Commercial Payments Bill [HL]

RUNNING LIST OF ALL

AMENDMENTS ON REPORT

Tabled up to and including

10 September 2026

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

Clause 1

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 1, page 2, line 8, leave out "30" and insert "35"

Member's explanatory statement
This amendment seeks to make the maximum payment period 35 days, instead of 30 days, where the purchaser is a public authority.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

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

"(aa) where the purchaser is a nationalised body, 30 days;"

Member's explanatory statement
This amendment, and another in the name of Lord Hunt, seeks to probe the status of nationalised bodies in this Bill.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 1, page 2, line 9, leave out "60" and insert "65"

Member's explanatory statement
This amendment seeks to make the maximum payment period 65 days, instead of 60 days, where the purchaser is not a public authority.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

Clause 1, page 3, line 7, at end insert—

"“nationalised body” means—
(a) a body corporate established by or under any enactment for the carrying on of any industry or part of an industry, or of any undertaking, under national ownership or control, or
(b) a subsidiary of such a body corporate;
“subsidiary” has the meaning given by section 1159 of the Companies Act 2006."

Member's explanatory statement
This amendment, and another in the name of Lord Hunt, seeks to probe the status of nationalised bodies in this Bill.

LORD FOX

Clause 1, page 3, line 37, at end insert—

"2CA Payments collected by intermediaries

(1) This section applies where, under or in connection with a contract to which section 2B applies (“the supply contract”), a person other than the supplier (“the intermediary”) receives all or part of a relevant payment from the purchaser for onward transmission to the supplier.

(2) This section applies regardless of—
(a) whether the intermediary acts as agent for the supplier or the purchaser or otherwise, and
(b) the legal characterisation of any contract between the intermediary and the supplier or the purchaser.

(3) For the purposes of this section, a relevant payment is not to be treated as made to the supplier until the amount received by the intermediary is received by the supplier.

(4) It is an implied term of any contract between the intermediary and the supplier that the intermediary must pay to the supplier any amount received from the purchaser in respect of a relevant payment under the supply contract before the end of the period of 7 days beginning with the day on which the intermediary receives that amount.

(5) A term of any contract is void so far as it purports to—
   (a) provide for payment to the supplier later than is required by subsection (4), or
   (b) treat a relevant payment as made to the supplier earlier than is provided by subsection (3).

(6) Where the intermediary fails to comply with the implied term in subsection (4), the unpaid amount is to be treated as a qualifying debt owed by the intermediary to the supplier for the purposes of this Act (and statutory interest runs accordingly).

(7) Subsection (4) does not require the intermediary to pay an amount to the supplier so far as the intermediary is entitled to deduct or withhold that amount under a term of a contract with the supplier that is fair and reasonable having regard to the matters specified in Schedule 2 to the Unfair Contract Terms Act 1977, and it is for the intermediary to show that any such term satisfies that test.”

Member's explanatory statement
This amendment closes the online marketplace loophole by providing that payment is not treated as made to a supplier until the supplier actually receives the money, and by requiring any intermediary that collects payment on a supplier's behalf to remit it within 7 days regardless of how the intermediary is legally characterised.

After Clause 1

LORD FOX

After Clause 1, insert the following new Clause—

“Review of maximum payment period for non-public authority purchasers

(1) Within the period of five years beginning with the day on which section 1 comes into force, the Secretary of State must lay before Parliament—
   (a) draft legislation to substitute “45 days” for “60 days” in section 2B(2)(b) of CPILPA 1998, or
   (b) a statement explaining why the Secretary of State has not done so.

(2) Draft legislation under subsection (1)(a) may make consequential, transitional or saving provision, including provision amending any reference to a period of 60 days elsewhere in that Act that is consequential on the substitution.

(3) Before laying anything under subsection (1), the Secretary of State must consult such persons as the Secretary of State considers appropriate, including persons appearing to represent the interests of small businesses and of larger businesses.”

