



European Union (Referendum) Bill

Bill 11 of 2013-14

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This Private Member's Bill was introduced to the Commons on 19 June 2013 and is designed to require the holding of a referendum on the UK's continued membership of the European Union (EU) before the end of 2017. This Paper has been prepared as a guide in advance of the second reading on Friday 5 July. A short guide to the passage of a Private Member's Bill is also included. Although the Secretary of State is required to bring the orders governing the date and conduct of the poll before both Houses by the end of 2016 for affirmative resolution, the Bill does not enumerate the steps required, should there be a vote to leave the EU. Research Paper 13/42 [Leaving the EU](#) provides background information on the wider debate.

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Summary

The question of the UK's relationship with the European Union (EU) has been a matter of political contention for a generation. Since 2010 there have been a number of Private Members' Bills on the subject of a referendum on the continued UK membership of the European Union, which have made no progress. The Prime Minister, David Cameron, announced on 23 January 2013 that if his party is elected to power following the next election expected in 2015, it would hold a referendum in the UK on EU membership in the next Parliament, framed on an in/out question. As the Conservative Party is currently in a coalition with the Liberal Democrats, this was not an official Government commitment.

The Conservative Party published a draft *European Union (Referendum) Bill* on 14 May 2013. This provided for a referendum to be held by the end of 2017, with the detail of the date and the conduct of the election to be contained in orders to be laid before both Houses.

Subsequently in the ballot for Private Members' Bills on 16 May 2013, James Wharton, Conservative MP for Stockton South came first and announced that he would introduce a version of the Bill. According to BBC News, the Bill would receive the full support of the Conservative Party, including a three line whip.¹ Whips for the Labour Party have reportedly indicated that their MPs should abstain.² The Liberal Democrats have not yet announced their intention to support the Bill or otherwise.

The Bill simply provides for a referendum on continued EU membership by the end of December 2017 and does not otherwise specify the timing, other than requiring the Secretary of State to bring forward orders by the end of 2016. These orders would need both Houses to agree to the detailed rules for the poll and the date. If no party obtained a majority at the next general election due in 2015, there might be some uncertainty about the passage of the orders in the next Parliament. Unless the orders are passed, it would not appear possible to hold the referendum, since the day and the conduct of the poll would not have received parliamentary assent.

There are five clauses in the Bill which deal with the question, the franchise, and the conduct of the referendum. The Electoral Commission is given power to recommend to the Secretary of State appropriate regulation of the poll, in accordance with relevant electoral provisions, presumably including the *Political Parties Elections and Referendums Act 2000*. This Act requires campaigning organisations to register if spending above £10,000, regulates donations and allows the official designation of 'Yes' and 'No' campaign, among other provisions.

This paper can be read in conjunction with Research Paper 13/42 *The complexities of leaving the EU*, which looks at the mechanics of a UK withdrawal from the EU, legal issues, possible alternatives to EU membership, and the potential impact of an EU-exit in a range of policy areas.

¹ "EU referendum: Tory will take forward bill" 16 May 2013 *BBC News* <http://www.bbc.co.uk/news/uk-politics-22542207>

² "Labour to abstain on next month's referendum bill" 13 June 2013 *Guardian*

1 Introduction

The Prime Minister, David Cameron, announced on 23 January 2013 that if his party is elected to power following the next election expected in 2015, it would hold a referendum in the UK on European Union (EU) membership in the next Parliament, framed on an in/out question. The wording of the question was not specified.

The Conservative Party published a draft *European Union (Referendum) Bill* on 14 May 2013. This provided for a referendum to be held by the end of 2017, with the detail of the date and the conduct of the election to be contained in orders to be laid before both Houses. Subsequently in the ballot for Private Members' Bills on 16 May 2013, James Wharton, Conservative MP for Stockton South came first and announced that he would introduce a version of the Bill. According to BBC News, the Bill would receive the full support of the Conservative Party, including a three line whip.³ In the context of a Coalition Government, this makes the Bill a rather unusual Private Member's Bill. Whips for the Labour Party have reportedly indicated that their MPs should abstain.⁴

The Bill was introduced on 19 June 2013 [Bill 11 of 2013-14] and is due for a second reading on 5 July 2013. It extends to the United Kingdom. It is similar but not identical to the Conservative Party draft bill. The main changes are that this Bill requires the Secretary of State to lay the necessary orders for the poll before December 2016, and that the Electoral Commission has a role in recommending appropriate rules for the ballot. Further details are given below in part 3.

2 The referendum debate on Europe since 2010

Successive European Union (EU) Treaty amendment bills have given rise to debate on new clauses seeking to make ratification of the amending treaty subject to a national referendum, although none of these amendments have passed.⁵ On the last such occasion in 2008, during the passage of the *European Union (Amendment) Bill*, the Conservatives and 15 Liberal Democrat MPs voted in favour of a referendum on the Lisbon Treaty, but the amendment clauses were defeated.⁶

In opposition the Conservative leadership had pledged that if they came to power in the 2010 general election, they would change the UK's relationship with the EU because the Lisbon Treaty had made worse the "steady and unaccountable intrusion of the European Union into almost every aspect of our lives".⁷ The [Conservative election manifesto](#) in 2010 pledged to "restore democratic control" in the UK's relations with the EU by means of a "referendum lock", a mechanism by which a referendum would have to be held before certain competences or powers could be transferred from the UK to the EU.

The [Coalition Agreement](#) of 11 May 2010 expanded on and clarified this, promising to amend the *European Communities Act 1972* so that any proposed future Treaty that transferred power or competences from Westminster to the EU would be subject to a referendum on that Treaty.

³ "EU referendum: Tory will take forward bill" 16 May 2013 *BBC News* <http://www.bbc.co.uk/news/uk-politics-22542207>

⁴ "Labour to abstain on next month's referendum bill" 13 June 2013 *Guardian*

⁵ Standard Note 4650, [EU Treaty Bills: the Whip and Referendum Clauses](#), 5 March 2008, looks at referendum clauses in EU Treaty amendment bills up to the *Treaty of Lisbon* in 2008, which was the last major EU amendment treaty.

⁶ For information on this Bill, see Research Paper 08/03, [European Union \(Amendment\) Bill](#), 15 January 2008.

⁷ "David Cameron: A Europe policy that people can believe in" 4 November 2009 *The Conservative Party*

2.1 Parliamentary debate on the UK's relationship with the EU

Since the Coalition government came into power, several Private Members' Bills have sought to repeal the *European Communities Act 1972* (ECA), and/or provide for a referendum on EU membership and UK withdrawal from the EU.

2010

On [5 July 2010](#) Philip Hollobone introduced a Private Member's Bill, the *European Communities Act 1972 (Repeal) Bill 2010-12*. The Bill failed to complete its passage through Parliament before the end of the session. He also introduced a *European Union (Audit of Benefits and Costs of UK Membership) Bill*, which likewise failed to progress.

On the same day, Christopher Chope introduced the *United Kingdom (Parliamentary Sovereignty) Bill 2010-12*.⁸ This Bill sought to confirm the sovereignty of the UK Parliament by prohibiting the Government from signing, ratifying or implementing a treaty or law which increased the powers of the EU over the UK, unless it had first been approved in a UK referendum. There was an extensive debate on [second reading](#) on 18 March 2011 but it was talked out and the Bill made no further progress.⁹

Also [on 5 July 2010](#), Peter Bone introduced the *European Union Membership (Referendum) Bill*, which required the Government to hold a referendum on the UK's EU membership, made provision for the conduct and financing of the referendum and stipulated the question to be asked. The Bill was not debated and made no further progress.

2011

The *European Union Act 2011*, which received Royal Assent on 19 July 2011, fulfilled the [Conservative election manifesto](#) pledge in 2010 to "restore democratic control" in the UK's relations with the European Union by means of a "referendum lock", a mechanism by which a referendum will have to be held before certain competences or powers can be transferred from the UK to the EU.

In particular, the Act deals with certain Lisbon Treaty innovations.¹⁰ Lisbon introduced new simplified Treaty revision procedures which do not require the traditional amendment and ratification methods – an Intergovernmental Conference followed by treaty ratification according to each Member State's constitutional requirements. The so-called 'ratchet clause' in Article 48(6) of the *Treaty on European Union* (TEU) allows the Treaty's provisions in the main areas of Union policy to be changed by a unanimous decision of the European Council and the approval of Member States. The *passerelle*¹¹ in Article 48(7) TEU allows for changes to be made to EU voting rules, replacing unanimity by Qualified Majority Voting, again

⁸ Bill Cash had also introduced a [Parliamentary Sovereignty Bill](#) in January 2010.

⁹ HC Deb 18 March 2011 c594-611

¹⁰ See Research Paper 10/79, [European Union Bill \(HC Bill 106 2010-11\)](#), 2 December 2010.

¹¹ *Passerelle*: 'footbridge', 'bridging' or 'escalator' clause, allowing the parties to move a policy issue from unanimous decision-making (inter-governmentalism) to Qualified Majority Voting (the "Community" method), without an Intergovernmental Conference.

without a formal Treaty amendment. Decisions using either of these procedures might require an Act of Parliament, a referendum, or both, before they can be approved in the UK.¹²

The 2011 Act also contains a 'sovereignty clause', affirming that ultimate legal authority remains with the UK Parliament rather than the EU. There has been no separate Government bill on sovereignty.

The 2011 Act does not provide for an in-out referendum. It stipulates in Section 4 a number of scenarios which could trigger a referendum – i.e. when the so-called 'referendum condition' is met. These include:

- The extension of EU objectives set out in Article 3 TEU (Treaty on European Union); extension of an exclusive EU competence, of a competence shared between the EU and the Member States, or of a supporting, co-ordinating or supplementing competence of the EU; the extension of EU competence regarding the co-ordination of economic and employment policies or the Common Foreign and Security Policy;
- The conferring on the EU of a new exclusive competence, of a new shared competence or of a new competence to carry out actions to support, co-ordinate or supplement the actions of Member States; conferring on an EU institution a power to impose a requirement or obligation on the UK, or the removal of any limitation on such power of an EU institution or body; conferring on an EU institution or body new or extended powers to impose sanctions on the UK.
- The removal of a unanimous voting requirement by an amendment to certain Treaty provisions which are listed in Schedule 1.

On 1 February 2011, during the Committee Stage of the Bill's passage through Parliament, MPs debated [an amendment tabled by Peter Bone](#) which proposed that if a referendum held under the provisions of the 2011 Bill resulted in a 'no' vote, this would trigger a "further binding referendum to be held on continuing United Kingdom membership of the European Union". The amendment was rejected by 295 votes to 26 (it was supported by 20 Conservatives).¹³

The specific conditions for a referendum provided by the 2011 Act have not prevented speculation that this Act could become the vehicle for an in-out referendum. An [Open Europe blog on 9 May 2013](#) made the following suggestion with regard to a forthcoming EU approvals bill concerning the Pericles anti-euro counterfeiting programme, the Europe for Citizens and EU Archives proposals:

If the draft legislation is thought to be general enough, it's conceivable that the clerks (who will ultimately decide whether the amendment is allowed) could

¹² For information on the use to date of the 2011 Act, see Standard Note 6503, [Recent EU Treaty Amendments and UK Ratification](#), 11 December 2012, Research Paper 12/47, [European Union \(Approval of Treaty Amendment Decision\) Bill](#), 30 August 2012, and Research Paper 13/7, [European Union \(Approvals\) Bill](#), 31 January 2013. For information on the 2011 Bill, see Research paper 10/79, [European Union Bill \(HC Bill 106 2010-11\)](#) 2 December 2010, and Standard Note 6024 [The European Union Bill 2010-11: Lords Committee and Report Stages](#), 5 July 2011.

¹³ HC Deb 1 February 2011 c595-825

allow an MP to add an amendment calling for a referendum. There could also be other legislation, such as on the EU budget.¹⁴

Backbench Business debate 2011

A motion was debated in the Commons on [24 October 2011](#), following nomination by the Backbench Business Committee, which called on the Government to introduce a bill in the next parliamentary session to hold a national referendum on whether:

- (a) the United Kingdom should remain a member of the European Union,
- (b) leave the European Union, or
- (c) renegotiate the terms of its membership in order to create a new relationship based on trade and cooperation¹⁵

Such motions do not bind the Government to introduce legislation. They simply express the will of the House of Commons. A Lords Library Note ([2013/002](#)) contains details of the debate on 24 October 2011. Although the Government defeated the motion, there was a significant Conservative rebellion.¹⁶ The motion was defeated 483 votes to 111, with 81 Conservatives voting against the Government.¹⁷

In an [Opposition Day debate](#) on Europe on 13 December 2011, following the Prime Minister's veto of an EU fiscal compact treaty, there was further discussion of a referendum on EU membership.¹⁸

2012

On 27 June 2012 a hundred Conservative MPs signed a letter to the Prime Minister from John Baron MP, urging that he introduce legislation to guarantee, after the next general election and assuming a Conservative win, a referendum "on the nature of our relationship with the European Union".¹⁹

On [20 June 2012](#) Douglas Carswell presented the [European Communities Act 1972 \(Repeal\) Bill](#), demanding Britain's withdrawal from the EU by means of a repeal of the ECA 1972.²⁰ This was debated on second reading on [26 October 2012](#) and debate adjourned, and the Bill made no further progress in that session.

