> Report stage and third reading on 7/4/10 (passed) [HC Deb 7 April 2010 cc1044-1056] <u>Lords</u> Second Reading and remaining stages (without debate) on 8/4/10. Bill passed [HL Deb 8 April 2010 cc1695-1703]

The *Debt Relief (Developing Countries) Bill* sought to limit the amount commercial creditors could recover from certain heavily indebted developing countries to an internationally agreed sustainable level. It would restrict the activities of so-called 'vulture funds', which buy developing countries' sovereign debt at discounted prices, then seek to recover its value in full through the courts, and apply only to existing debts.¹⁰⁹ The Bill passed its second reading on 26 February. Although there were signs of cross-party consensus, and a compromise 'sunset clause' added in committee allowing the Government to renew the Bill by order after a year (for a further year or permanently), the Bill was objected to at its report stage debate on 12 March after debate on the *Local Authorities (Overview and Scrutiny) Bill* continued until the moment of interruption.

It seemed that the Bill had fallen, but Sally Keeble, piloting the Bill through the Commons on behalf of Andrew Gwynne, ensured it remained on the remaining orders. At the Business Statement following the announcement of the dissolution of Parliament on 6 April, the Bill was included in the wash-up and scheduled for debate in Government time the following day, 7 April. There was a short debate on the 'sunset clause' added in committee, which would allow the effects of the legislation's operation to be examined before making it permanent, with suggestions that a select committee might investigate in the first session of the new Parliament. The Bill then successfully passed its Commons third reading, and was introduced into the Lords that evening; it successfully completed its passage through the Lords and received Royal Assent on the last day of the session, 8 April. The Bill entered into force two months after Royal Assent, on 8 June 2010.¹¹⁰

¹⁰⁷ Information on the Lords stages is set out in the Library Standard Note [Personal Care at Home Bill: progress of the Bill](#), SN/SP/5427

¹⁰⁸ Provided by Ian Townsend, Economic Policy and Statistics Section

¹⁰⁹ House of Commons Library Research Paper, [Debt Relief \(Developing Countries\) Bill – Bill 17 of 2009-10](#), RP 10/17, 25 February 2010; House of Commons Library Research Paper, [Debt Relief \(Developing Countries\) Bill: Committee Stage Report – Bill 83 of 2009-10 \(as amended; Bill 17 as introduced\)](#), RP 10/26, 11 March 2010

¹¹⁰ A fuller description of the Bill's progress during wash-up can be found in the House of Commons Library Standard Note, [Debt relief & 'vulture funds': the Debt Relief \(Developing Countries\) Act 2010](#), SN/EP/5658

***Mortgage Repossessions (Protection of Tenants Etc.) Bill*¹¹**

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Awaiting Committee Stage	<u>Lords</u> Order of commitment discharged; Remaining Stages on 8/4/10. Bill passed [HL Deb 8 April 2010 c1669]

The *Mortgage Repossessions (Protection of Tenants Etc.) Bill* had its Third Reading in the Lords on 8 April and was passed without amendment; it received Royal Assent on the same day.

Sunbeds (Regulation) Bill

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Passed	Awaiting Committee Stage	<u>Lords</u> Order of commitment discharged; Remaining Stages on 8/4/10. Bill passed [HL Deb 8 April 2010 c1669]

No amendments to the Bill were tabled for Committee stage in the House of Lords so the order of commitment was discharged. The remaining stages of the Bill were taken formally and the Bill passed without amendment.

Sustainable Communities Act (Amendment) Bill

Progress up to and including 30 March 2010 and notes of developments on 6 April		Developments in the wash-up period
Commons	Lords	
Awaiting Report Stage	-	<u>Commons</u> report Stage; and Third Reading (without debate) on 8/4/10 (passed) [HC Deb 8 April 2010 cc1186-1202] <u>Lords</u> Introduced; Second Reading on 8/4/10. Bill passed [HL Deb 8 April 2010 cc1690-1695]

The *Sustainable Communities Act (Amendment) Bill* had been amended in public bill committee in the House of Commons. One hour was allowed for its remaining stages in the Allocation of Time motion providing for the wash-up.¹² A number of amendments were debated at Report Stage, with one being defeated on a division. The Bill was not further amended.

In the Lords, after a brief second reading, no amendments were tabled to the Bill, and its remaining stages were taken formally.

7 Wash-up: an overview, 1987-2010**7.1 How many Bills were passed during wash-up?**

The tables in this section are intended to show the relationship between the number of Bills passed during the last six wash-up periods and the total number of Bills introduced in the corresponding parliamentary session.

¹¹ Provided by Robert Long, Social Policy Section

¹² HC Deb 7 April 2010 cc1003-1004

Each table shows how many Bills were introduced in the session, and of these, how many were Government Bills and how many were Private Members' Bills. The tables then indicate how many Bills were unsuccessful in each session, how many received Royal Assent in total and how many received Royal Assent during the wash-up. The final two columns of each table show the proportion of all Bills introduced in that parliamentary session which went on to receive Royal Assent, and the proportion of all Bills that received Royal Assent in that parliamentary session which did so during the wash-up. The tables were compiled using the House of Commons *Sessional Information Digest*.¹¹³

1987	Bills introduced	Unsuccessful Bills	Bills receiving Royal Assent			
			During whole session	During wash-up		
				Number	Proportion of all Bills introduced	Proportion of all Bills receiving RA
Government Bills*	36	1	35	18	50.0%	51.4%
Private Members' Bills	89	74	15	11	12.4%	73.3%
Total Public Bills	125	75	50	29	23.2%	58.0%

* excluding 4 Hybrid Bills

1992	Bills introduced	Unsuccessful Bills	Bills receiving Royal Assent			
			During whole session	During wash-up		
				Number	Proportion of all Bills introduced	Proportion of all Bills receiving RA
Government Bills*	37	5	32	13	35.1%	40.6%
Private Members' Bills	66	53	13	8	12.1%	61.5%
Total Public Bills	103	58	45	21	20.4%	46.7%

* excluding 2 Hybrid Bills

1997	Bills introduced	Unsuccessful Bills	Bills receiving Royal Assent			
			During whole session	During wash-up		
				Number	Proportion of all Bills introduced	Proportion of all Bills receiving RA
Government Bills*	36	0	36	26	72.2%	72.2%

¹¹³ Note that the figures given here do not necessarily match those given in the 'Public Bills – Some Basic Figures' table included in some editions of the *Sessional Information Digest* as that typically includes hybrid bills (which are excluded here) and excludes Bills introduced in the Lords which did not receive a first reading in the Commons (which are included here).

