

House of Lords (Hereditary Peers) Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including
17 December 2024*

[Amendments marked ★ are new or have been altered]

Clause 1

LORD LUCAS

Leave out Clause 1 and insert the following new Clause –

“By-elections and life peerages for hereditary peer vacancies

- (1) Section 2 of the House of Lords Act 1999 (exception to exclusion of hereditary peers from membership of House of Lords) is amended as follows.
- (2) In subsection (2), after “time” insert “no more than”.
- (3) For subsection (4), substitute –
 - “(4) In any case where a person excepted from section 1 dies or ceases to be a member of the House of Lords, an election must be held in which anyone on the register of electors anywhere in the United Kingdom may stand, and in which all members of the House of Lords may vote.
 - (4A) Any person selected as a result of an election held under subsection (4) must be recommended by the Prime Minister for a life peerage.”

Member's explanatory statement

This amendment seeks to probe whether hereditary peer vacancies could be filled by members of the public who would be elected by members of the House and recommended to the Prime Minister for a life peerage.

LORD TRUE

★ Leave out Clause 1 and insert the following new Clause –

“Exclusion of remaining hereditary peers

- (1) Section 2 of the House of Lords Act 1999 (exception from section 1) is amended as follows.
- (2) For subsection (2) substitute –
 - “(2) No more than 89 people at any one time shall be excepted from section 1.”
- (3) For subsection (4) substitute –
 - “(4) Any vacancy resulting from the death, retirement, resignation or expulsion of an excepted person under subsection (2) after the day on which the House of Lords (Hereditary Peers) Act 2024 comes into force is not to be filled by further exception.”

Member's explanatory statement

The purpose of the amendment is to prevent any more hereditary peers coming to the House of Lords by virtue of the 1999 Act in future. However, it allows peers who are already serving the House to remain as members for life in the same way as is allowed to all other Lords Temporal.

After Clause 1

LORD NEWBY
LORD WALLACE OF SALTAIRE
LORD STRATHCLYDE

After Clause 1, insert the following new Clause –

“Duty to take forward proposals for democratic mandate for House of Lords

- (1) It is the duty of the Secretary of State to take forward proposals to secure a democratic mandate for the House of Lords.
- (2) In pursuance of the duty under subsection (1), the Secretary of State must carry out the steps set out in subsections (3), (4), (5) and (6).
- (3) Within 12 months of the day on which this Act is passed, the Secretary of State must lay before each House of Parliament a consultation paper on methods for introducing directly elected members in the House of Lords.
- (4) After laying the consultation paper under subsection (3), the Secretary of State must seek the views on the matters covered by that paper of –
 - (a) each party and group in the House of Lords,
 - (b) each political party represented in the House of Commons,
 - (c) the Scottish Government,
 - (d) the Welsh Government,
 - (e) the Northern Ireland Executive,

- (f) local authorities in the United Kingdom,
 - (g) representative organisations for local authorities in the United Kingdom, and
 - (h) such other persons and bodies as the Secretary of State considers appropriate.
- (5) Within 16 months of the day on which this Act is passed, the Secretary of State must lay before each House of Parliament a report on responses to the consultation.
- (6) Within 18 months of the day on which this Act is passed, the Secretary of State must lay before each House of Parliament a draft Bill containing legislative proposals on the matter mentioned in subsection (3).”

Member's explanatory statement

This new clause imposes a duty on Ministers to take forward proposals to secure a democratic mandate for the House of Lords through introduction of directly elected members.

LORD NEWBY
LORD WALLACE OF SALTAIRE

After Clause 1, insert the following new Clause –

“Life peerages not to be conferred against recommendation of the House of Lords Appointments Commission

- (1) The Life Peerages Act 1958 is amended as follows.
- (2) In section 1 (power to confer life peerages), after subsection (1) insert –
 - “(1A) The power under subsection (1) may not be exercised in relation to a person if the House of Lords Appointments Commission has written to the Prime Minister to recommend that a peerage should not be conferred on that person.””

Member's explanatory statement

This new clause would prevent a life peerage being conferred on a person if the House of Lords Appointments Commission has recommended against the appointment.