2013

The *United Kingdom Membership of the European Union (Referendum) Bill* was a Private Members' Bill [introduced](#) by John Baron on 6 February 2013. The Bill sought to "make provision for a referendum in the next Parliament on the question of whether the United Kingdom should remain a member of the European Union; and for connected purposes". It was due to be debated on second reading on 1 March 2013, but it was not debated and failed to complete its passage through Parliament before the end of the session.

¹⁴ *Open Europe Blog* "EU referendum: what will Tory back-bench motion actually achieve" May 2013

¹⁵ *National Referendum on the European Union*. Motion in the name of David Nuttall.

¹⁶ [Lords Library Note 2013/002](#) *Debate on 31 January Prime Minister's speech on Europe*

¹⁷ [HC Deb 24 October 2011](#) c140

¹⁸ [HC Deb 13 December 2011](#) c711-766

¹⁹ The letter is published on the [Guido Fawkes website](#).

²⁰ Douglas Carswell had also introduced a PMB in 2009 [calling for an EU referendum](#) and an *EU Membership (Referendum) Bill*, which failed to make progress in March 2010.

On 15 May 2013 Lord Pearson of Rannoch introduced in the Lords the *European Union (Withdrawal) Bill*, which seeks to repeal the ECA 1972 and any laws made under it.

2.2 The Prime Minister's Bloomberg Speech

In a [speech on 23 January 2013](#) at the London headquarters of Bloomberg, David Cameron confirmed that the Conservative Party planned to hold an in-out EU referendum after the next election (assuming the Conservatives win that election) and after a renegotiation of the UK's terms of EU membership.

In July 2012 the Coalition Government had launched a *Review of the Balance of Competences between the United Kingdom and the European Union (Cm 8415)*, which it described as “an audit of what the EU does and how it affects the UK”.²¹ The Review will be concluded in 2014, and the evidence and analysis it presents will be the basis for future policy recommendations and decisions about the UK's relationship with the EU.

In his Bloomberg speech, David Cameron argued against holding a referendum now, stating that “A vote today between the status quo and leaving would be an entirely false choice”. The EU is in flux, its future uncertain and the Government has not had a “chance to put the relationship right”. His aim is to negotiate a “new settlement” for the UK in its relationship with the EU, “with the Single Market at its heart”, in order to offer voters a “real choice”. David Cameron also said that he supported UK membership of the EU under the right terms and conditions:

With courage and conviction I believe we can achieve a new settlement in which Britain can be comfortable and all our countries can thrive.

And when the referendum comes let me say now that if we can negotiate such an arrangement, I will campaign for it with all my heart and soul.

Because I believe something very deeply. That Britain's national interest is best served in a flexible, adaptable and open European Union and that such a European Union is best with Britain in it.²²

As to the timing of the referendum, the Prime Minister specified that the next Conservative election manifesto in 2015 would ask for a mandate for a Conservative Government to negotiate a new settlement with the EU in the next Parliament. The electorate would be given a simple choice between staying in the EU on the new terms of membership or leaving the EU altogether.

Legislation will be drafted before the next election. And if a Conservative Government is elected we will introduce the enabling legislation immediately and pass it by the end of that year. And we will complete this negotiation and hold this referendum within the first half of the next parliament.²³

²¹ See [FCO website](#), December 2012

²² David Cameron EU speech at Bloomberg 23 January 2013 <https://www.gov.uk/government/speeches/eu-speech-at-bloomberg>

²³ Ibid

The speech led to considerable reaction outside Parliament. The Liberal Democrats support a membership referendum in principle, but not before Treaty reform. Labour is split on the matter and the leadership has been non-committal.²⁴

The draft Bill published by the Conservatives in May 2013 proposed a legislative requirement to hold a referendum before 31 December 2017 on the UK's continued membership of the EU. As this Bill was published on behalf of the Conservatives, rather than a Government or Private Member's bill, it was not formally laid before Parliament and did not receive any parliamentary scrutiny.

3 The Bill's provisions on the EU referendum

This is a short bill with only five clauses. **Clause one** sets out the requirement to hold a referendum before 31 December 2017. The Secretary of State must lay the appropriate orders before both Houses for affirmative resolution before 31 December 2016. The question to be asked is also set out:

Do you think that the United Kingdom should be a member of the European Union?

The question is also to be translated into Welsh for use in Wales.

Clause two sets out the franchise. This is the parliamentary franchise, which consists of British and Commonwealth citizens who meet the residency requirement for registration as an elector and British citizens who are overseas voters. Service voters are also eligible. Members of the House of Lords do not vote in the elections for the Commons, but in referendums are specifically given the vote. Some referendums have been held under the local government franchise, which would include EU citizens resident in the UK. Further detail about the difference is given below.

Clause three requires the Electoral Commission to publish a report setting out recommendations for the rules under which to hold the referendum, to be considered by the Secretary of State. Having regard to the report, the Secretary of State may provide for rules for the conduct of the poll, to be prescribed in orders, subject to affirmative resolution in both Houses.

Clauses four and five provide for relevant expenditure to be authorised, and for the short title.

As a Private Member's Bill, implementation is dependent both on the Secretary of State bringing forward the appropriate orders and there being a majority in both Houses to assent to them.

The Bill takes account of the role of the Electoral Commission in oversight of referendums but makes no reference to the *Political Parties, Electoral and Referendums Act 2000* (PPERA). [Section 101](#) of PPERA states that the legislation applies to any UK referendum held under a UK Act of Parliament. Presumably, the Electoral Commission recommendations provided for in clause three would take account of the overall PPERA framework. Part VII deals with referendums.

4 Generic rules for the conduct of a UK referendum

Referendums have become a more common constitutional device in the UK since 1997, but only two referendums have been held nationwide. The first was the referendum on the

²⁴ ["David Cameron speech EU and the UK :reaction"](#) BBC News 23 January 2013

continuing membership of the Common Market in 1975 and the second was on proposals to introduce the Alternative Vote (AV) in May 2011.

