

# **Armed Forces Commissioner Bill**

(Amendment Paper)

This document lists all amendments tabled to the Armed Forces Commissioner Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided. This document should be read alongside the Speaker's provisional selection and grouping, which sets out the order in which the amendments will be debated.

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**Helen Maguire**

**NC1**

To move the following Clause—

**“Applicability to prospective recruits**

In this Act, any reference to “service personnel” or “persons subject to service law” includes people going

through the recruitment process to join any branch of the armed forces.”

### **Member's explanatory statement**

This new clause would allow those currently going through the recruitment process to join the armed forces to use the Armed Forces Commissioner for its intended purposes.

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**James Cartlidge**

**NC2**

To move the following Clause—Within one year of the passing of this Act, the Secretary of State must publish details of—

#### **“Commissioner’s interaction with Veterans Commissioners**

Within one year of the passing of this Act, the Secretary of State must publish details of—

- (a) whether or how the Commissioner will work with the National Veterans Commissioner, the Scottish Veterans Commissioner, the Veterans Commissioner for Wales, the Northern Ireland

Veterans Commissioner and the Chairman of the Independent Commission for Reconciliation & Information Recovery;

- (b) whether or how the Commissioner and Secretary of State will ensure that veterans receive appropriate and necessary support.”

### **Member's explanatory statement**

This new clause would require the Secretary of State to make clear how the Commissioner will work with the Veterans Commissioners and related bodies.

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**Helen Maguire**

**7**

Clause 1, page 3, line 12, at end insert—

“(5A) The Commissioner must—

- (a) uphold and give due regard to the principles and commitments of the Armed Forces Covenant when carrying out its functions;
- (b) monitor and report on compliance with the principles and commitments of the

Armed Forces Covenant in all areas of its responsibility.”

### **Member's explanatory statement**

This amendment would require the Commissioner to uphold and abide by the principles of the Armed Forces Covenant when carrying out its functions.

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**James Cartlidge**

**8**

Clause 1, page 3, line 12, at end insert—

“(5A) The Commissioner shall operate independently from—

- (a) the Ministry of Defence;
- (b) the Armed Forces, including the chain of command; and
- (c) any other government bodies;

and shall be free from any influence of interference in the exercise of the Commissioner’s functions.”

### **Member's explanatory statement**

This amendment would require the Commissioner to be independent from the Government, the Armed

Forces and any interference in the carrying out of their duties.

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**Helen Maguire**

**6**

Clause 1, page 3, line 22, at end insert—

- “(5) The Secretary of State will, within 6 months of the passing of this Act, publish an intended time frame for—
- (a) the appointment of the Commissioner;
  - (b) the abolishing of the office of the Service Complaints Ombudsman;
  - (c) the commencement of operations of the office of the Commissioner.”

### **Member's explanatory statement**

This amendment would require the Secretary of State to state when they intend to appoint a Commissioner and get the office of the Commissioner operational.

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**James Cartlidge**

**9**

Clause 4, page 5, line 9, at end insert—

“(2A) A “general service welfare matter” may include issues relating to the provision of pensions and death in service benefits to serving and former members of the armed forces and their dependents.”

### **Member's explanatory statement**

The amendment would enable the Commissioner to include matters relating to pensions and other such benefits, including death in service benefits, in their investigation of service welfare matters.

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**James Cartlidge**

**10**

Clause 4, page 5, line 9, at end insert—

“(2A) A “general service welfare matter” may include issues relating to the wellbeing of, and provision of support to, the children, families and other dependents of serving and former members of the armed forces, including but not limited to—

- (a) the provision and operation of the Continuity of Education Allowance;

- (b) the provision of Special Educational Needs tuition; and
- (c) the maintenance of service families' accommodation."

### **Member's explanatory statement**

This amendment would enable the Commissioner to include matters relating to the wellbeing of, and provision of support to, the children, families and other dependents of serving and former members of the armed forces in the Commissioner's investigation of service welfare matters.

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**Helen Maguire**

**1**

Clause 4, page 7, line 4, after "means" insert "kinship carers and the family members of deceased service personnel as well as other"

### **Member's explanatory statement**

This amendment would include kinship carers and the family members of deceased service personnel in the definition of "relevant family members".

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**Helen Maguire**

**2**

Clause 4, page 7, line 10, at end insert—

**“340IAA Commissioner support for minority groups within service personnel**

- (1) When investigating general service welfare matters under section 340IA, the Commissioner must consider the specific experiences of minority groups within service personnel, including but not limited to—
  - (a) female;
  - (b) BAME
  - (c) non-UK; and
  - (d) LGBT+service personnel.
- (2) The Commissioner may investigate service welfare matters unique to one or more of these groups of service personnel.
- (3) The Commissioner must maintain up-to-date evidence on the experiences of these groups of service personnel and develop robust community engagement



mechanisms to identify and address issues specific to these groups.