Member's explanatory statement
This amendment requires the Secretary of State, within five years, either to lay draft legislation reducing the maximum payment period for private purchasers from 60 to 45 days, or to explain to Parliament why not.

Clause 3

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 3, page 7, leave out lines 17 to 30

Member's explanatory statement
This amendment seeks to probe the scope and impact of exempting upwards payments from the restriction on payment terms, given the fact that many of the suppliers will still be small or medium businesses.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 3, page 8, leave out lines 17 to 24 and insert—

"(7) In subsections (2) and (3)—

"a micro undertaking" means an undertaking which has no more than 10 full-time equivalent employees, and has—
(a) a turnover of no more than £1 million, or
(b) a balance sheet total of no more than £500,000;

"a small undertaking" means an undertaking other than a micro undertaking which has no more than 50 full-time equivalent employees, and has—
(a) a turnover of no more than £15 million, or
(b) a balance sheet total of no more than £7.5 million;

"a medium-sized undertaking" means an undertaking other than a small undertaking or micro undertaking which has no more than 250 full-time equivalent employees, and has—
(a) a turnover of no more than £54 million, or
(b) a balance sheet total of no more than £27 million;

"a large undertaking" means any undertaking other than a medium-sized undertaking, small undertaking or micro undertaking."

Member's explanatory statement
This amendment, and others in the name of Lord Hunt of Wirral, seek to create a standardised definition of different sized businesses on the face of the CPILPA 1998.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 3, page 8, leave out lines 33 to 44

Member's explanatory statement
This amendment, and others in the name of Lord Hunt of Wirral, seek to create a standardised definition of different sized businesses on the face of the CPILPA 1998.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 3, page 8, line 44, at end insert—

“(9A) Regulations under subsection (7) must not specify criteria of undertakings that differ from—

(a) the Procurement Act 2023 (see section 123 of that Act),

(b) the Companies Act 2006 (see sections 382, 383, 384, 384A, 465 and 466 of that Act),

(c) the Enterprise Act 2016 (see section 2 of that Act), or

(d) the Small Business, Enterprise and Employment Act 2015 (see sections 33 and 34 of that Act),

without amending all of those Acts in accordance with the Secretary of State’s criteria.”

Member's explanatory statement
This amendment seeks to prevent the Secretary of State from creating a new definition for different-sized businesses without standardising all existing definitions.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 3, page 9, line 1, leave out from “means” to end of line 2 and insert “—

(a) a person carrying on one or more businesses;

(b) a voluntary or community body, as defined in section 29 (section 28(1)(b): interpretation) of the Small Business, Enterprise and Employment Act 2015;

(c) a body which is formed or recognised under the law of a country or territory outside of the United Kingdom and which is equivalent in nature to a body falling within the definition of voluntary or community body.”

Member's explanatory statement
This amendment, and another in the name of Lord Hunt of Wirral, seeks to create a standardised definition of different sized businesses on the face of the CPILPA 1998.

After Clause 3

LORD LEONG

After Clause 3, insert the following new Clause—

"Powers to shorten payment terms

After section 2E of the CPILPA 1998 (inserted by section 3), insert—

"2F Powers to shorten payment terms

(1) The Secretary of State may by regulations substitute the number of days for the time being specified in sections 2B(2)(a) and 2D(3)(a).

(2) Regulations under subsection (1)—
 (a) may not specify a number of days higher than 30;
 (b) must specify the same number of days in sections 2B(2)(a) and 2D(3)(a).

(3) The Secretary of State may by regulations substitute the number of days for the time being specified in sections 2B(2)(b) and 2D(3)(b).

(4) Regulations under subsection (3)—
 (a) may not specify a number of days higher than 60;
 (b) must specify the same number of days in sections 2B(2)(b) and 2D(3)(b).

(5) The Secretary of State may by regulations substitute the number of days for the time being specified in section 2B(5), but the regulations may not specify a number of days higher than 30.

