

# Armed Forces Commissioner Bill

---

SECOND MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

---

*The amendments have been marshalled in accordance with the Instruction of 5th March 2025, as follows –*

Clause 1	Schedule 2
Schedule 1	Clauses 6 to 8
Clauses 2 to 5	Title

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**Clause 4**

BARONESS GOLDIE  
THE EARL OF MINTO

- 13** Clause 4, page 4, line 18, leave out from “proposal” to end of line 19 and insert “at least seven days before the Commissioner intends to exercise the power under subsection (1).”

***Member's explanatory statement***

*This amendment provides that the Commissioner must give the Secretary of State a minimum of seven days' notice before entering service premises.*

BARONESS GOLDIE  
THE EARL OF MINTO

- 14** Clause 4, page 4, line 19, at end insert –
- “(3A) Once the Commissioner has given the notice to the Secretary of State under subsection (3), the Secretary of State must, as soon as is practicable, inform the commanding officer of the relevant service premises that the Commissioner proposes to exercise its power under subsection (1).”

***Member's explanatory statement***

*This amendment requires the Secretary of State to notify the commanding officer of the service premises when the Commissioner intends to exercise their power of entry.*

BARONESS GOLDIE  
THE EARL OF MINTO

- 15 Clause 4, page 4, leave out lines 20 to 22 and insert—
- “(4) Subsections (3) and (3A) do not apply, so far as relating to service premises in the United Kingdom, if—
- (a) the Commissioner reasonably believes there to be an immediate possibility of the destruction of evidence relating to an investigation under section 340IA of this Act, or
  - (b) the Commissioner reasonably believes that there is an immediate risk to the safety of persons subject to service law.
- (4A) Where the Commissioner does not give the Secretary of State notice of their intent to exercise the power under subsection (1) as per subsection (4), the Commissioner must inform the Secretary of State in writing as to the reasons for their decision.”

BARONESS GOLDIE  
THE EARL OF MINTO  
THE LORD BISHOP OF NORWICH

- 16 Clause 4, page 5, line 12, at end insert—
- “340IC Commissioner’s functions in relation to whistleblowing**
- (1) The Commissioner may investigate any concern raised by a whistleblower of which the Commissioner becomes aware (whether because the whistleblower has contacted the Commissioner or for any other reason) but only if the whistleblower informs the Commissioner, before the beginning of the investigation, that he or she consents to an investigation taking place.
  - (2) In deciding whether to investigate, the Commissioner must take into account the public interest.
  - (3) The Commissioner must, when carrying out an investigation under this section, take all reasonable precautions to ensure the anonymity of the whistleblower.
  - (4) For the purposes of this section, a person is a “whistleblower” if—
    - (a) the person is, or was at any time, subject to service law,
    - (b) the person raises a concern that is about another person subject to service law, and
    - (c) the matter to which the concern relates is not about the conditions of service of persons subject to service law.”

***Member's explanatory statement***

*This amendment creates a new whistleblowing duty for the Commissioner, to ensure service personnel can raise concerns with anonymity.*

BARONESS GOLDIE  
THE EARL OF MINTO  
THE LORD BISHOP OF NORWICH

17 Clause 4, page 5, line 22, 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 recruitment and retention of armed forces personnel,”

BARONESS SMITH OF NEWNHAM

18 Clause 4, page 6, line 2, at end 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) Within 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.*

**After Clause 4**

BARONESS GOLDIE  
THE EARL OF MINTO

19 After Clause 4, insert the following new Clause –

**“Report: Commissioner’s interaction with the Service Police Complaints Commissioner**

- (1) Within six months of the day on which this Act is passed, the Secretary of State must publish a report on the interaction between the roles of the Armed Forces Commissioner and the Service Police Complaints Commissioner.
- (2) The report under subsection (1) must be laid before Parliament.”

**After Clause 5**

LORD HAY OF BALLYORE  
LORD BROWNE OF BELMONT  
LORD MORROW

20 After Clause 5, insert the following new Clause –

**“Engagement with the Veterans’ Commissioners**

- (1) In carrying out their functions under this Act, the Armed Forces Commissioner must regularly consult with the Veterans’ Commissioners for Wales, Scotland and Northern Ireland.
- (2) Engagement with the Veterans’ Commissioners under subsection (1) must have the primary aim of coordinating to address the needs of serving members of the Armed Forces and veterans across the United Kingdom.”

BARONESS SMITH OF NEWNHAM

21 After Clause 5, insert the following new Clause –

**“Timeframe for implementation of this Act**

The Secretary of State must, within one month of the day on which this Act is passed, publish an intended timeframe 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.*

LORD HARLECH  
LORD COLGRAIN

**21A** After Clause 5, insert the following new Clause –

**“Duty to consider the lived experience of Reserve Service Personnel**

In carrying out their functions under this Act, the Armed Forces Commissioner must give equal consideration to the lived experience of Reserve Service Personnel and Regular Service Personnel.”

LORD HARLECH

**21B** After Clause 5, insert the following new Clause –

**“Duty to consult with heads of reserves**

In carrying out their functions under this Act, the Armed Forces Commissioner must consult with the heads of the Army, Royal Navy and Royal Air Force reserves before implementing any changes which will affect Reserve Service Personnel.”

**Schedule 2**

BARONESS GOLDIE  
THE EARL OF MINTO

**22** Schedule 2, page 12, line 14, leave out from “2000,” to end of line 15 and insert “for “Service Complaints Ombudsman” substitute “Armed Forces Commissioner”.”

*Member's explanatory statement*

*This amendment makes the Commissioner subject to the Freedom of Information Act 2000.*

LORD COAKER

**23** Schedule 2, page 14, line 27, at end insert –

“21A In section 340N –

- (a) in subsection (1) –
  - (i) in the words before paragraph (a), after “the communication” insert “(“P”);
  - (ii) in each of paragraphs (a) and (b), for “his or her” substitute “P’s”;
  - (iii) in paragraph (b), for “the person” substitute “P”;
  - (iv) in the words after paragraph (b), for “officer” substitute “person”;
- (b) in subsection (2) –
  - (i) for “officer”, in each place, substitute “person”;
  - (ii) for “by the person” substitute “by P”;
- (c) in subsection (3) –

- (i) in the words before paragraph (a), for “officer” substitute “person”;
- (ii) in each of paragraphs (a), (b) and (c), for “the person” substitute “p.”

***Member's explanatory statement***

*This amendment makes provision that is consequential on clause 3.*

**Clause 6**

LORD LANCASTER OF KIMBOLTON

- 24** Clause 6, page 6, line 24, leave out “, except Gibraltar”

**Clause 7**

BARONESS GOLDIE  
THE EARL OF MINTO

- 25** Clause 7, page 6, line 27, at end insert –  
“(za) section 4A;”



# Armed Forces Commissioner Bill

---

SECOND MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

---

*20 March 2025*

---

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS