

House of Lords (Hereditary Peers) Bill

SECOND MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment
No.

After Clause 1

LORD TRUE
LORD FORSYTH OF DRUMLEAN
BARONESS BARRAN
LORD MARKHAM

13 After Clause 1, insert the following new Clause —

“Unsalariied Ministers

No one who is a Minister of the Crown shall be eligible for membership of the House of Lords unless they are in receipt of, or have been offered, a salary under the Ministerial and Other Salaries Act 1975.”

Member's explanatory statement

This amendment would mean that unpaid Ministers would not be eligible for membership of the House, effectively requiring all Lords Ministers to be paid.

LORD BLENCATHRA

14 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, or
 - (c) a participation requirement,
- 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”), the Secretary of State must, by regulations made by statutory instrument, amend the following Acts, as appropriate, in order to translate the relevant resolution into statute –
- (a) this Act;
 - (b) the Life Peerages Act 1958;
 - (c) the House of Lords Reform Act 2014.
- (3) 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.

BARONESS MOBARIK
BARONESS JONES OF MOULSECOOMB

15 [Withdrawn]

LORD ASHTON OF HYDE
LORD KEEN OF ELIE
LORD GARNIER
LORD PANNICK

16 After Clause 1, insert the following new Clause –

“Retirement from the House of Lords

In section 1(2)(b) of the House of Lords Reform Act 2014, after “peer” insert “or a person holding a lasting power of attorney for that peer”.”

Member's explanatory statement

This amendment allows for a person holding a lasting power of attorney for a peer to sign on their behalf when notifying the Clerk of the Parliaments of the peer's retirement.

LORD TRUE
BARONESS FINN
LORD LUCAS
LORD BLENCATHRA

17 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.””

Member's explanatory statement

This amendment would make it possible to create a life peerage without a seat in parliament under the Life Peerages Act 1958.

THE EARL OF KINNOULL
LORD BLENCATHRA

- 18 After Clause 1, insert the following new Clause –

“Non-attendance

In section 2 of the House of Lords Reform Act 2014 (non-attendance) –

- (a) in subsection (1), after the second “Lords”, insert “for 10% or more of sitting days”;
- (b) in subsection (2), after “Lords”, insert “for 10% or more of sitting days”;
- (c) in subsection (2)(a), leave out “at no time during the Session attended the House” and insert “attended the House for fewer than 10% of sitting days during the Session”.

Member's explanatory statement

This amendment will ensure that Peers would be required to sit at a minimum for more than 10% of the House's sitting days in order to maintain their membership of this House.

THE EARL OF DEVON
LORD ANDERSON OF IPSWICH

- 19 After Clause 1, insert the following new Clause –

“House of Lords Appointments Commission: recommendations for life peerages

In the Life Peerages Act 1958, after section 1(1) (power to confer life peerages) insert –

- “(1A) During the period of five years following the day on which the House of Lords (Hereditary Peers) Act 2025 comes into force, the House of Lords Appointments Commission may recommend to His Majesty that up to 20 life peerages be conferred on persons who intend to sit in the House of Lords as independent, unaffiliated or non-party Peers.””

Member's explanatory statement

This amendment seeks to encourage the use of the House of Lords Appointments Commission as the means by which members of the Cross Benches are appointed following the removal of Hereditary Peers.

THE EARL OF DEVON

20 After Clause 1, insert the following new Clause —

“Retirement

In section 1(2)(b) of the Life Peerages Act 1958 (power to confer life peerages), after “accordingly”, insert “until the age of 80, or the tenth anniversary of their introduction to the House, whichever is the later”.”

Member's explanatory statement

This amendment will ensure that Peers would be required to retire either at the age of 80 years, or after 10 years of membership, whichever is later. This will allow members that join after the age of 70 to sit for at least a decade.

VISCOUNT THURSO

21 After Clause 1, insert the following new Clause —

“Expiry of right to receive writ of summons

- (1) The Life Peerages Act 1958 is amended as follows.
- (2) In section 1(2)(b) omit “subsection (4)” and insert “subsections (4) and (5).”
- (3) After subsection (4) insert —
 - “(5) For peerages granted after the end of the Parliament in which the House of Lords (Hereditary Peers) Act 2025 is passed, the right to receive a writ of summons expires on the twentieth anniversary of the introduction of the person holding the peerage into the House of Lords.”.”

Member's explanatory statement

This amendment introduces a term limit for peerages created after the end of this Parliament by limiting the right to receive a writ of summons to 20 years. It has no effect on existing peerages.

LORD BRADY OF ALTRINCHAM

22 After Clause 1, insert the following new Clause —

“Future composition of the House of Lords: elections by constituency

The Secretary of State must, within six months of the day on which this Act is passed, lay before Parliament a draft Bill containing legislative proposals for —

- (a) a limit on membership of the House of Lords,

- (b) geographical constituencies, determined by the boundary commission, for members of the House of Lords, and
- (c) first-past-the-post elections to be held for membership of the House of Lords two years after elections are held for the House of Commons.”