(6) The Secretary of State may by regulations substitute the number of days for the time being specified in section 2C(3), but the regulations may not specify a number of days higher than 30.

(7) The Secretary of State must, within the required period, consult such persons as the Secretary of State considers appropriate about whether to make regulations under subsections (1), (3), (5) and (6) and the number of days that might be specified in such regulations.

(8) In subsection (7) "the required period" means the period of five years beginning with the day on which sections 2B and 2D come into force (or, if they come into force on different days, the later of those days).""

Member's explanatory statement
This new clause enables the Secretary of State to make regulations to shorten the payment periods set out in various provisions of the Bill.

Clause 4

LORD LEONG

Clause 4, page 9, line 4, leave out "2E" and insert "2F"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

LORD LEONG

Clause 4, page 9, line 4, leave out "3" and insert "(*Powers to shorten payment terms*)"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

LORD LEONG

Clause 4, page 9, line 7, leave out "2F" and insert "2G"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 4, page 9, line 14, at end insert—

"(3) Qualifying debt created by this contract does not carry simple interest should it result from a delayed payment caused by a public holiday."

Member's explanatory statement
This amendment seeks to create an exemption from debt interest should the payment be made within the payment period and be delayed due to a public holiday.

After Clause 10

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

After Clause 10, insert the following new Clause—

"Special administration: continuity of payment obligations

(1) This section applies where a purchaser under a contract to which the CPILPA 1998 applies is subject to a special administration regime.

(2) The provisions of the CPILPA 1998 relating to payment terms and statutory interest (including sections 2B, 2C and 2D and Part 1B of that Act) continue to apply in relation to a relevant supply notwithstanding the special administration or any moratorium having effect in connection with it.

(3) Nothing in this section affects the operation of any such moratorium specified in subsection (2) in relation to the enforcement of a debt.

(4) In this section "relevant supply" means a supply of goods or services made after the appointment of the special administrator—

(a) at the request of, or with the agreement of, the special administrator, or

(b) in circumstances in which section 233, 233A or 233B of the Insolvency Act 1986 (as applied in relation to the special administration regime concerned) restricts the supplier from terminating the contract or the supply, or from making continued supply conditional on payment of outstanding charges.

(5) In determining for the purposes of the CPILPA 1998 the maximum period within which a relevant payment or relevant construction payment in respect of a relevant supply must be paid, the purchaser is to be treated as if it were a public authority.

(6) Sums payable in respect of a relevant supply, including statutory interest, are payable as expenses of the special administration.

(7) Nothing in this section—

(a) applies in relation to sums payable for goods or services supplied before the appointment of the special administrator takes effect (see section (*Special administration: sums owed to suppliers required to continue supply*));

(b) except as provided by subsection (5), affects the order of priority in which debts, liabilities or expenses are payable under or in connection with the special administration regime.

(8) In this section—

"special administration regime" means a procedure under any enactment which provides for the administration of a company by a person appointed by the court and applies provisions of the Insolvency Act 1986, with or without modifications, for purposes that include securing the continued provision of a supply or service (including special administration under sections 23 to 26 of the Water Industry Act 1991, sections 59 to 65 of the Railways Act 1993 and sections 154 to 171 of the Energy Act 2004);

"special administrator" means the person appointed to manage the affairs of the company under such a procedure."

Member's explanatory statement

This amendment seeks to provide that the maximum payment periods and statutory interest under the Bill continue to apply to supplies made to a company in special administration at the administrator's request or in circumstances where insolvency legislation restricts the supplier from ceasing supply, and would apply the 30-day period the Bill sets for public authorities to such supplies.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

After Clause 10, insert the following new Clause—

"Special administration: sums owed to suppliers required to continue supply

(1) This section applies where—
 (a) a purchaser under a contract to which the CPILPA 1998 applies is subject to a special administration regime, and
 (b) after the appointment of the special administrator, the supplier continues to supply goods or services to the purchaser—
  (i) in circumstances in which section 233, 233A or 233B of the Insolvency Act 1986 (as applied in relation to the special administration regime concerned) restricts the supplier from terminating the contract or the supply, or from making continued supply conditional on payment of outstanding charges, or
  (ii) at the request of the special administrator.

(2) The supplier may give notice in writing to the special administrator requiring the certification of qualifying pre-appointment sums.

(3) Before the end of the period of 14 days beginning with the day on which a notice under subsection (2) is received, the special administrator must certify the qualifying pre-appointment sums owed to the supplier.

(4) Certified sums must, subject to any cap specified in regulations under subsection (6), be discharged as expenses of the special administration before the end of the period of 60 days beginning with the day of certification.

(5) In this section "qualifying pre-appointment sums" means sums which—
 (a) relate to goods or services supplied to the purchaser before the appointment of the special administrator, and
 (b) are not the subject of a genuine dispute.

(6) The Secretary of State may by regulations made by statutory instrument—
 (a) specify a cap on the sums payable to a supplier under this section, whether by amount or by proportion of the sums certified;
 (b) provide for this section to apply only to suppliers of a specified description, including a description framed by reference to the size of the supplier's undertaking;
 (c) make provision about notices, certification and the resolution of disputes under this section.

(7) A statutory instrument containing regulations under subsection (6) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(8) Except as provided by subsection (4), nothing in this section affects the priority of any claim in the special administration.

(9) In this section "special administration regime" and "special administrator" have the same meanings as in section (*Special administration: continuity of payment obligations*)."

Member's explanatory statement
This amendment would enable a supplier required by insolvency legislation to continue supplying a company in special administration to have undisputed sums owed for supply made before the administrator's appointment certified and discharged within defined periods, subject to caps and eligibility limits set in regulations.

Clause 11

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 11, page 15, line 34, at end insert—

"(3) A party to a construction contract is not precluded from engaging with a third party in the transference of money to another party to the construction contract under subsection (1)."

Member's explanatory statement
This amendment seeks to probe whether escrow arrangements would still be permitted under the terms of the Bill.

Clause 13

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 13, page 18, line 22, at end insert—

"(4A) A party to a construction contract is not precluded from staging payments to another party to the construction contract under this section."

Member's explanatory statement
This amendment seeks to probe whether staging payments would still be permitted under the terms of the Bill.

After Clause 17

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

After Clause 17, insert the following new Clause—

"Exempted contracts: resident-run or resident-owned properties

(1) The provisions in this Chapter do not apply where the contracting party described in 113A(1) of the HGCRA 1996 as "A" (the construction client) is—

(a) a resident management company, or

(b) a right to manage company within the meaning of Chapter 1 of Part 2 of the Commonhold and Leasehold Reform Act 2002 (right to manage).

(2) "Resident management company" means a body corporate which is party to a lease of a building where—

(a) the body corporate is limited by guarantee, and the members of that body are tenants under leases of dwellings in the building ("leaseholders"), or

(b) the majority of the shares of the body corporate are held by leaseholders."

Member's explanatory statement
This amendment seeks to exempt from the ban on retention payments resident-run or resident-owned blocks of flats engaged in building or safety defect remediation work.

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

After Clause 17, insert the following new Clause—

"Prohibition of forced payment methods

A party to a contract must not, in receiving the transference of money from another party to the contract, force the supplier to use a different payment method other than that specified in the contract."

Member's explanatory statement
This amendment seeks to prevent the forced use of payment methods other than that specified in the terms of the contract.

Clause 18

LORD LEIGH OF HURLEY
LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 18, page 22, line 26, at end insert—

"(1A) It is not a defence for the larger business to claim that payment was withheld due to the small business not complying with non-statutory environmental, social and governance requirements that are not included in the terms of the contract."

Member's explanatory statement
This amendment seeks to remove the non-compliance of non-statutory ESG requirements as a defence for larger businesses not paying small businesses.

LORD FOX

Clause 18, page 22, line 35, insert—

“(5A) The adjudicator must reach a decision determining a relevant payment dispute before the end of the period of 60 days beginning with the day on which the dispute is referred to adjudication under the scheme.

(5B) The adjudicator may compel parties to share relevant information with itself, if the sharing of such information is necessary for the fulfilment of the duty under subsection (5A).

(5C) The Commissioner may extend the period in subsection (5A), in relation to a particular dispute, by such further period as the Commissioner considers reasonable, having regard in particular to the complexity of the dispute and the conduct of the parties.

(5D) Where the Commissioner extends the period under subsection (5C), the Commissioner must notify the parties of the extension and of the reasons for it.”

Member's explanatory statement
This amendment requires payment disputes referred to the adjudication scheme to be resolved within 60 days, unless the Small Business Commissioner considers a longer period reasonable.

LORD LEIGH OF HURLEY
LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 18, page 24, line 5, at end insert—

“(3A) The Commissioner must give written reasons for the decision to decline to adjudicate a relevant payment dispute under subsection (3).”

Member's explanatory statement
This amendment would require the Small Business Commissioner to alert both parties in a payment dispute of the reasons for declining to adjudicate a dispute, should they so choose to.

Clause 19

LORD LEIGH OF HURLEY
LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Clause 19, page 27, line 7, at end insert—

“(6A) In subsection (4) “a sufficient number of occasions” must be defined by the Commissioner within six months of the day on which the Commercial Payments Act 2026 is passed.”

Member's explanatory statement
This amendment seeks to require the Small Business Commissioner to define "a sufficient number of occasions".

Clause 24

LORD FOX

Clause 24, page 37, line 42, leave out "in the United Kingdom"

Member's explanatory statement
This amendment concerns regulations enabling the Small Business Commissioner to impose financial penalties for breach of payment reporting requirements. This amendment has the result that the penalties need not be linked to turnover in the United Kingdom.

LORD FOX

Clause 24, page 38, line 2, leave out "in the United Kingdom"

Member's explanatory statement
This amendment mirrors my amendment of clause 24, page 37, line 42.

LORD FOX

Clause 24, page 38, line 5, leave out "in the United Kingdom"

Member's explanatory statement
This amendment mirrors my amendment of clause 24, page 37, line 42.

After Clause 25

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM
LORD LEIGH OF HURLEY

After Clause 25, insert the following new Clause—

"Review: payment terms and statutory insolvency moratoria

(1) The Secretary of State must, before the end of the period of six months beginning with the day on which this Act is passed, prepare and lay before Parliament a report on the operation of maximum payment periods and statutory interest under the CPILPA 1998 in relation to companies subject to statutory insolvency moratoria, including companies in special administration.

(2) The report must in particular consider—

(a) whether the maximum payment periods and statutory interest provided for by the CPILPA 1998 apply, and should apply, to supplies made to a company after the appointment of a special administrator;

(b) the treatment of sums owed, at the date of such an appointment, to suppliers whom section 233, 233A or 233B of the Insolvency Act 1986 (as applied in relation to the special administration regime concerned) restricts from ceasing supply or from making continued supply conditional on payment of outstanding charges;

(c) the effect of any moratorium on the accrual, recovery and enforcement of sums due under a contract to which the CPILPA 1998 applies and is of statutory interest;

(d) the interaction between any moratorium and the SBC adjudication scheme;

(e) whether suppliers making supplies within paragraph (a) should, for payment-timing purposes, be treated in the same way as suppliers to public authorities;

(f) the effect of the matters mentioned in paragraphs (a) to (e) on small and medium-sized suppliers and on the resilience of the supply chains on which providers of essential services depend;

(g) whether further provision should be made, by or under this Act or any other enactment, in connection with the matters in paragraphs (a) to (f).