Private Members' Bills	90	68	22	10	11.1%	45.5%
Total Public Bills	126	68	58	36	28.6%	62.1%

* excluding 1 Hybrid Bill

2001	Bills introduced	Unsuccessful Bills	Bills receiving Royal Assent			
			During whole session	During wash-up		
				Number	Proportion of all Bills introduced	Proportion of all Bills receiving RA
Government Bills	28	7	21	11	39.3%	52.4%
Private Members' Bills	70	70	0	0	0.0%	0.0%
Total Public Bills	98	77	21	11	11.2%	52.4%

2005	Bills introduced	Unsuccessful Bills	Bills receiving Royal Assent			
			During whole session	During wash-up		
				Number	Proportion of all Bills introduced	Proportion of all Bills receiving RA
Government Bills*	33	12	21	14	42.4%	66.7%
Private Members' Bills	62	62	0	0	0.0%	0.0%
Total Public Bills	95	74	21	14	14.7%	66.7%

* excluding 1 Hybrid Bill

2010	Bills introduced	Unsuccessful Bills	Bills receiving Royal Assent			
			During whole session	During wash-up		
				Number	Proportion of all Bills introduced	Proportion of all Bills receiving RA
Government Bills	23	0	23	13	56.5%	56.5%
Private Members' Bills	77	70	7	4	5.2%	57.1%
Total Public Bills	100	70	30	17	17.0%	56.7%

7.2 How far had Bills progressed before entering the wash-up?

The tables in this section show, for the last six general elections, how many Bills received Royal Assent during the wash-up period, the type of Bill (Government (G) or private Member's Bill (PMB)) and what stage the Bill had reached by the day on which the date of the general election was announced. The summary tables below show this information at a glance for each year. The more detailed tables in the following sub-section contain further information showing: the title of each Bill; what stage the Bill had reached by the day on which the date of the general election was announced and when that stage was reached; and how the Bill progressed through its remaining stages to Royal Assent during the wash-up.

The tables were compiled using information from the relevant editions of the House of Commons *Sessional Information Digest* and *Hansard*.

Bills which received Royal Assent during a wash-up period but which had already completed all stages in both Houses prior to the announcement of the general election are excluded. Bills which were still before parliament at the start of the wash-up but which did not go on to receive Royal Assent are also excluded but numbers are recorded in footnotes to the summary tables. The titles of the dropped bills and their previous progress are recorded in footnotes to the detailed tables. This analysis does not show to what extent Bills were amended during the wash-up in order to enable them to receive Royal Assent before dissolution. As Section 6 of this paper illustrates, such amendments can be quite considerable.

Summary tables, 1987–2010

Key

For Bills introduced in the House of Commons

House A—House of Commons

House B—House of Lords

For Bills introduced in the House of Lords, denoted with [HL] after the Bill's title

House A—House of Lords

House B—House of Commons

Number of Bills (1987)		G	PMB	Total
Receiving Royal Assent		18	11	29
Not introduced before wash-up		1		1
In House A at start of wash-up	<u>Total</u>	5		5
	<i>Completed first reading</i>	1		1
	<i>Completed second reading</i>	1		1
<i>consisting of</i>	<i>In committee stage</i>	1		1
	<i>Completed committee stage</i>	2		2
	<i>Completed report stage</i>			
Completed third reading in House A, ready to start progress in House B				
In House B at start of wash-up	<u>Total</u>	11	11	22
	<i>Completed first reading</i>	2	3	5
	<i>Completed second reading</i>	3	5	8
<i>consisting of</i>	<i>In committee stage</i>	1		1
	<i>Completed committee stage</i>	3	3	6
	<i>Completed report stage</i>	2		2
Completed third reading in House B; final amendments still to be agreed		1		1

Note: One Government Bill was dropped in this Session

Number of Bills (1992)		G	PMB	Total
Receiving Royal Assent		13	8	21
Not introduced before wash-up		2		2
In House A at start of wash-up	<u>Total</u>	4		4
	<i>Completed first reading</i>	1		1
	<i>Completed second reading</i>	1		1
<i>consisting of</i>	<i>In committee stage</i>			
	<i>Completed committee stage</i>	2		2
	<i>Completed report stage</i>			
Completed third reading in House A, ready to start progress in House B				
In House B at start of wash-up	<u>Total</u>	7	8	15
	<i>Completed first reading</i>	2	3	5
	<i>Completed second reading</i>			
<i>consisting of</i>	<i>In committee stage</i>			
	<i>Completed committee stage</i>	4	5	9
	<i>Completed report stage</i>	1		1
Completed third reading in House B; final amendments still to be agreed				

Note: Five Government Bills were dropped in this Session

Number of Bills (1997)		G	PMB	Total
Receiving Royal Assent		26	10	36
Not introduced before wash-up		1		1
In House A at start of wash-up	<u>Total</u>	3		3
	<i>Completed first reading</i>			
	<i>Completed second reading</i>	2		2
<i>consisting of</i>	<i>In committee stage</i>			
	<i>Completed committee stage</i>	1		1
	<i>Completed report stage</i>			
Completed third reading in House A, ready to start progress in House B				
In House B at start of wash-up	<u>Total</u>	22	10	32
	<i>Completed first reading</i>	7		7
	<i>Completed second reading</i>	4	6	10
<i>consisting of</i>	<i>In committee stage</i>	1		1
	<i>Completed committee stage</i>	9	4	13
	<i>Completed report stage</i>	1		1
Completed third reading in House B; final amendments still to be agreed				

Number of Bills (2001)		G	PMB	Total
Receiving Royal Assent		11		11
Not introduced before wash-up		1		1
In House A at start of wash-up	<u>Total</u>	2		2
	<i>Completed first reading</i>			
	<i>Completed second reading</i>	1		1
<i>consisting of</i>	<i>In committee stage</i>	1		1
	<i>Completed committee stage</i>			
	<i>Completed report stage</i>			
Completed third reading in House A, ready to start progress in House B				
In House B at start of wash-up	<u>Total</u>	7		7
	<i>Completed first reading</i>			
	<i>Completed second reading</i>	3		3
<i>consisting of</i>	<i>In committee stage</i>	1		1
	<i>Completed committee stage</i>	3		3
	<i>Completed report stage</i>			
Completed third reading in House B; final amendments still to be agreed		1		1

Note: Seven Government Bills were dropped in this Session

Number of Bills (2005)		G	PMB	Total
Achieving Royal Assent		14		14
Not introduced before wash-up		2		2
In House A at start of wash-up <i>consisting of</i>	<u>Total</u>			
	<i>Completed first reading</i>			
	<i>Completed second reading</i>			
	<i>In committee stage</i>			
	<i>Completed committee stage</i>			
<i>Completed report stage</i>				
Completed third reading in House A, ready to start progress in House B				
In House B at start of wash-up <i>consisting of</i>	<u>Total</u>	11		11
	<i>Completed first reading</i>	1		1
	<i>Completed second reading</i>	5		5
	<i>In committee stage</i>	1		1
	<i>Completed committee stage</i>	2		2
<i>Completed report stage</i>		2		2
Completed third reading in House B; final amendments still to be agreed		1		1

Note: Twelve Government Bills were dropped in this Session

Number of Bills (2010)		G	PMB	Total
Receiving Royal Assent		13	4	17
Not introduced before wash-up		1		1
In House A at start of wash-up <i>consisting of</i>	<u>Total</u>	1	2	3
	<i>Completed first reading</i>	1		
	<i>Completed second reading</i>			
	<i>In committee stage</i>			
	<i>Completed committee stage</i>		2	
<i>Completed report stage</i>				
Completed third reading in House A, ready to start progress in House B				
In House B at start of wash-up <i>consisting of</i>	<u>Total</u>	9	2	11
	<i>Completed first reading</i>	1		1
	<i>Completed second reading</i>	5	2	7
	<i>In committee stage</i>	2		2
	<i>Completed committee stage</i>	1		1
<i>Completed report stage</i>				
Completed third reading in House B; final amendments still to be agreed		2		2

Detailed tables, 1987–2010**Key**

For Bills introduced in the House of Commons

House A—House of Commons














House B—House of Lords

For Bills introduced in the House of Lords, denoted with [HL] after the Bill's title

House A—House of Lords

House B—House of Commons

Stage reached by Bill by the day on which the date of the general election was announced

	Not yet introduced
	Completed first reading in House A
	Completed second reading in House A
	In committee stage in House A
	Completed committee stage in House A
	Completed report stage in House A
	Completed third reading in House A
	Completed first reading in House B
	Completed second reading in House B
	In committee stage in House B
	Completed committee stage in House B
	Completed report stage in House B
	Completed third reading in House B

Red—Bill not introduced prior to wash-up (applies to Finance and Appropriation Bills).

Purple shades—Bill was still in the House where it was introduced.

Blue shades—Bill had completed all its stages in the House where it was introduced and was going through its stages in the other House.

Green—Bill had completed all stages in both Houses but was still awaiting final agreement on amendments.

1987 General Election

- General election date announced: 11th May 1987
- Parliament dissolved: 18th May 1987

Bill name	Type	Stage reached before general election date announced	Progress during wash-up
Abolition of Domestic Rates Etc (Scotland)	G	Lords: Report stage between 28th April and 5th May 1987	Lords: Third reading on 11th May 1987 Commons: Lords amendments on 13th May 1987 Royal Assent on 15th May 1987
Access to Personal Files	PMB	Lords: Second reading on 8th May 1987	Lords: Order of Commitment discharged (no debate at committee stage) on 13th May 1987; third reading on 13th May 1987 Royal Assent on 15th May 1987
Agricultural Training Board	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 7th May 1987	Lords: Third reading on 12th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
AIDS (Control)	PMB	Lords: Second reading on 29th April 1987	Lords: Order of Commitment discharged (no debate at committee stage) on 13th May 1987; third reading on 13th May 1987 Royal Assent on 15th May 1987
Consolidated Fund (Appropriation) <i>Title of Act: Appropriation Act 1987</i>	G	N/A	Commons: First reading on 12th May 1987; all remaining stage on 13th May 1987 (formal proceedings with no debate) Lords: All stages on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Consumer Protection [HL]	G	Commons: Committee stage on 2nd and 5th May 1987	Commons: Order of Commitment discharged (no debate at committee stage) on 12th May 1987; remaining stages on 13th May 1987 Lords: Commons amendments on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Criminal Justice	G	Lords: Second reading on 27th April 1987	Lords: Remaining stages on 12th May 1987 Commons: Lords amendments on 14th May 1987 Royal Assent on 15th May 1987