LORD HARRIES OF PENTREGARTH

After Clause 1, insert the following new Clause –

“15 year terms for life peers

- (1) A member of the House of Lords who has sat in the House by virtue of a life peerage for 15 years or more ceases to be a member of the House of Lords at the end of that Session of Parliament, subject to subsection (2).
- (2) A member of the House of Lords who has sat in the House by virtue of a life peerage for 15 years or more may apply to the House of Lords Appointments Commission for reappointment for a further five or more years up to a maximum

of 15 years, but no member may sit in the House of Lords by virtue of a life peerage for more than 30 years in total.”

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Retirement from the House of Lords at 80

A member of the House of Lords who reaches the age of 80 during a Session of Parliament ceases to be a member of the House of Lords at the end of that Session.”

Member's explanatory statement

Alongside other amendments in the name of Lord Blencathra, this amendment has been tabled to permit the House to vote on three options for a retirement age in ascending order. According to analysis of Library figures, this could remove 327 peers by 2029.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Retirement from the House of Lords at 85

A member of the House of Lords who reaches the age of 85 during a Session of Parliament ceases to be a member of the House of Lords at the end of that Session.”

Member's explanatory statement

Alongside other amendments in the name of Lord Blencathra, this amendment has been tabled to permit the House to vote on three options for a retirement age in ascending order. According to analysis of Library figures, this could remove 185 peers by 2029.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Retirement from the House of Lords at 90

A member of the House of Lords who reaches the age of 90 during a Session of Parliament ceases to be a member of the House of Lords at the end of that Session.”

Member's explanatory statement

Alongside other amendments in the name of Lord Blencathra, this amendment has been tabled to permit the House to vote on three options for a retirement age in ascending order. According to analysis of Library figures, this could remove 78 peers by 2029.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Attendance requirement of 20%”

A member of the House of Lords who attended fewer than 20% of possible sittings in the 2019–2024 Parliament must retire from the House of Lords within two months of the day on which this Act is passed.”

Member's explanatory statement

Alongside other amendments in the name of Lord Blencathra, this amendment has been tabled to permit the House to vote on three options for requiring peers who have made little recent contribution to the work of the House to retire. According to analysis of Library figures, requiring a minimum attendance of 20% of sittings between 2019 and 2024 could remove 154 peers.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Attendance requirement of 15%”

A member of the House of Lords who attended fewer than 15% of possible sittings in the 2019–2024 Parliament must retire from the House of Lords within two months of the day on which this Act is passed.”

Member's explanatory statement

Alongside other amendments in the name of Lord Blencathra, this amendment has been tabled to permit the House to vote on three options for requiring peers who have made little recent contribution to the work of the House to retire. According to analysis of Library figures, requiring a minimum attendance of 15% of sittings between 2019 and 2024 could remove 118 peers.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Attendance requirement of 10%”

A member of the House of Lords who attended fewer than 10% of possible sittings in the 2019–2024 Parliament must retire from the House of Lords within two months of the day on which this Act is passed.”

Member's explanatory statement

Alongside other amendments in the name of Lord Blencathra, this amendment has been tabled to permit the House to vote on three options for requiring peers who have made little recent contribution to the work of the House to retire. According to analysis of Library figures, requiring a minimum attendance of 10% of sittings between 2019 and 2024 could remove 70 peers.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“House of Lords participation requirement

- (1) Standing Orders may make provision for a member to cease to be a member of the House of Lords if they have not met a reasonable level of participation based on requirements other than attendance.
- (2) A peer who does not meet the level of participation required may be notified and given six months to do so before the provision set out in subsection (1) takes effect.”

Member's explanatory statement

This amendment is intended to ensure that members who attend but then say or do little or nothing are removed from the House. The intention would be for the Procedure Committee to devise criteria which would measure the participation of peers.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Removal of peers with a criminal conviction

Any peer convicted of a criminal offence on indictment ceases to be a member of the House of Lords within seven days of the conviction, or the loss of appeal if the peer appeals the conviction.”

Member's explanatory statement

This amendment intends to ensure that peers who have committed a serious offence are removed from the House, using an indictable offence to provide a clear threshold.