The *Political Parties, Elections and Referendums Act 2000* (PPERA) sets out a scheme to regulate expenditure by political parties and campaigning groups in both elections and referendums, following recommendations from the (Neill) Committee on Standards in Public Life.²⁵ Each referendum held subsequently still requires primary legislation to set the terms of the question and the franchise to be used, amongst other provisions.

There have been three referendums on the following questions since PERA came into effect:

- Assembly for the North East and local government reorganisation, held on 4 November 2004 as an all-postal ballot;²⁶
- Greater devolved powers for the National Assembly for Wales, held in March 2011;²⁷
- Whether to move to the AV system of election of MPs to the Commons, held on 5 May 2011.²⁸

In each case, there was separate legislation setting out the question, the franchise and any relevant modifications to PERA, such as a role for the Electoral Commission in providing public information.

Research Paper 12/43 [UK Election Statistics: 1918-2012](#) sets out the text of the question and the result for each referendum since 1979 in part 7.

The [Edinburgh Agreement](#) of October 2012 committed the Scottish Government to take account of PERA rules when conducting the planned referendum on Scottish independence in September 2014, although the Referendum Bill currently progressing in the Scottish Parliament contains the question and the franchise.²⁹

Just before the 2010 general election, the House of Lords Constitution Committee published a report [Referendums in the United Kingdom](#). This made some general observations on the appropriate use of referendums for constitutional questions, considering as follows:

94. Notwithstanding our view that there are significant drawbacks to the use of referendums, we acknowledge arguments that, if referendums are to be used, they are most appropriately used in relation to fundamental constitutional issues. We do not believe that it is possible to provide a precise definition of what constitutes a "fundamental constitutional issue". Nonetheless, we would consider to fall within this definition any proposals:

- To abolish the Monarchy;
- To leave the European Union;

²⁵ [The Funding of Political Parties in the United Kingdom](#), Cm 4057

²⁶ [Official report on North East referendum November 2004](#) November 2005 Electoral Commission has the question

²⁷ Under powers in the *National Assembly for Wales Act 2006*. The National Assembly Members' Research Service Paper 11/007 [The National Assembly for Wales Referendum 2011](#) sets out the question and preceding statement and the result

²⁸ See Library Research Paper 11/44 [Alternative Vote Referendum 2011](#) for question and results

²⁹ See Standard Note 6478 [Referendum on independence for Scotland](#) and Standard Note 6604 [Scottish referendum: the campaign rules](#)

- For any of the nations of the UK to secede from the Union;
- To abolish either House of Parliament;
- To change the electoral system for the House of Commons;
- To adopt a written constitution; and
- To change the UK's system of currency.

This is not a definitive list of fundamental constitutional issues, nor is it intended to be.³⁰

4.1 Types of referendum

This Private Member's Bill requires a referendum to be held on the question of the UK's continued membership of the European Union (EU) before the end of 2017. It does not contain any requirement on the UK Government to implement the results of the referendum, nor set a time limit by which a vote to leave the EU should be implemented. Instead, this is a type of referendum known as pre-legislative or consultative, which enables the electorate to voice an opinion which then influences the Government in its policy decisions. The referendums held in Scotland, Wales and Northern Ireland in 1978 and 1979 are examples of this type, where opinion was tested before legislation is introduced. The UK does not have a written codified constitution which would require the results of a referendum to be implemented, unlike for example the Republic of Ireland, where the circumstances in which a binding referendum are held is set out in its constitution.

In contrast, the legislation which provided for the referendum held on AV in May 2011 would have implemented the new system of voting without further legislation, provided that the boundary changes also provided for in the *Parliamentary Voting System and Constituency Act 2011* were also implemented. In the event, there was a substantial majority against any change. The 1975 referendum was held after the terms for re-negotiation had been set out in a command paper and agreed by both Houses.³¹

Any legislation passed in the 2010 Parliament will not bind any future parliament. The question of whether a parliament can bind its successors is discussed in much more detail in constitutional and administrative law textbooks. For example, AW Bradley and KD Ewing discuss the question in a chapter on parliamentary supremacy.³² In this sense, the Bill is simply indicating an intention to hold a referendum at a future date. The Parliament due to be elected in 2015 under the *Fixed-term Parliaments Act 2011* may decide to repeal the legislation. However, the passage of such an Act has political and statutory force, since the referendum will be held unless there is amending legislation. Indeed there are other examples of Acts passed in one Parliament including targets to be met in the future. For example, section 1 of the *Climate Change Act 2008* imposes a target on the Secretary of State to be met by 2050.

4.2 Franchise

The Bill provides for the parliamentary franchise to be used for the poll. This consists of British, Irish and Commonwealth citizens who meet the residency requirement for registration as an elector and British citizens who are overseas voters. Members of the House of Lords do not vote in the elections for the Commons, but in referendums are specifically given the

³⁰ House of Lords Constitution Committee, *Referendums in the United Kingdom*, HL 99 2009-10

³¹ For details see Standard Note 5142 *Regulation of Referendums* 29 January 2013.

³² AW Bradley and KD Ewing, *Constitutional and Administrative Law*, 15th edition, 2011, pp49-77, see particularly pp60-63

vote. British citizens may register as overseas voters for up to 15 years after leaving the UK. The choice of franchise excludes EU citizens who are eligible to vote in local government and European Parliament elections. It is worth noting that some EU citizens such as those in Cyprus and Malta would qualify as Commonwealth citizens, and Irish citizens would also be included in the parliamentary franchise.³³

The devolution referendums were held under this local government franchise, but the AV referendum and the 1975 referendum on the EEC were held under the parliamentary franchise. The Scottish independence referendum will be held under the local government franchise, with the inclusion of 16 and 17 year olds.³⁴

The *European Parliament (Representation) Act 2003* provided for Gibraltar to be enfranchised for elections to the European Parliament. This followed a ruling in the European Court of Human Rights which found the UK to be in breach of the ECHR for failing to allow Gibraltarans to vote or stand in the elections to the European Parliament in 1994. The 2003 Act required the Electoral Commission to propose a region in England and Wales with which the citizens of Gibraltar could participate in EP elections. The region chosen was the South West. However residents of Gibraltar will not be able to vote in this proposed referendum, unless they happened to be UK overseas voters or service voters.

The number of overseas electors tends to peak in the years when there is a general election before falling in the following years. In December 2012 there were 19,120 registered UK overseas voters, compared with 32,739 in December 2010.³⁵

4.3 The question

Under PPERA, the Electoral Commission has a duty to assess the intelligibility of the question. It has published guidance on the criteria to be used for assessment.³⁶ The Commission tests intelligibility by using focus groups and similar techniques to ensure the electorate understand the question. The recommendations made by the Commission in relation to the AV question were accepted by the Government and the question was changed during Commons committee stage of the *Parliamentary Voting System and Constituencies Act 2011*.³⁷

The *Referendum Act 1975* set out the question for the 1975 referendum as follows:

Do you think that the United Kingdom should stay in the European Community
(Common Market)?

The Bill does not propose a threshold for the referendum. The only referendums held in the UK where a threshold has operated were the polls in Scotland and Wales in 1978 on the question of devolution.³⁸

4.4 Timing of the referendum

The Bill simply provides for a referendum by the end of December 2017 and does not otherwise specify the timing, other than requiring the Secretary of State to bring forward orders by the end of 2016. These orders would need both Houses to agree to the detailed

³³ *Representation of the People Act 1983*, section 1

³⁴ [Scottish Independence Referendum \(Franchise\) Bill](#) and [Explanatory Notes](#). The Bill has subsequently been enacted.

³⁵ ONS *Electoral Statistics*, General Register for Scotland *Electoral Statistics*, Electoral Office for Northern Ireland personal communication

³⁶ [Our approach to assessing the intelligibility of the question](#) November 2009 Electoral Commission

³⁷ See Research Paper 10/72 [Parliamentary Voting System and Constituencies Bill 2010-12](#), p15 for details

³⁸ See Standard Note 2809 [Thresholds in Referendums](#) for background

rules for the poll and the date. If no party obtained a majority at the next general election due in 2015, there might be some uncertainty about the passage of the orders in the next Parliament. Unless the orders are passed, it would not appear possible to hold the referendum, since the day and the conduct of the poll would not have received parliamentary assent.

Technically, the Bill would not preclude a referendum on the same day as a general election in 2015. This would require the orders setting the date of the referendum to pass both Houses before dissolution of Parliament in 2015. There is nothing in statute at present which would prevent such a combined poll, but the orders would need to confirm the date. There are arguments for and against holding polls on the same day as a general election.³⁹ The specific issue of the poll may be overshadowed by the competition between political parties to form a government, but referendums held at the same time as a general election may improve turnout and are likely to reduce overall costs. The Lords Constitution Committee recommended against holding referendums on the same day as the general election in its 2010 report⁴⁰ and the Electoral Commission evidence to the report thought that each case should be considered on its merits.⁴¹

Combined polls tend to increase turnout.⁴² The AV poll was held on the same day as the elections to the Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly as well as local elections in 279 local councils in England, and 26 in Northern Ireland. The turnout rate in Scotland and Northern Ireland for the AV poll was higher than in England, at 50.4 per cent and 55.2 per cent respectively. The turnout for England was 40.7 per cent and for Wales 41.5 per cent.⁴³ The Electoral Commission report on the AV referendum noted:

During Parliamentary scrutiny of the PVSC Bill, concerns were expressed that the referendum would dominate media coverage at the expense of the scheduled elections held on the same day. Evidence from media content analysis, however, suggests that there was a reasonable balance between coverage of the referendum and the scheduled elections, with each attracting varying levels of coverage in the UK-wide or other media.⁴⁴

4.5 Conduct of the referendum

The Bill provides for the Secretary of State to make the relevant statutory instruments, subject to affirmative resolution in both Houses.

PPERA provides that the Chief Counting Officer for the referendum is the chair of the Commission, currently Jenny Watson, who may delegate responsibility to counting officers for each local government relevant area.⁴⁵ There were 12 Regional Counting Officers appointed to assist with coordination and local returning officers acted as counting officers for the AV referendum. The Electoral Commission therefore has a major role in directing the conduct of the referendums. The Chief Counting Officer has powers of direction which make the poll more centrally managed than elections, which are subject to the discretion of local returning officers.

³⁹ See for example *A comparative study of referendums: Government by the people*, Matt Qvortrup 2005

⁴⁰ [House of Lords Constitution Committee, *Referendums in the United Kingdom*](#), HL 99 2009-10

⁴¹ [Electoral Commission written evidence to Lords Constitution Committee Referendums](#)

⁴² See comments by the Government spokesperson, Lord Strathclyde during the passage of the *Parliamentary Voting System and Constituencies Bill 2010-12* HL Deb 30 November 2010 c1451

⁴³ For details see Research Paper 11/44 [Alternative Vote referendum](#)

⁴⁴ [Referendum on the voting system for UK parliamentary elections](#) Electoral Commission October 2011 Summary

⁴⁵ *Parliamentary Voting System and Constituencies Act 2011*, Section 128

In general, the normal rules for the conduct of the poll contained in the *Representation of the People Acts* applied to a referendum by order. For the AV referendum, the passage of the legislation was so close to the actual poll that the conduct rules appeared in primary legislation.⁴⁶ There would be several detailed points of electoral administration to consider, such as the count and declaration of result. Results for the AV referendum were given by local authority area, for example, rather than parliamentary constituency.⁴⁷

5 Generic regulation of referendums

5.1 Expenditure limits and permitted participants

PPERA established maximum expenditure limits for regional and national referendums as primary legislation.⁴⁸

Briefly, expenditure limits apply during the ‘referendum period’ – a time period set out in the legislation authorising a particular referendum. The referendum on the Alternative Vote (AV) was the first nationwide referendum to be held under the PPERA provisions and the referendum period began with Royal Assent on 16 February 2011 and lasted 11 weeks.

Groups (including political parties, campaign groups and other bodies) must register with the Electoral Commission if they plan to spend more than £10,000 during the referendum period. These are called permitted participants. The maximum expenditure is £0.5m except for political parties, where the limit is related to share of the vote at the last general election, ranging up to £5m. These limits are set out in Schedule 14 of PPERA.

Permitted participants must submit returns of expenditure to the Electoral Commission, within 6 months of the poll. More detail is required where participants have spent over £250,000. This means that full details of expenditure is not known until the referendum has taken place. The Electoral Commission has expressed concern in the past about the difficulty of regulating expenditure during the short campaign period, when accounts will not be submitted until after the poll.⁴⁹

The Commission also expressed concern that the legislation did not guarantee an equality of spending, and that permitted participants could proliferate, causing difficulties in assessing whether expenditure limits had been breached.⁵⁰ A number of witnesses to the Lords Constitution Committee inquiry on referendums in April 2010 also repeated these concerns, as did witnesses to the Scottish Affairs Committee inquiry into a referendum for Scotland in 2012.⁵¹ The Lords Committee recommended the aggregation of spending limits for permitted participants who operate to a common plan. The Government made specific provision in the *Parliamentary Voting System and Constituencies Act 2011* to aggregate expenses where persons are acting in concert.⁵²

Political parties

If a registered party campaigns as a permitted participant under sections 105 and 106 of PPERA, it needs to indicate the policy it intends to adopt. S106(7) defines ‘outcome’ as ‘a

⁴⁶ *Parliamentary Voting System and Constituencies Act 2011*, Schedules 2 to 8

⁴⁷ [UK wide referendum on the parliamentary voting system](#) 2011 Electoral Commission

⁴⁸ This was contrary to the recommendations of the Neill Committee. Its [report](#) argued that controls would be impractical and might be considered an unwarranted restriction on freedom of speech.

⁴⁹ [Evidence from Sam Younger](#), former Chairman of the Electoral Commission, to the Treasury Select Committee, 18 March 2003, HC 187-II, Session 2002-03, Q1327

⁵⁰ [Evidence to Select Committee on Transport, Local Government and the Regions](#), 10 July 2002, HC 1077-1, Session 2001-2, Q85

⁵¹ [Written evidence submitted to the Scottish Affairs Select Committee from the No Campaign Ltd](#) March 2012

⁵² [Referendums in the United Kingdom](#) HL Paper 99 2009-10, para 200. See para 17 of Schedule 1 to the *Parliamentary Voting System and Constituencies Act 2011*

particular outcome in relation to any question asked in the referendum. The declaration must be signed by the 'responsible officers of the party', defined in s64(7) as the 'registered leader', the 'registered nominating officer' and any other registered officer. Under s106, it is necessary to make the declaration in order to become a permitted participant.

5.2 Controls on donations

Donations made to permitted participants are also controlled by PPERA. Permitted participants have to register donations received over £7500 with the Commission, and refuse donations over £500 if they are from donors not on the UK electoral register, from non UK companies, from blind trusts, or from unknown sources.⁵³ Information on donations will not be made available until after the result of the poll is known, since section 120 of PPERA does not require the return to be made on referendum expenses and donations until after the end of the referendum period. The Electoral Commission issued [guidance for permitted participants](#) on the acceptance of donations for the AV referendum.⁵⁴

During the passage of the *Parliamentary Voting System and Constituencies Act 2010* (PVSC) an opportunity was taken to clarify the position on media comment. Section 5 of the PVSC Act set out that press or media comment is not to be treated as referendum expenditure. Newspaper advertisements would count as campaign expenditure. There are no specific guidelines on accuracy, beyond the usual Advertising Standards Authority guidance which notes that it has no remit over non-broadcast ads where the purpose of the ad is to persuade voters in a local, national or international election or referendum. Complaints of political bias in radio or TV advertisement are made to Ofcom.

Section 6 of the PVSC Act 2011 applies the controls on non commercial loans to referendums. These new rules were applied to political parties in respect of election funding in the *Electoral Administration Act 2006*.

5.3 Designated organizations - public funding

The Electoral Commission may nominate designated or umbrella organisations for each side of the outcome of the referendum. These benefit from maximum grants of £600,000 to each organisation for infrastructure costs, combined with a free referendum address to every household and referendum campaign broadcasts.⁵⁵ The Commission decided to award £380,000 to each side for the AV referendum. Designated organisations have a maximum spending limit of £5 million. They also benefit from a free post mailing to electors and referendum campaign broadcasts. In the 1975 European Referendum, £125,000 each was made available to the two lead groups, using powers under the *Referendum Act 1975*.

The Commission may decide not to designate, where it does not consider that an organisation exists which represents the body of opinion on one side. It cannot designate one side only. The Commission was unable to designate for the referendum on further devolution in Wales, held on 3 March 2011, since the only applicant for the 'No' campaign did not meet a statutory test of adequately representing those campaigning for a 'No' vote.⁵⁶ The main 'No' campaign had decided against applying for designation, reportedly in order to deny

⁵³ These limits were set out in Section 20 of the *Political Parties and Elections Act 2009*, brought into force by [SI 2009/3084](#); the Act also introduced new restrictions on donations for non domiciled UK nationals, but these have not yet been brought into force

⁵⁴ *Referendum on the parliamentary voting system in the UK: Situations and Procedures* Electoral Commission 2011 http://www.electoralcommission.org.uk/__data/assets/pdf_file/0003/105618/sp-referendum-pvs-rc.pdf

⁵⁵ *Referendum on the parliamentary voting system in the UK* 17 February 2011 *Electoral Commission*

⁵⁶ *No lead campaigners for National Assembly referendum* 25 January 2011 *Electoral Commission*

extra expenditure limits to the 'Yes' campaign.⁵⁷ The Commission published criteria for designation for the AV campaign.⁵⁸ However, there were concerns about the tight timetable for designation -the 'No' campaign were forced to commit funds before being officially informed of designation.⁵⁹

5.4 The regulation of campaigns

PPERA provided that any material to do with the referendum, which is published in a referendum period, must carry the name and address of the printer together with the name of any person or body on whose behalf it is published.⁶⁰ This was intended to help the Electoral Commission and the public identify who is behind publications, and therefore who has incurred referendum expenses. Campaign material is subject to statutory regulation in terms of defamation, incitement to hatred etc, but there is no equivalent to the electoral law provision on false statements about candidates which led to the election petition in Oldham East and Saddleworth in November in 2010.⁶¹

PPERA places restrictions on promotional material published during the 28 days (known as the "relevant period") before a referendum by the Government, local authority or other publicly funded body, apart from the Electoral Commission.⁶² This has caused some difficulties, according to the Commission, in alerting voters to the issues. The powers in the PVSC to enable the Commission to encourage participation were added as a result.⁶³

5.5 Public awareness and information

An unusual feature of the 1975 referendum campaign was the fact that the Government in effect agreed to suspend the normal convention of collective responsibility and individual Cabinet members campaigned on different sides. This was in the context of a single party government, rather than a coalition.⁶⁴

The Government ensured the distribution to all households free of charge of a non-technical version of its White Paper explaining its own recommendation of a Yes vote and short statements of both the 'Yes' and the 'No' views during the days immediately before the referendum.⁶⁵

The Electoral Commission issued a booklet to each household in the UK for the AV referendum in May 2011. Content included different ways to vote (at a polling station, postal, proxy etc.) and a brief guide to AV and First Past the Post. Drafts of the leaflets are available on the [Commission website](#).⁶⁶ The Commission did not provide political context to the choice of electoral systems.

The Scottish referendum campaign will be regulated by the *Scottish Referendum (Franchise) Bill* (when enacted) and the *Edinburgh Agreement*. One focus of debate in Scotland is the

⁵⁷ [Lack of official campaigns for referendum 'sad day'](#) 20 January 2011 *BBC News*; see also written evidence from No Campaign Ltd to Scottish Affairs Select Committee inquiry [The Referendum on Separation for Scotland](#) HC 1608 2010-2012, para 4.14

⁵⁸ [Delivering the 5 May elections and referendum statement](#) by Jenny Watson 16 February 2011

⁵⁹ Scottish Affairs Select Committee The Referendum on Separation for Scotland HC 1608 2010-12 Q499

⁶⁰ Section 126

⁶¹ See [Standard Note 5751 Election Petition: Oldham East and Saddleworth](#)

⁶² Section 125

⁶³ Schedule 1, paras 8 and 9

⁶⁴ For background see [Research Paper 04/82](#) *The Collective responsibility of Ministers: An outline of the issues*, Part V

⁶⁵ [Committee on Standards in Public Life Fifth Report](#) 1998 Cm paras 12.7 and 12.21

⁶⁶ <http://www.electoralcommission.org.uk/news-and-media/public-awareness-campaigns/public-information-on-5-May-2011-elections-and-proposed-referendum>

ability of the Scottish Government to promote the benefits of independence for an extended period before the 28 day “relevant period”. In addition the UK Government has also commented on the potential dangers of independence. There has already been considerable media and broadcasting activity on the subject of the referendum and the benefits or otherwise of independence. The activities of the UK Government during the 28 day period will be regulated by the provisions in the [Edinburgh Agreement](#).⁶⁷

Campaigning in any referendum on the question of remaining a member of the European Union is likely to be intense. The experience of Scotland is likely to be relevant, and may lead to the extension of the 28 day period. In its report on the AV referendum, the Electoral Commission expressed its view that the regulated period should be extended beyond 28 days to the whole referendum period following the passage of the legislation.

The media have an important role in the debate over the future of Europe. Media ownership in the UK is not restricted to UK nationals, yet it is worth noting that donations from individuals abroad directly to referendum campaigns are prohibited if over £500. There was an explicit provision (section 5) in the *Parliamentary Voting System and Constituencies Act 2011* to ensure that press comment was not caught by the spending controls in PPERA.

5.6 Referendum campaign broadcasts

Only designated umbrella organisations can have referendum campaign broadcasts.⁶⁸ This is to ensure that, in any referendum, each side of the campaign will have equal access to free airtime for campaigning.⁶⁹ Section 127 of PPERA prevents the main purpose of any broadcast, other than a referendum campaign broadcast, from being to procure or promote a referendum’s outcome. The broadcasters will in the first instance have to interpret this. The Broadcaster’s Liaison Group has a role in the allocation and regulation of party political broadcasts and has issued [production guidelines](#) for referendum broadcasts. The BBC Trust has consulted on these and referendum guidelines were adopted by the BBC in December 2010.⁷⁰

6 Passage of a Private Member’s Bill

A Private Member’s Bill (PMB) has to complete its passage through both Houses, like any other bill, before it can receive Royal Assent. However, unlike most Government bills, PMBs are not timetabled.

When a PMB is presented, the Member in charge nominates the day on which second reading is to take place. Thirteen Fridays in each session are allocated for the consideration of PMBs. The order of bills on the first seven Fridays is simply the order in which the bills were set down for that date, and those Fridays are therefore usually taken up with second reading debates, but on and after the eighth Friday, PMBs are arranged in the following order:

consideration of Lords amendments, third readings, consideration of reports not already entered upon, adjourned proceedings on consideration, bills in progress in committee, bills appointed for committee, and second readings.⁷¹

⁶⁷ Para 29

⁶⁸ Section 127

⁶⁹ *Explanatory Notes*, paragraph 223

⁷⁰ *Referendum campaign broadcasts- give us your views* December 2010 BBC Trust

⁷¹ House of Commons, *Standing Orders of the House of Commons – Public Business 2012*, September 2012, HC 614 2012-13, Standing Order No 14(10)

On 10 May 2013, the House decided the Fridays on which PMBs have precedence in the 2013-14 Session:

... Private Members' Bills shall have precedence over Government business on 5 and 12 July; 6 and 13 September; 18 and 25 October; 1, 8, 22 and 29 November 2013; 17 and 24 January and 28 February 2014.⁷²

Those Members drawn early in the ballot are able to secure the first slot for debate on the first seven Fridays allocated for PMBs. However, if their bill is not given a second reading it has no precedence over other bills already awaiting second reading on subsequent PMB Fridays.

6.1 Second reading debate

If debate concludes before the moment of interruption, the question that the Bill be read a second time is put (see below).

A Member may try to bring the debate to a close by moving the closure:

Closure of debate.

36.—(1) After a question has been proposed a Member rising in his place may claim to move, 'That the question be now put,' and, unless it shall appear to the chair that such motion is an abuse of the rules of the House, or an infringement of the rights of the minority, the question 'That the question be now put,' shall be put forthwith.

(2) When a question 'That the question be now put' has been decided in the affirmative, and the question consequent thereon has been decided, a Member may claim that any further question be put which may be requisite to bring to a decision any question already proposed from the chair, and if the assent of the chair, as aforesaid, be not withheld, any question so claimed shall be put forthwith.

(3) This order shall apply in committee only when the Chairman of Ways and Means or either Deputy Chairman is in the chair.

Majority for closure or for proposal of question.