- (4) The Commissioner must establish a formal network of representation to enable the views and concerns of these groups of service personnel to be communicated to the Commissioner.
- (5) The Commissioner must publish an annual report outlining—
  - (a) the issues facing and concerns raised by these groups of service personnel;
  - (b) the actions taken by the Commissioner to address identified issues;
  - (c) the progress made in improving conditions for these groups of service personnel.”

### **Member's explanatory statement**

This amendment would require the Commissioner to take specific action to consider and address welfare issues facing service personnel from minority groups.

Clause 4, page 11, line 19, at end insert—

“(aa) the report must include the Commissioner’s view on whether the relevant general service welfare issue has had, or may have, an effect on the retention of armed forces personnel; and”

**Member's explanatory statement**

This amendment would require a report by the Commissioner on a general service welfare matter to include the Commissioner’s view on whether the issue affects the retention of armed forces personnel.

Clause 4, page 12, line 27, at end insert—After section 340O (annual report on system for dealing with service complaints) insert—

“(4A) After section 340O (annual report on system for dealing with service complaints) insert—

**“ “340OA Annual report on the work of the Commissioner**

- (1) The Commissioner must, for each calendar year, prepare a report covering—
  - (a) the actions taken by the Commissioner to promote and improve the welfare of persons subject to service law and relevant family members;
  - (b) the initiatives undertaken by the Commissioner to enhance public awareness of welfare issues faced by persons subject to service law and relevant family members;
  - (c) the resources used by the Commissioner in fulfilling its functions, and any further resources required.
- (2) On receiving a report under this section, the Secretary of State must lay it before Parliament promptly and, in any event, before the end of 30

sitting days beginning with the day on which the report is received.

“Sitting day” means a day on which both Houses of Parliament sit.

- (3) The Secretary of State may exclude from any report laid under this section any material the publication of which the Secretary of State considers—
  - (a) would be against the interests of national security;
  - (b) might jeopardise the safety of any person.
- (4) With three months of the receipt of any report prepared by the Commissioner under this section, the Secretary of State must publish a response to the report which includes an overview of any measures taken or planned to be taken to address any resource issues identified by the Commissioner.” ”

### **Member's explanatory statement**

This amendment would require the Commissioner to publish an annual report on the work it had done

to improve the welfare of service personnel and public awareness of welfare issues faced by service personnel and their families.

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**Helen Maguire**

**5**

Schedule 1, page 16, leave out lines 19 and 22 and insert—

“3 A relevant Parliamentary select committee will hold a pre-appointment hearing with the Secretary of State’s preferred candidate for Commissioner.

3A The select committee may hold a confirmatory vote on the Secretary of State’s preferred candidate for Commissioner.

3B Where a select committee has expressed a negative opinion on the appointment of the Secretary of State’s preferred candidate for Commissioner, the Secretary of State may not proceed with the appointment of that candidate without appearing before the select committee to address the concerns raised by the committee.

- 3C If the select committee maintains its negative opinion following the further appearance of the Secretary of State, the Secretary of State may not proceed with the appointment of that candidate.
- 3D Where a select committee has expressed a positive opinion on the appointment of the Secretary of State's preferred candidate for Commissioner, including after a further appearance before the committee of the Secretary of State, the Secretary of State may recommend the appointment of the candidate to His Majesty.
- 3E The Commissioner is to be appointed by His Majesty on the recommendation of the Secretary of State."

### **Member's explanatory statement**

This amendment would mean that the Commissioner can only be appointed after appearing before a relevant select committee and obtaining its approval.

Schedule 1, page 22, line 14, at end insert—

“(3) The Secretary of State must ensure that the financial and practical assistance provided to the Commissioner is appropriate and sufficient to allow the Commissioner to carry out its functions.”

### **Member's explanatory statement**

This amendment would require the Secretary of State to provide adequate financial and practical assistance to the Commissioner to enable it to carry out its functions.

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## **Order of the House**

[18 November 2024]

That the following provisions shall apply to the Armed Forces Commissioner Bill:

### **Committal**

1. The Bill shall be committed to a Public Bill Committee.

## **Proceedings in Public Bill Committee**

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 17 December 2024.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

## **Consideration and Third Reading**

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.



## **Other proceedings**

7. Any other proceedings on the Bill may be programmed.