LORD BURNS
LORD YOUNG OF COOKHAM
VISCOUNT THURSO
BARONESS HAYMAN

23 After Clause 1, insert the following new Clause –

“Restriction on nominating new life peers

- (1) In the period between the commencement of this Act and the first General Election thereafter, the number of recommendations made to His Majesty for the granting of new life peerages under section 1 of the Life Peerages Act 1958 (power to confer life peerages) must not exceed one new peer for every life peer who leaves the House through retirement or death.
- (2) Following the first General Election after the commencement of this Act, and for as long as the membership of the House of Lords exceeds the membership of the House of Commons, the number of recommendations made to His Majesty for the granting of new life peerages under section 1 of the Life Peerages Act 1958 must not exceed one new peer for every two life peers who leave the House through retirement or death.
- (3) Once the membership of the House of Lords is equal to or less than the membership of the House of Commons, recommendations made to His Majesty for the granting of new life peerages under section 1 of that Act must not be such that they would cause the membership of the House of Lords to exceed the membership of the House of Commons.”

LORD BLENCATHRA

23A After Clause 1, insert the following new Clause –

“House of Lords select committee: implementing recommendations

- (1) Where a select committee of the House of Lords has been established for the purpose of reporting on possible retirement ages for peers, minimum attendance and participation thresholds, and that committee makes recommendations to establish or change –
 - (a) the age at which peers must retire,
 - (b) a minimum attendance requirement, or
 - (c) a participation requirement,a relevant Minister must, within 12 months of the committee reporting, take the action set out in subsection (2).

- (2) The Secretary of State must, by regulations made by statutory instrument, amend the following Acts, as appropriate, in order to give effect to the recommendations in statute —
 - (a) this Act;
 - (b) the Life Peerage Act 1958;
 - (c) the House of Lords Reform Act 2014.
- (3) The recommendations in this section include a motion to approve the recommendations of a select committee, including any amendments to this.
- (4) 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 place changes to the composition of the House recommended by any new select committee on a statutory footing.

Clause 2

LORD WOLFSON OF TREDEGAR
LORD MOYNIHAN
LORD KEEN OF ELIE

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

- “(3) Any peerage claim is to be made to His Majesty in Council.
- (4) A claim under this section must be made in accordance with such rules as His Majesty may by Order in Council prescribe.
- (5) Section 3 of the Judicial Committee Act 1833 (reference to the Judicial Committee of the Privy Council of appeals to His Majesty in Council) applies to a claim under this section as it applies to an appeal to His Majesty in Council from a court.
- (6) The Judicial Committee may require an applicant to give such security for the costs of the proceedings as the Judicial Committee may direct.”

Member's explanatory statement

This amendment clarifies the future of claims to a hereditary peerage as it was originally drafted by the Office of the Parliamentary Counsel for the House of Lords Reform Bill 2012.

THE EARL OF DEVON

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

- “(3) Where claims to hereditary peerages are determined by the Judicial Committee of the Privy Council (pursuant to section 4 of the Judicial Committee Act 1833), the Committee must have regard to principles of gender equality.”

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, where exercising any jurisdiction to determine peerage claims, does so in a manner that is not gender discriminatory to the extent that it is able.

After Clause 2

THE EARL OF DUNDEE

26 After Clause 2, insert the following new Clause —

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

Within 12 months of the day on which this Act comes into force, the Secretary of State must lay before Parliament the report of a review detailing the effect of this Act on the ability of the House of Lords to scrutinise legislation and hold the Government to account.”

Member's explanatory statement

This amendment seeks to require a review of the impact of this Act on the ability of the House of Lords to scrutinise legislation and hold the Government to account.

THE EARL OF DEVON

27 After Clause 2, insert the following new Clause —

“Report: principles of gender equality

- (1) The Secretary of State must, within six months of the day on which this Act comes into force, 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 Secretary of State 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 Secretary of State 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.

THE EARL OF DEVON

28 After Clause 2, insert the following new Clause—

“Review of and consultation on appropriateness of name of House

The Secretary of State must, within six months of the day on which this Act is passed, lay before Parliament a report based on a public consultation on the implications of the provisions in this Act for the appropriateness of the name of the House of Lords.”

Member's explanatory statement

This amendment invites consideration of the suitability of the name “House of Lords” after the removal of the Hereditary Peers from Parliament.

Clause 4

VISCOUNT HAILSHAM

29 Clause 4, page 2, line 16, leave out from “Parliament” to end of line 17 and insert “during which the Secretary of State has published a draft bill with proposals for stage two of House of Lords reform.

- (3A) A “draft bill with proposals for stage two of House of Lords reform” is a draft bill which includes proposals which—
- (a) introduce a mandatory retirement age for members of the House of Lords;
 - (b) introduce term limits of 15 years for life peers;
 - (c) change the process of appointment of members of the House of Lords, so as to limit the discretion of the Prime Minister, and of the leaders of any political party, to secure the appointment of persons to sit and vote in the House of Lords;
 - (d) introduce minimum participation requirements for continued membership of the House of Lords;
 - (e) reduce the number of members entitled to sit and vote in the House of Lords to fewer than 600 by the time the Parliament in which the draft bill was published was dissolved.”

Clause 5

LORD NEWBY
LORD WALLACE OF SALTIRE

30 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

- 31 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”.

After Title

LORD STRATHCLYDE

- 32 After the long title, insert the following new Preamble –

“Whereas it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis, but such substitution cannot be immediately brought into operation:”

Member's explanatory statement

This amendment is copied from the preamble to the 1911 Parliament Act to highlight that Labour's plans for “an alternative second chamber that is more representative of the regions and nations” constitutes the same ambition for a popular basis for the House of Lords and that this Bill, like the 1911 Act, is another holding position because the intended substitution still “cannot be immediately brought into operation”.

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7 July 2025

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS