



HOUSE OF LORDS

Procedure and Privileges Committee

3rd Report of Session 2019–21

Consideration of Commons amendments in hybrid House

Ordered to be printed 6 October 2020

Published by the Authority of the House of Lords

HL Paper 139

Procedure and Privileges Committee

The Select Committee on Procedure and Privileges of the House is appointed each session to consider any proposals for alterations in the procedure of the House that may arise from time to time, and whether the standing orders require to be amended.

Membership

The members of the Procedure and Privileges Committee are:

[Lord Ashton of Hyde](#)

[Lord Bew](#)

[Lord Eames](#)

[Baroness Evans of Bowes Park](#)

[Lord Fowler](#) (Lord Speaker)

[Lord Geddes](#)

[Baroness Harris of Richmond](#)

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Alternate members:

[Baroness Browning](#) (for backbench Conservative members)

[Baroness Finaly of Llandaff](#) (for Crossbench members, other than the Convenor)

[Lord Scriven](#) (for backbench Liberal Democrat members)

[Lord Turnbull](#) (for the Convenor)

Declaration of interests

A full list of Members' interests can be found in the Register of Lords' Interests:

<http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

Publications

All publications of the Committee are available at: <https://committees.parliament.uk/committee/191/procedure-and-privileges-committee/publications/>

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Contact details

All correspondence should be addressed to the clerks of the Procedure and Privileges Committee, House of Lords, London SW1A 0PW. Telephone 020 7219 8796/1624. Email davidson@parliament.uk and murphya@parliament.uk

Third Report

Introduction

1. At our meeting on 6 October we considered a letter from the Government Chief Whip following discussions amongst the Usual Channels which proposed a new procedure for consideration of Commons amendments (“ping pong”) in hybrid House.
2. Whilst proceedings in hybrid House have allowed the House to continue its work of holding the Government to account and scrutinising legislation, the procedures currently in place would, if applied to consideration of Commons amendments, remove the usual pace and flexibility that is possible under normal circumstances.
3. The Committee therefore agreed that the hybrid House procedures should be amended to allow ping pong to take place at a more rapid pace. These changes are outlined in the paragraphs below. If the House agrees this report, an amended version of the Guidance on hybrid House and hybrid Grand Committee from the Procedure and Privileges Committee will be produced to take account of these changes.
4. **The Committee recommends that the following procedures relating to consideration of Commons amendments in hybrid House should be adopted. We are reporting these to the House rather than simply adding them to the hybrid House guidance because of the special importance of this stage of the legislative process, and because some particularly significant departures from normal procedure and practice are proposed.**

Speaking during consideration of Commons amendments

5. Members’ rights to speak are restricted as follows:
 - When there are no counter propositions to the Minister’s motion, the only speakers are frontbenchers and a Crossbencher nominated by the Convenor, who may be physically present (P) or remote.
 - When there are counter propositions, the following may speak:
 - Frontbenchers and a nominated Crossbencher, who may be remote or (P);
 - The movers of counter propositions, who may be remote or (P);
 - Any other member (P), subject to usual seating arrangements and the capacity of the Chamber.
6. There may be different frontbench and backbench speakers for each group. Being listed to speak on one group does not entitle a member to speak on others.
7. The normal order of speakers for any group with counter propositions is as follows:
 - Minister to move the lead motion

- Movers of any counter propositions
 - Any other members (P)
 - Nominated crossbencher—unless moving a counter proposition
 - Frontbenchers—unless moving a counter proposition
 - Minister
 - “Short questions for elucidation” after the Minister
 - Mover of first counter proposition to press or withdraw
 - Minister
8. A participants’ list is not opened; names of opening and winding speakers are provided by the relevant Whips Offices and the Convenor’s Office, indicating whether each speaker will be remote or (P). The Government Whips Office produces a speakers’ list for openers and winders.
 9. Speakers are called by the Chair. Members who are (P) and intending to speak between the openers and winders should give notice to the Chair and the Clerk at the Table.
 10. Short questions for elucidation after the Minister’s initial response are allowed but discouraged, as at Report stage and Third Reading. Members wishing to do this, wherever they are, must e-mail the Clerk.
 11. Members may speak on the motion that the Commons Amendments be now considered on the same basis as above, i.e. frontbenchers and a nominated crossbencher only unless an amendment to that motion has been tabled.
 12. Members must observe the limits on the capacity of the Chamber and usual seating arrangements. Members not intending to speak on the group under discussion should give priority to members who do.

Amendments and motions

13. No motions or amendments, including manuscript motions or amendments, are accepted after the tabling deadline agreed between the Legislation Office and the usual channels, nor may names be added to amendments.
14. A member intending to oppose the Minister’s motion must give notice by tabling an amendment.

Decisions

15. Remote voting applies. Lords not speaking may follow proceedings on parliamentlive.tv and vote. They may submit a “voice” (Content or Not Content) by e-mailing the Clerk from a parliamentary address during the debate; the Chair will acknowledge any such statements before collecting the voices and factor them into the outcome.

Minimum intervals

16. For the first round of Consideration of Commons Amendments there must be at least a clear working day between the Commons debate and the Lords proceedings.

17. However further rounds on the same Bill may take place on the same day or the next day. The same lists of openers and winders are used as far as possible.

Reasons Committee

18. Meetings of Reasons Committees are dispensed with in current circumstances. Any Commons Amendment rejected without an alternative is returned with a standard Reason: “because their Lordships wish the Commons to consider the matter again.” The Committee’s meeting is recorded by silent minute entry.