37.—If a division be held upon a question for the closure of debate under [Standing Order No. 36 \(Closure of debate\)](#) or for the proposal of the question under [Standing Order No. 29 \(Powers of chair to propose question\)](#), that question shall not be decided in the affirmative unless it appears by the numbers declared from the chair that not fewer than one hundred Members voted in the majority in support of the motion.⁷³

If the Speaker allows the question 'That the question be now put,' it is put forthwith and, if it is agreed with the required majority, the question that the Bill be read a second time is then put.⁷⁴

⁷² [HC Deb 10 May 2013 c338](#)

⁷³ House of Commons, *Standing Orders of the House of Commons – Public Business, 2012*, September 2012, HC 614 2012-13

⁷⁴ For example, on 3 December 2010, Rebecca Harris claimed to move the closure during the second reading debate on the *Daylight Saving Bill 2010-12*. The Deputy Speaker allowed the closure [[HC Deb 3 December 2010 c1154](#)]. During the debate on the *Lawful Industrial Action (Minor Errors) Bill 2010-12* on 22 October 2010, the Deputy Speaker initially declined to put the question [[HC Deb 22 October 2010 c1255](#)] but after the minister had spoken, he allowed the closure motion to be put [[HC Deb 22 October 2010 c1260](#)]

The question that the Bill be read a second time is then determined on a simple majority (although, if fewer than 35 Members vote (not counting the tellers), the business stands over until the next sitting.⁷⁵)

If the question that the Bill be read a second time is agreed to, the Bill stands referred to a public bill committee.

If debate is continuing at the moment of interruption, the Speaker will adjourn the debate and the Member in charge will need to nominate another Friday for the debate to continue. However, his bill will be added to the bottom of the list of bills awaiting debate on that day.

6.2 Money resolution – required before a bill can be considered in committee

The main objective of a PMB cannot be to create a charge by way of taxation or expenditure.⁷⁶ However, if it requires any spending, a money resolution (or it raises any charges, a ways and means resolution), must be agreed by the House before it can be considered by a committee. Erskine May states that:

... If ... a bill is of the kind which does not require to be brought in on financial resolutions, any financial provisions which it may contain must be authorized by a resolution of the House before they can be considered by the committee on the bill.⁷⁷

Such a resolution would need to be initiated by the Government.⁷⁸ The Government would table a money resolution to allow the committee stage to proceed, even if it opposed a bill. In the debate on the money resolution for the *Daylight Saving Bill 2010-12*, Mark Prisk, Minister of State, Department for Business, Innovation and Skills, after moving the motion, said that:

The House last debated the Bill on 3 December 2010 when, despite the Government's Opposition, it received its Second Reading.⁷⁹

6.3 Public bill committee

The Member in charge of a PMB nominates the members of the public bill committee (PBC) to the Committee of Selection.⁸⁰

Because PMBs are not timetabled, there would be no out date for the PBC. However, the Member in charge could table a sittings motion, setting out when the committee would meet. By convention PBCs considering PMBs meet on Wednesdays but they can meet at other times.⁸¹

⁷⁵ House of Commons, *Standing Orders of the House of Commons – Public Business, 2012*, September 2012, HC 614 2012-13, Standing Order No 41

⁷⁶ Erskine May, *Parliamentary Practice*, 24th edition, 2011, pp542-543

⁷⁷ Erskine May, *Parliamentary Practice*, 24th edition, 2011, p542

⁷⁸ House of Commons, *Standing Orders of the House of Commons – Public Business, 2012*, September 2012, HC 614 2012-13, Standing Order No 48

⁷⁹ [HC Deb 22 November 2011 c256](#)

⁸⁰ A PBC of 16 members would include: 8 Conservative, 6 Labour, 1 Liberal Democrat members and 1 member of a minority party

⁸¹ The first business of the PBC on the *Scrap Metal Dealers Bill 2012-13* was the consideration of a sittings motion [[Scrap Metal Dealers Bill Deb 11 September 2012 c3](#)]

Order of proceedings

The order of proceedings in a public bill committee is as follows:

- motion to agree programme or sittings motion (if any);
- motion (if any) to vary the order in which the clauses and schedules are considered;
- debate on the first amendment (or group of amendments) to the first clause to be considered. The mover makes a speech; the Chair proposes the question 'That the amendment be made'; there is a debate. Members may speak as many times as they wish. At the end of the debate, either the mover seeks leave to withdraw the amendment (which can be prevented by a single objection) or the Chair puts the question;
- once the amendments to each clause or schedule have been disposed of (or as soon as the clause or schedule is reached, if there are no amendments), the Chair proposes the question 'That the clause stand part of the bill' or 'That the schedule be the [first] schedule to the bill'. The question can be debated, unless the Chair considers there has already been adequate debate while going through the amendments;
- new clauses are dealt with after existing clauses and new schedules after existing schedules;
- finally, the Chair puts the question 'That I do report the bill [as amended] to the House'. This cannot be debated, but may be divided on.

Source: derived from House of Commons, *Business of the House and its Committees – a short guide*, November 2011, p74

Selection and grouping of amendments

The Chair seeks to group amendments to assist debate at both committee and report stage (see below). Even for amendments which are technically in order, the Speaker or committee chair has the power of selection.⁸² The Chair's *selection list* (which includes grouping) is published in hard copy and on the internet on the day that a bill is to be taken, or if possible the previous day.

Amendments to bills to leave out clauses or schedules are not selected in committee, since a question is automatically put on whether each clause and schedule should remain part of the bill. This does not apply at report stage, where there is no automatic question on each clause and schedule.⁸³

6.4 Report stage

When the public bill committee has completed its consideration of a bill, it returns to the floor of the House for Report stage.

The House as a whole has the opportunity to amend the bill. Only those parts of the bill which Members are seeking to amend are debated, so there is not automatically a question put on each clause. New clauses are taken before other amendments.

The criteria for selecting amendments are more stringent than at committee stage, and amendments re-opening issues already thoroughly dealt with in committee are not usually

⁸² House of Commons, *Standing Orders of the House of Commons – Public Business, 2012*, September 2012, HC 614 2012-13, Standing Order No 32, Standing Order No 89(3)(a)

⁸³ House of Commons, *Business of the House and its Committees – a short guide*, November 2011, p21

selected for debate. There is no report stage if the bill was considered in full in Committee of the whole House and not amended.⁸⁴

6.5 Third reading

Third reading is usually taken immediately after the conclusion of Report stage. Debate is limited to the contents of the bill under consideration.

6.6 Lords Amendments

If the Lords amend a private Member's bill which began in the Commons (which is rare), the bill is returned to the Commons for consideration of the Lords Amendments. This would take place on a Private Member's Friday chosen by the Member in charge of the bill.

⁸⁴ House of Commons, *Business of the House and its Committees – a short guide*, November 2011, pp76-77