Criminal Justice (Scotland) [HL]	G	Commons: Committee stage between 7th and 30th April 1987		Commons: Report and third reading on 12th May 1987 Lords: Commons amendments on 14th May 1987 Royal Assent on 15th May 1987
Crossbows	PMB	Lords: Second reading on 30th April 1987		Lords: Order of Commitment discharged (no debate at committee stage) on 13th May 1987; third reading on 13th May 1987 Royal Assent on 15th May 1987
Crown Proceedings (Armed Forces)	PMB	Lords: Second reading on 6th May 1987		Lords: Remaining stages on 12th May 1987 Royal Assent on 15th May 1987
Deer	PMB	Lords: Second reading on 5th May 1987		Lords: Order of Commitment discharged (no debate at committee stage) on 12th May 1987; remaining stages on 12th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Diplomatic and Consular Premises	G	Commons: First reading on 1st May 1987		Commons: All stages on 12th May 1987 Lords: First reading on 12th May 1987; all stages on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Family Law Reform [HL]	G	Commons: Committee stage between 30th April and 5th May 1987		Commons: Report and third reading on 12th May 1987 Lords: Commons amendments on 14th May 1987 Royal Assent on 15th May 1987
Finance	G	Commons: Committee stage on 6th and 8th May 1987		Commons: Committee stage, report and third reading on 12th May 1987 Lords: All stages on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Fire Safety and Places of Sport [HL]	G	Commons: Third reading on 7th May 1987		Lords: Commons amendments on 11th May 1987 Commons: Lords amendments on 12th May 1987 Royal Assent on 15th May 1987
Housing (Scotland) [HL]	G	Commons: First reading on 5th May 1987		Commons: All stages on 12th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987

Immigration (Carriers' Liability)	G	Lords: Committee stage on 7th May 1987	Lords: Report and third reading on 12th May 1987 Royal Assent on 15th May 1987
Irish Sailors and Soldiers Land Trust [HL]	G	Lords: Order of Commitment discharged (no debate at committee stage) on 5th May 1987	Lords: Third reading (formal proceedings with no debate) on 11th May 1987 Commons: First reading on 11th May 1987; remaining stages on 14th May 1987 Lords: Commons amendments on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Landlord and Tenant Act (No 2) <i>Act title: Landlord and Tenant Act 1987</i>	G	Lords: First reading on 7th May 1987	Lords: Remaining stages on 13th May 1987 Royal Assent on 15th May 1987
Local Government	G	Commons: Committee stage between 12th March and 2nd April 1987	Commons: Report and third reading on 12th May 1987 Lords: First reading on 13th May 1987; remaining stages on 14th May 1987 Royal Assent on 15th May 1987
Motor Cycle Noise	PMB	Lords: First reading on 28th April 1987	Lords: Remaining stages on 13th May 1987 Royal Assent on 15th May 1987
Northern Ireland (Emergency Provisions)	G	Lords: Second reading on 8th May 1987	Lords: Order of Commitment discharged (no debate at committee stage) on 13th May 1987; third reading on 13th May 1987 Royal Assent on 15th May 1987
Parliamentary and Health Service Commissioners	G	Lords: Report stage on 7th May 1987	Lords: Third reading on 12th May 1987 (formal proceedings with no debate) Commons: Lords amendments on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Parliamentary and Other Pensions	G	Commons: Second reading on 27th April 1987	Commons: Order of Commitment discharged (no debate at committee stage) on 12th May 1987 Lords: All stages on 14th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987

Prescription (Scotland)	PMB	Lords: First reading on 28th April 1987		Lords: All remaining stages on 13th May 1987 Royal Assent on 15th May 1987
Protection of Animals (Penalties) <i>Title of Bill changed from Dog Fighting (Penalties)</i>	PMB	Lords: First reading on 28th April 1987		Lords: All remaining stages on 13th May 1987 Royal Assent on 15th May 1987
Register of Sasines (Scotland)	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 7th May 1987		Lords: Third reading on 11th May 1987 (formal proceedings with no debate) Royal Assent on 15th May 1987
Registered Establishments (Scotland)	PMB	Lords: Committee stage on 7th May 1987		Lords: Report and third reading on 12th May 1987 Commons: Lords amendments on 14th May 1987 Royal Assent on 15th May 1987
Territorial Sea [HL]	G	Commons: Second reading on 5th May 1987		Commons: Remaining stages on 14th May 1987 Royal Assent on 15th May 1987

<i>Bill dropped</i>	<i>Last stage reached</i>
Conveyancing Services [HL]	First reading in Lords on 28 April 1987

1992 General Election

- General election date announced: 11th March 1992
- Parliament dissolved: 16th March 1992

Bill name	Type	Stage reached before general election date announced	Progress during wash-up
Army	G	Commons: Committee stage on 25th February 1992	Commons: Remaining stages on 13th March 1992 Lords: All stages on 16th March 1992 Royal Assent on 16th March 1992
Charities [HL]	G	Commons: First reading on 26th February 1992	Commons: All stages on 16th March 1992 (formal proceedings with no debate) Lords: Commons amendments on 16th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992

Cheques	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 10th March 1992		Lords: Third reading on 12th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Competition and Service (Utilities)	G	Lords: Committee stage on 5th and 9th March 1992		Lords: Remaining stages on 13th March 1992 Commons: Lords amendments on 16th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Consolidated Fund (No 3) <i>Title of Act: Consolidated Fund (No 2) Act 1992</i>	G	Commons: First reading on 5th March 1992		Commons: All stages on 13th March 1992 (formal proceedings with no debate) Lords: First reading on 13th March 1992; all remaining stages on 16th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Consolidated Fund (Appropriation) <i>Title of Act: Appropriation Act 1992</i>	G	N/A		Commons: All stages on 16th March 1992 (formal proceedings with no debate) Lords: First reading on 16th March 1992; all remaining stages on 16th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Education (Schools)	G	Lords: Report stage on 10th March 1992		Lords: Third reading on 12th March 1992 Commons: Guillotine motion and Lords amendments on 13th March 1992 Royal Assent on 16th March 1992
Finance	G	N/A		Commons: First reading on 12th March 1992; guillotine motion and remaining stages on 13th March 1992 Lords: First reading on 13th March 1992; remaining stages on 16th March 1992 Royal Assent on 16th March 1992
Firearms (Amendment)	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 9th March 1992		Lords: Third reading on 12th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992

Friendly Societies	G	Commons: Second reading on 9th March 1992		Commons: All remaining stages on 16th March 1992 (formal proceedings with no debate) Lords: All stages on 16th March 1992 Royal Assent on 16th March 1992
Further and Higher Education (Scotland)	G	Lords: Committee stage on 3rd March 1992		Lords: Remaining stages on 12th March 1992 Commons: Guillotine motion and Lords amendments on 13th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Medicinal Products: Prescriptions by Nurses Etc	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 9th March 1992		Lords: Third reading on 12th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Museums and Galleries	G	Commons: Committee on 25th February 1992		Commons: Remaining stages on 16th March 1992 (formal proceedings with no debate) Lords: All stages on 16th March 1992 Royal Assent on 16th March 1992
Parliamentary Corporate Bodies	G	Lords: Order of Commitment discharged (no debate at committee stage) on 10th March 1992		Lords: Third reading on 12th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Sea Fisheries (Wildlife Conservation)	PMB	Lords: First reading on 10th March 1992		Lords: All remaining stages on 13th March 1992 Royal Assent on 16th March 1992
Sexual Offences (Amendment)	PMB	Lords: First reading on 9th March 1992		Lords: All remaining stages on 13th March 1992 Royal Assent on 16th March 1992
Social Security (Mortgage Interest Payments)	G	Lords: Committee stage on 5th March 1992		Lords: Third reading on 12th March 1992 Royal Assent on 16th March 1992
Still-Birth (Definition)	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 9th March 1992		Lords: Third reading on 12th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Timeshare	PMB	Lords: First reading on 25th February 1992		Lords: All remaining stages on 13th March 1992 Royal Assent on 16th March 1992

Traffic Calming	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 9th March 1992		Lords: Third reading on 12th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992
Transport and Works	G	Lords: First reading on 5th March 1992		Lords: All remaining stages on 13th March 1992 Commons: Lords amendments on 16th March 1992 (formal proceedings with no debate) Royal Assent on 16th March 1992

<i>Bills dropped</i>	<i>Last stage reached</i>
Asylum Bill	Second reading in Lords on 10 February 1992
Protection of Badgers Bill [HL]	First reading in Commons on 27 February 1992
Radioactive Substances Bill [HL]	First reading in Commons on 9 March 1992
Trade Union and Labour Relations (Consolidation) [HL]	First reading in Commons on 28 February 1992
Tribunals and Inquiries [HL]	Joint committee stage on 5 February 1992

1997 General Election

- General election date announced: 17th March 1997
- Parliament dissolved: 8th April 1997

Bill name	Type	Stage reached before general election date announced	Progress during wash-up
Architects [HL]	G	Commons: First reading on 1st March 1997	Commons: Remaining stages on 17th March 1997 (formal proceedings with no debate) Royal Assent on 19th March 1997
Birds (Registration Charges)	G	Commons: Committee on 4th March 1997	Commons: Remaining stages on 18th March 1997 Lords: First reading on 18th March 1997; remaining stages on 20th March 1997 Royal Assent on 21st March 1997
Building Societies	G	Commons: Second reading on 10th March 1997	Commons: Remaining stages on 17th March 1997 Lords: First reading on 18th March 1997; remaining stages on 19th March 1997 Royal Assent on 21st March 1997

Building Societies (Distributions)	G	Lords: Order of commitment discharged (no debate at committee stage) on 14th March 1997		Lords: Third reading on 20th March 1997 Royal Assent on 21st March 1997
Confiscation of Alcohol (Young Persons)	PMB	Lords: Second reading on 14th March 1997		Lords: Remaining stages on 19th March 1997 Royal Assent on 21st March 1997
Consolidated Fund (No. 2) <i>Title of Act: Consolidated Fund Act 1997</i>	G	Lords: First reading on 13th March 1997		Lords: Remaining stages on 18th March 1997 (formal proceedings with no debate) Lords: Royal Assent on 19th March 1997
Consolidated Fund (Appropriation) <i>Title of Act: Appropriation Act 1997</i>	G	N/A		Commons: All stages on 19th March 1997 (formal proceedings with no debate) Lords: All stages on 20th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Contract (Scotland)	G	Lords: Second reading on 11th March 1997		Lords: Order of Commitment discharged (no debate at committee stage) on 19th March 1997; third reading on 19th March 1997 Royal Assent on 21st March 1997
Crime and Punishment (Scotland)	G	Lords: Committee stage on 4th, 6th and 10th March 1997		Lords: Report stage and third reading on 19th March 1997 Commons: Lords amendments on 20th March 1997 Royal Assent on 21st March 1997
Crime (Sentences)	G	Lords: Committee stage between 13th and 27th February 1997		Lords: Report stage on 18th March 1997; third reading on 19th March 1997 Commons: Lords amendments on 19th March 1997 Royal Assent on 21st March 1997
Dangerous Dogs (Amendment) [HL]	PMB	Commons: Committee stage on 12th March 1997		Commons: Report and third reading on 19th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997

Education	G	Lords: Committee stage between 24th February and 3rd March 1997	Lords: Report stage on 17th and 19th March 1997; third reading on 19th March 1997 Commons: Lords amendments on 19th March 1997 Royal Assent on 21st March 1997
Finance	G	Lords: First reading on 13th March 1997	Lords: Remaining stages on 19th March 1997 Royal Assent on 19th March 1997
Flood Prevention and Land Drainage (Scotland)	G	Lords: Second reading on 10th March 1997	Lords: Order of Commitment discharged (no debate at committee stage) on 19th March 1997; third reading on 19th March 1997 Royal Assent on 21st March 1997
Justices of the Peace [HL]	G	Commons: First reading on 10th March 1997	Commons: Remaining stages on 17th March 1997 (formal proceedings with no debate) Royal Assent on 19th March 1997
Knives	PMB	Lords: Order of Commitment discharged (no debate at committee stage) on 10th March 1997	Lords: Third reading on 17th March 1997 (formal proceedings with no debate) Royal Assent on 19th March 1997
Lieutenancies [HL]	G	Commons: First reading on 3rd March 1997	Commons: Remaining stages on 17th March 1997 (formal proceedings with no debate) Royal Assent on 19th March 1997
Local Government and Rating	G	Lords: Grand Committee on 4th March 1997	Lords: Report stage on 18th March 1997; third reading on 18th March 1997 (formal proceedings with no debate) Royal Assent on 19th March 1997
Merchant Shipping and Maritime Security [HL]	G	Commons: Committee stage between 25th February and 6th March 1997	Commons: Remaining stages on 17th March 1997 Lords: Commons amendments on 18th March 1997 Royal Assent on 19th March 1997
Nurses, Midwives and Health Visitors [HL]	G	Commons: First reading on 3rd March 1997	Commons: Remaining stages on 17th March 1997 (formal proceedings with no debate) Royal Assent on 19th March 1997
Police [HL]	G	Commons: Committee stage between 25th February and 18th March 1997	Commons: Report and third reading on 19th March 1997 Lords: Commons amendments on 20th March 1997 Royal Assent on 21st March 1997

Police and Firemen's Pensions	G	Commons: Second reading on 10th March 1997	Commons: Remaining stages on 19th March 1997 (formal proceedings with no debate) Lords: First reading on 19th March 1997; remaining stages on 20th March 1997 Royal Assent on 21st March 1997
Police (Health and Safety)	PMB	Lords: Second reading on 28th February 1997	Lords: Order of Commitment discharged (no debate at committee stage) on 18th March 1997; Third reading on 20th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Police (Insurance of Voluntary Assistants) [HL]	PMB	Commons: Committee stage on 12th March 1997	Commons: Report and third reading on 19th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Police (Property)	PMB	Lords: Second reading on 28th February 1997	Lords: Order of Commitment discharged (no debate at committee stage) on 17th March 1997; report and third reading on 19th March 1997 Royal Assent on 19th March 1997
Prisons (Alcohol Testing)	PMB	Lords: Second reading on 14th March 1997	Lords: Order of Commitment discharged (no debate at committee stage) on 19th March 1997; third reading on 19th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Protection From Harassment	G	Lords: Report stage on 10th March 1997	Lords: Third reading on 17th March 1997 Commons: Lords amendments on 19th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Public Entertainments Licences (Drug Misuse)	PMB	Lords: Committee stage on 4th and 10th March 1997	Lords: Report and third reading on 19th March 1997 Commons: Lords amendments on 20th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Road Traffic (Reduction)	PMB	Lords: Second reading on 14th March 1997	Lords: Remaining stages on 20th March 1997 Royal Assent on 21st March 1997

Scottish Legal Services Ombudsman and Commissioner for Local Administration in Scotland	G	Lords: Second reading on 11th March 1997	Lords: Order of Commitment discharged (no debate at committee stage) on 19th March 1997; Third reading on 19th March 1997 Royal Assent on 21st March 1997
Sex Offenders	G	Lords: Second reading on 14th March 1997	Lords: Remaining stages on 20th March 1997 Royal Assent on 21st March 1997
Sexual Offences (Protected Material)	PMB	Lords: Second reading on 28th February 1997	Lords: Order of Commitment discharged (no debate at committee stage) on 17th March 1997; Third reading on 19th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997
Social Security Administration (Fraud)	G	Lords: Committee stage on 11th and 13th March 1997	Lords: Committee stage completed on 20th March 1997; Third reading on 20th March 1997 Royal Assent on 21st March 1997
Social Security (Recovery of Benefits) [HL]	G	Commons: Committee stage on 4th March 1997	Commons: Remaining stages on 18th March 1997 Royal Assent on 19th March 1997
Transfer of Crofting Estates (Scotland) [HL]	G	Commons: Committee stage on 27th February 1997	Commons: Remaining stages on 18th March 1997 Lords: Commons amendments on 18th March 1997 Royal Assent on 19th March 1997
Welsh Development Agency	G	Lords: First reading on 5th March 1997	Lords: Second reading on 17th March 1997; Order of Commitment discharged (no debate at committee stage) on 19th March 1997; third reading on 19th March 1997 (formal proceedings with no debate) Royal Assent on 21st March 1997

2001 General Election

- General election date announced: 8th May 2001
- Parliament dissolved: 11th May 2001

Bill name	Type	Stage reached before general election date announced	Progress during wash-up
Armed Forces	G	Lords: Second reading on 23rd April 2001	Lords: Committee and remaining stages on 10th May 2001 Commons: Lords amendments on 11th May 2001 Royal Assent on 11th May 2001
Children's Commissioner for Wales	G	Lords: Committee stage on 3rd April 2001	Lords: Remaining stages on 9th May 2001 Commons: Lords amendments on 11th May 2001 Royal Assent on 11th May 2001
Consolidated Fund (Appropriation)	G	N/A	Commons: All stages on 9th May 2001 Lords: All stages on 10th May 2001 Royal Assent on 11th May 2001
Criminal Justice and Police	G	Lords: Committee stage on 30th April and 1st May 2001	Lords: Committee stage completed on 8th May 2001; remaining stages on 9th May 2001 Commons: Lords amendments on 10th May 2001 Royal Assent on 11th May 2001
Finance	G	Commons: Committee stage began on 26th April 2001	Commons: Committee stage completed on 8th May 2001; money resolution on 8th May 2001; programme motion on 9th May 2001; remaining stages on 9th May 2001 Lords: All stages on 10th May 2001 Royal Assent on 11th May 2001
Health and Social Care	G	Lords: Third reading on 3rd May 2001	Commons: Lords amendments on 10th May 2001 Lords: Commons amendments on 10th May 2001 Royal Assent on 11th May 2001
House of Commons (Removal of Clergy Disqualification)	G	Lords: Second reading on 27th March 2001	Lords: Committee and remaining stages on 9th May 2001 Royal Assent on 11th May 2001
International Criminal Court [HL]	G	Commons: Committee stage between 10th April and 3rd May 2001	Commons: Remaining stages on 9th May 2001 Royal Assent on 11th May 2001
Private Security Industry [HL]	G	Commons: Committee stage between 10th April and 1st May 2001	Commons: Remaining stages on 8th May 2001 Royal Assent on 11th May 2001

Rating (Former Agricultural Premises and Rural Shops)	G	Commons: Second reading on 30th April 2001	Commons: Committee stage on 8th May 2001; programme motion on 9th May 2001; remaining stages on 9th May 2001 Lords: All stages on 10th May 2001 Royal Assent on 11th May 2001
Social Security Contributions (Share Options)	G	Lords: Second reading on 2nd April 2001	Lords: Committee and remaining stages on 10th May 2001 Royal Assent on 11th May 2001

<i>Bills dropped</i>	<i>Last stage reached</i>
Adoption and Children Bill	Committee stage in Commons between 24 April and 8 May 2001)
Commonhold and Leasehold Reform Bill [HL]	Report stage in Lords on 10 April 2001
Culture and Recreation Bill [HL]	Second reading in Lords on 18 January 2001
Homes Bill	Second reading in Lords on 28 March 2001
Hunting Bill	Committee stage in Lords on 26 March 2001
International Development Bill	First reading in Lords on 23 April 2001
Tobacco Advertising and Promotion	Second reading in Lords on 28 March 2001

2005 General Election

- General election date announced: 5th April 2005
- Parliament dissolved: 11th April 2005

Bill name	Type	Stage reached before general election date announced	Progress during wash-up
Appropriation (No. 2)	G	N/A	Commons: First reading on 6th April 2005; second and third reading on 6th April 2005 (formal proceedings with no debate) Lords: First reading on 7th April 2005; second and third reading on 7th April 2005 (formal proceedings with no debate) Royal Assent on 7th April 2005
Clean Neighbourhoods and Environment	G	Lords: Second reading on 22nd March 2005	Lords: Committee and remaining stages on 6th April 2005 Commons: Lords amendments on 6th April 2005 Royal Assent on 7th April 2005
Commissioners for Revenue and Customs	G	Lords: Report stage on 22nd March 2005	Lords: Third reading on 5th April 2005 Commons: Lords amendments on 6th April 2005 Royal Assent on 7th April 2005

Disability Discrimination [HL]	G	Commons: Second reading, programme motion and money resolution on 23rd March 2005		Commons: Committee and remaining stages on 6th April 2005 Lords: Commons amendments on 7th April 2005 Royal Assent on 7th April 2005
Drugs	G	Lords: Second reading on 4th April 2005		Lords: Committee and remaining stages on 6th April 2005 Commons: Lords amendments on 6th April 2005 Royal Assent on 7th April 2005
Education [HL]	G	Commons: Committee stage on 22nd and 24th March 2005		Commons: Remaining stages on 7th April 2005 Lords: Commons amendments on 7th April 2005 Royal Assent on 7th April 2005
Finance (No. 2) <i>Title of Act: Finance Act 2005</i>	G	N/A		Commons: All stages on 6th April 2005 Lords: All stages on 7th April 2005 Royal Assent on 7th April 2005
Gambling	G	Lords: Committee stage begun on 10th March 2005		Lords: Committee stage completed and remaining stages on 6th April 2005 Commons: Lords amendments on 7th April 2005 Royal Assent on 7th April 2005
Inquiries [HL]	G	Commons: Committee stage on 22nd and 24th March 2005		Commons: Remaining stages on 6th April 2005 Lords: Commons amendments on 7th April 2005 Royal Assent on 7th April 2005
International Organisations [HL]	G	Commons: First reading on 1st March 2005		Commons: remaining stages on 7th April 2005 Lords: Commons amendments on 7th April 2005 Royal Assent on 7th April 2005
Mental Capacity	G	Lords: Third reading on 24th March 2005		Commons: Lords amendments on 5th April 2005 Royal Assent on 7th April 2005
Public Service Ombudsman (Wales) [HL]	G	Commons: Second reading, programme motion and money resolution on 4th April 2005		Commons: Committee and remaining stages on 6th April 2005 Royal Assent on 7th April 2005

Railways	G	Lords: Report stage on 4th April 2005	Lords: Third reading on 6th April 2005 Commons: Lords amendments on 6th April 2005 Lords: Commons amendments on 7th April 2005 Royal Assent on 7th April 2005
Serious Organised Crime and Police	G	Lords: Second reading on 14th March 2005	Lords: Committee and remaining stages on 5th April 2005 Commons: Lords amendments on 7th April 2005 Royal Assent on 7th April 2005