LORD BLENCATHRA

Revised version of the amendment printed on 13 December 2024

★

After Clause 1, insert the following new Clause –

“Legislating for changes to the composition of the House of Lords

- (1) Where a resolution of the House of Lords establishes or changes –
 - (a) the age at which peers must retire,
 - (b) a minimum attendance requirement,
 - (c) a participation requirement, or
 - (d) a type of criminal conviction which results in expulsion from the House,
 a relevant Minister must, within 12 months, take the action set out in subsection (2).
- (2) Where a resolution is passed by the House of Lords in accordance with subsection (1) (a “relevant resolution”), a relevant Minister must, by regulations made by

statutory instrument, amend this Act in order to translate the relevant resolution into statute.

- (3) The regulations must use the wording of the relevant resolution, without any alteration.
- (4) The relevant Ministers are the Leader of the House of Lords and the Leader of the House of Commons, by whatever titles they are then known.
- (5) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament”

Member's explanatory statement

This amendment seeks to establish changes regarding the composition of the House in law, while allowing the House flexibility to change them.

LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Lords spiritual

- (1) A maximum of five Church of England bishops may sit in the House of Lords.
- (2) Of those five bishops, one must be the Archbishop of Canterbury, one must be the Archbishop of York, and the remaining three must be nominated by the Synod of the Church of England.
- (3) No bishop may sit in the House of Lords beyond the end of the Parliamentary Session in which they turn 70 years old.”

Member's explanatory statement

This amendment reduces the number of bishops sitting in the House of Lords from 26 to five.

LORD BLENCATHRA

Revised version of the amendment printed on 13 December 2024

★

After Clause 1, insert the following new Clause –

“Lords Spiritual and faith representatives

- (1) A maximum of five Church of England bishops may sit in the House of Lords.
- (2) Of those five bishops, one must be the Archbishop of Canterbury, one must be the Archbishop of York, and the remaining three must be nominated by the Synod of the Church of England.
- (3) There must be five other faith representatives appointed as members of the House of Lords, namely –
 - (a) a representative of the Roman Catholic Church,
 - (b) a representative of the Methodist Church,

- (c) a person nominated by the Chief Rabbi,
 - (d) a person nominated by the Muslim Council of Britain, and
 - (e) a person nominated by the Free Churches Group.
- (4) No person who is a member of the House of Lords by virtue of this section may sit in the House of Lords beyond the end of the Parliamentary Session in which they turn 70 years old.
 - (5) If the House of Lords agrees a resolution to change the numbers or denominations set out in this section, a relevant Minister must, within 12 months, take the action set out in subsection (6).
 - (6) Where a resolution is passed by the House of Lords in accordance with subsection (5) (a “relevant resolution”), a relevant Minister must, by regulations made by statutory instrument, amend subsections (1) to (3) of this section accordingly.
 - (7) The regulations must use the wording of the relevant resolution, without any alteration.
 - (8) The relevant Ministers are the Leader of the House of Lords and the Leader of the House of Commons, by whatever titles they are then known.
 - (9) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Member's explanatory statement

This amendment reduces the number of bishops sitting in the House of Lords and requires the inclusion of other faith representatives.

LORD LUCAS
LORD BLENCATHRA

After Clause 1, insert the following new Clause –

“Rights of life peers to sit in the House of Lords

- (1) Section 1 of the Life Peerages Act 1958 (power to confer life peerages) is amended as follows.
- (2) At the end of subsection (1) insert “, and, as the case may be, the incidents specified in subsection (2A) of this section”.
- (3) Omit from “and” in subsection (2)(a) to the end of subsection (2)(b).
- (4) After subsection (2), insert –
 - “(2A) A peerage conferred under this section may, if the letters patent so state, during the life of the person on whom it is conferred, entitle him, subject to subsection (4) of this section, to receive writs of summons to attend the House of Lords and sit and vote therein accordingly, and shall expire on his death.””

LORD LUCAS

★ After Clause 1, insert the following new Clause—

“No majority for one party in the House of Lords

After section 1 of the Life Peerages Act 1958, insert—

“1A No majority for one party in the House of Lords

- (1) An appointment may not be made to the House of Lords if it would have the effect of taking the total number of peers from parties forming part of the government to more than 40% of the total members of that House.
- (2) If at any time the number of peers from parties forming part of the government exceeds 40% of the total members of the House of Lords, no appointments to the parties forming part of the Government may be made until that number is reduced below 40% either by resignation, new appointments or leave of absence.”

Clause 2

THE EARL OF DEVON

Clause 2, page 1, line 8, at end insert—

- “(3) Claims to hereditary peerages shall hereafter be determined by the Judicial Committee of the Privy Council (pursuant to section 4 of the Judicial Committee Act 1833) and in exercising such jurisdiction the Judicial Committee must have regard to principles of gender equality.
- (4) The Judicial Committee of the Privy Council must publish a statement every five years stating how they have had regard to principles of gender equality under subsection (3).”

Member's explanatory statement

In the light of the fact that hereditary peerages often pass to eldest sons, this amendment seeks to ensure that the Judicial Committee of the Privy Council, when exercising its jurisdiction to determine peerage claims, does so in a manner that is not gender discriminatory to the extent that it is able, and reports regularly as to its success in achieving this.

After Clause 2

THE EARL OF DEVON

After Clause 2, insert the following new Clause—

“Report: principles of gender equality

- (1) The Judicial Committee of the Privy Council must, within six months of the day on which this Act is commenced, undertake a consultation on how principles of

gender equality should be applied when determining hereditary peerage claims which were formerly determined by the House of Lords.

- (2) The Committee must publish a report following the conclusion of the consultation which must address—
- (a) the expectations of existing heirs;
 - (b) heirs born to unmarried parents;
 - (c) families with adopted children.”

Member's explanatory statement

In the light of the fact that hereditary peerages often pass to eldest sons, this amendment requires that the Judicial Committee of the Privy Council must, within six months of the commencement of this Act, consult on how principles of gender equality should be applied when determining hereditary peerage claims.

After Clause 3

LORD LUCAS

- ★ After Clause 3, insert the following new Clause—

“Review: impact of this Act on the effectiveness of the House of Lords

Within two years of the day on which this Act is passed, and annually thereafter, the Secretary of State must publish a report on the impact of this Act on the effectiveness of the House of Lords at discharging its core functions.”

Clause 4

LORD LUCAS

- ★ Clause 4, page 2, line 15, at end insert—

“(2A) This section and section (*Review: impact of this Act on the effectiveness of the House of Lords*) come into force on the day on which this Act is passed.”

LORD LUCAS

- ★ Clause 4, page 2, line 16, at beginning insert “The rest of”

LORD BLENCATHRA

Clause 4, page 2, line 16, leave out “Session of”

Member's explanatory statement

This amendment would remove Exempted Hereditary peers over a longer timescale, to permit the House to benefit from their input while giving them more time to seek alternative employment.

LORD YOUNG OF COOKHAM

Clause 4, page 2, line 16, after “Parliament”, insert “after the Session”

Member's explanatory statement

The purpose of the amendment is to postpone implementation of the Act.

LORD YOUNG OF COOKHAM

Clause 4, page 2, line 19, leave out “that Session” and insert “the Session following the Session in which this Act is passed”

Member's explanatory statement

The purpose of the amendment is to postpone implementation of the Act.

Clause 5

LORD NEWBY
LORD WALLACE OF SALTAIRE

Clause 5, page 2, line 21, after “Peers” insert “and Proposals for a Democratic Mandate”

Member's explanatory statement

This amendment would change the short title of the Bill and is consequential on Lord Newby's new Clause after Clause 1 “Duty to take forward proposals for democratic mandate for House of Lords”.

LORD NEWBY
LORD WALLACE OF SALTAIRE

Clause 5, page 2, line 21, after “Peers” insert “and Appointments”

Member's explanatory statement

This amendment would change the short title of the Bill and is consequential on Lord Newby's new Clause after Clause 1 “Life peerages not to be conferred against recommendation of the House of Lords Appointments Commission.”

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