

Public Authorities (Fraud, Error and Recovery) Bill

AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

[Supplementary to the Marshalled List]

Amendment
No.

Clause 20

BARONESS FINN
VISCOUNT YOUNGER OF LECKIE

- 33A★** Clause 20, page 13, line 1, at beginning insert “If the Minister is unable to determine the share of beneficial interest pertaining to the liable person accurately, then”

Member's explanatory statement

This amendment seeks to assign a duty to the Minister to attempt to determine the share of beneficial interest before using the formula defined in the Bill.

Clause 70

LORD VAUX OF HARROWDEN

- 75A★** Clause 70, page 37, line 32, at end insert —
““reasonable grounds” do not include generalisations or stereotypes of certain categories of people, for example that members of a particular social group are more likely to be involved in fraudulent activity than others, irrespective of whether they are made through entirely automated, partially automated, or non-automated processes;”

Member's explanatory statement

This amendment, and another in the name of Lord Vaux of Harrowden, clarifies that people cannot be investigated for fraud based on stereotypes and generalisations, be this through the use of algorithms, human assessment, or a combination.

Clause 72

LORD VAUX OF HARROWDEN

79A★ Clause 72, page 42, line 10, at end insert—

“(6) In section 191 (interpretation) after the definition of “prescribe” insert—
“reasonable grounds” do not include generalisations or stereotypes of certain categories of people, for example that members of a particular social group who are more likely to be involved in fraudulent activity than others, irrespective of whether they are made through entirely automated, partially automated, or non-automated processes;”

Member's explanatory statement

This amendment, and another in the name of Lord Vaux of Harrowden, clarifies that people cannot be investigated for fraud based on stereotypes and generalisations, be this through the use of algorithms, human assessment, or a combination.

Schedule 3

LORD VAUX OF HARROWDEN

79B★ Schedule 3, page 77, line 16, at end insert—

“(1A) The Secretary of State may issue an eligibility verification notice only if reasonably satisfied that doing so is necessary and proportionate for the purposes of identifying, or assisting in identifying, incorrect payments of a relevant benefit.”

Member's explanatory statement

This amendment would align the safeguards that apply for the use of the eligibility verification powers with the safeguards that exist in other sections of the Bill, such as the power to require information about suspected fraud.

LORD SIKKA

89A★ Schedule 3, page 88, line 23, leave out “by one or more individuals” and insert “solely by the recipient of one of the benefits referred in paragraph 19(1)”

LORD SIKKA

89B★ Schedule 3, page 88, line 39, leave out from “account” to “and” in line 40 and insert “in their name”

Clause 75

LORD VAUX OF HARROWDEN

91A★ Clause 75, page 44, line 11, at end insert—

“(d) the exercise of the Secretary of State's powers under Schedule 3B has had an impact on vulnerable persons.”

Member's explanatory statement

This amendment would ensure that the independent review looks into the impact of the eligibility verification on vulnerable persons.

LORD VAUX OF HARROWDEN

91B★ Clause 75, page 44, leave out lines 15 to 18 and insert—

“(1) The independent person appointed under section 121DC(1) may require, and the Secretary of State must disclose to the independent person or to a person acting on behalf of the independent person, any information that the independent person considers necessary for the purpose of carrying out the reviews under section 121DC.”

Member's explanatory statement

This amendment introduces a requirement for the Secretary of State to disclose all information reasonably requested by the independent reviewer, rather than it being at the discretion of the Secretary of State as to what may be disclosed.

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3 June 2025