<i>Bills dropped</i>	<i>Latest stage reached</i>
Charities Bill [HL]	Committee stage in Lords on 21 March 2005
Consumer Credit Bill	First reading in Lords on 7 March 2005
Criminal Defence Service	First reading in Commons on 15 December 2005
Equality Bill	Second reading in Commons on 5 April 2005
European Union Bill	Second reading in Commons on 9 February 2005
Finance Bill	First reading in Commons on 22 March 2005
Identity Cards Bill	Second reading in Lords on 21 March 2005
Management of Offenders and Sentencing Bill [HL]	First reading in Lords on 12 January 2005
National Lottery Bill	First reading in Commons on 25 November 2004
Road Safety Bill	First reading in Lords on 9 March 2005
School Transport Bill	Committee stage in Lords on 10 March 2005
Transport (Wales) Bill	First reading in Commons on 15 December 2004

2010 General Election

- General election date announced: 6th April 2010
- Parliament prorogued: 8th April 2010
- Parliament dissolved: 12th April 2010

Bill name	Type	Stage reached before general election date announced	Progress during wash-up
Appropriation <i>Title of Act: Appropriation (No. 2) Act 2010</i>	G	N/A	Commons: First reading on 7th April 2010; second reading on 7th April 2010 (no debate); third reading on 7th April 2010 (no debate) Lords: First reading on 7th April 2010; second reading on 8th April 2010 (no debate); committee negatived on 8th April 2010; third reading 8th April 2010 (no debate) Royal Assent on 8th April 2010

Bribery [HL]	G	Commons: Committee stage, fifth sitting on 23rd March 2010	Commons: Report stage on 7th April 2010; third reading on 7th April 2010 Lords: Commons amendments on 8th April 2010 Royal Assent on 8th April 2010
Children, Schools and Families	G	Lords: Second reading on 8th March 2010	Lords: Committee stage on 7th April 2010; report stage and third reading on 7th April 2010 (no debate) Commons: Consideration of Lords amendments on 8th April 2010 Royal Assent on 8th April 2010
Constitutional Reform and Governance	G	Lords: Second reading on 24th March 2010	Lords: Committee stage on 7th April 2010; second reading on 7th April 2010; report stage and third reading on 7th April 2010 (no debate) Commons: Lords amendments on 8th April 2010 Lords: Commons amendments on 8th April 2010 Royal Assent on 8th April 2010
Crime and Security	G	Lords: Second reading on 29th March 2010	Lords: Committee stage on 7th April 2010; report stage and third reading on 7th April 2010 (no debate) Royal Assent on 8th April 2010
Debt Relief (Developing Countries)	PMB	Commons: Committee stage, 9th March 2010	Commons: Report stage on 7th April 2010; third reading on 7th April 2010 Lords: First reading on 7th April 2010; second reading on 8th April 2010; committee negated on 8th April 2010; third reading on 8th April 2010 (no debate) Royal Assent on 8th April 2010
Digital Economy [HL]	G	Commons: First reading on 16th March 2010	Commons: Second reading 6th April 2010; committee stage on 7th April 2010; third reading on 7th April 2010 (third reading agreed to on division; no debate) Lords: Commons amendments on 8th April 2010 Royal Assent on 8th April 2010
Energy	G	Lords: Second reading on 23rd March 2010	Lords: Committee stage on 7th April 2010; report stage and third reading on 7th April 2010 (no debate) Commons: Consideration of Lords amendments on 8th April 2010 Royal Assent on 8th April 2010

Equality	G	Lords: Third reading on 23rd March 2010		Commons: Consideration of Lords amendments on 6th April 2010 Royal Assent on 8th April 2010
Finance	G	Commons: First reading on 30th March 2010		Commons: Second reading on 7th April 2010; committee stage on 7th April 2010; report stage and third reading on 7th April 2010 (no debate) Lords: First reading on 7th April 2010; second reading on 8th April 2010; committee negated on 8th April 2010; third reading on 8th April 2010 (no debate) Royal Assent on 8th April 2010
Financial Services	G	Lords: Committee stage, second sitting on 15th March 2010		Lords: Committee stage completed on 7th April 2010; report stage 8th April 2010; third reading 8th April 2010 (no debate) Commons: Lords amendments on 8th April 2010 Royal Assent on 8th April 2010
Flood and Water Management	G	Lords: Committee stage, second sitting on 24th March 2010		Lords: Committee stage completed on 6th April 2010; report staged on 8th April 2010; third reading on 8th April 2010 Commons: Lords amendments on 8th April 2010 Royal Assent on 8th April 2010
Northern Ireland Assembly Members [HL]	G	Commons: Second reading and programme motion on 11th March 2010		Commons: Committee stage on 7th April 2010; report stage on 7th April 2010; third reading on 7th April 2010 Royal Assent on 8th April 2010
Mortgage Repossessions (Protection of Tenants Etc)	PMB	Lords: Second reading on 30th March 2010		Lords: Order of commitment discharged on 8th April 2010 (no debate at committee stage); third reading on 8th April 2010 (no debate) Royal Assent on 8th April 2010
Personal Care At Home	G	Commons: Lords amendments on 30th March 2010		Lords: Commons amendments on 8th April 2010 Royal Assent on 8th April 2010
Sunbeds (Regulation)	PMB	Lords: Second reading on 30th March 2010		Lords: Order of commitment discharged (no debate at committee stage) on 8th April 2010; third reading on 8th April 2010 (no debate) Royal Assent on 8th April 2010

Sustainable Communities Act 2007 (Amendment)	PMB	Commons: Committee stage on 9th March 2010	Commons: Report stage on 8th April 2010; third reading on 8th April 2010 (no debate) Lords: First reading on 8th April 2010; second reading and remaining stages on 8th April 2010 Royal Assent on 8th April 2010
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