(3) Before preparing the report the Secretary of State must consult such persons as the Secretary of State considers appropriate, including persons appearing to the Secretary of State to represent suppliers to providers of essential services.

(4) The report must state whether the Secretary of State proposes to make further provision in connection with any matter within subsection (2) and, if so, describe the provision proposed.

(5) If, before the report is laid before Parliament, a person becomes subject to a special administration regime, the Secretary of State must, before the end of the period of 28 days beginning with the day on which the appointment of the special administrator takes effect, lay before Parliament an interim statement addressing the matters in subsection (2)(a) to (c) in relation to that special administration regime.

(6) In this section—

"moratorium" means any restriction, imposed by or under an enactment in connection with an insolvency procedure, on the enforcement of a debt owed by the person subject to the procedure, on the institution or continuation of legal process against that person or that person's property, or on the exercise of contractual rights (including rights of termination) against that person;

"the SBC adjudication scheme" has the meaning given by section 2A of the Enterprise Act 2016 (inserted by section 18 of this Act);

"special administration regime" means a procedure under any enactment which provides for the administration of a company by a person appointed by the court and applies provisions of the Insolvency Act 1986, with or without modifications, for purposes that include securing the continued provision of a supply or service (including, in particular, special administration under sections 23 to 26 of the Water Industry Act 1991, sections 59 to 65 of the Railways Act 1993 and sections 154 to 171 of the Energy Act 2004 and "special administrator" is to be read accordingly).”

Member's explanatory statement
This amendment would require the Secretary of State to report to Parliament within six months on how the Bill’s payment periods and statutory interest operate where a purchaser is subject to an insolvency moratorium, including special administration, and on the treatment of suppliers required by insolvency legislation to continue supply, with an interim statement to Parliament if a special administration begins before the report is laid.

LORD FOX

After Clause 25, insert the following new Clause—

“Funding of the Small Business Commissioner: statement to Parliament

(1) The Secretary of State may not appoint a day under section 31(1) for the coming into force of any provision of Part 2, or of Schedule 4, until the Secretary of State has laid before each House of Parliament a statement setting out the Government’s plan for funding the exercise by the Small Business Commissioner of the functions conferred or modified by this Act.

(2) The statement must in particular set out—

(a) the resources the Secretary of State considers the Commissioner will require to operate the SBC adjudication scheme and to carry out investigations under section 2H of the Enterprise Act 2016,

(b) the funding the Secretary of State intends to make available for each of the first three financial years following commencement, and

(c) the basis on which the adequacy of that funding will be kept under review.”

Member's explanatory statement
This amendment prevents the Commissioner’s new adjudication and investigation functions from being commenced until the Government has laid before Parliament a plan for funding them.

LORD FOX

After Clause 25, insert the following new Clause—

“Definitions used in this Act: review and commencement

(1) The Secretary of State may not appoint a day under section 31(1) until the Secretary of State has laid before each House of Parliament a report reviewing the definitions used in this Act and in the CPILPA 1998 as amended by this Act, and their consistency with definitions used for corresponding purposes in other enactments.

(2) The report must in particular consider the definitions of—

(a) “a micro undertaking”, “a small undertaking”, “a medium-sized undertaking” and “a large undertaking”;

(b) “undertaking”;
(c) “small business” for the purposes of the Enterprise Act 2016;
(d) “public authority”;
(e) “purchaser” and “supplier”;
(f) “turnover” and “balance sheet total”, including the basis on which each is to be determined and the date or dates by reference to which it is determined;
(g) “relevant payment”, “relevant construction payment” and “qualifying debt”;
(h) “construction contract” and “construction operations”;
(i) any other term defined by or under this Act which the Secretary of State considers material to the operation of this Act.

(3) In relation to each definition mentioned in subsection (2), the report must consider its consistency with any corresponding definition in—
(a) the Companies Act 2006 (see sections 382, 383, 384, 384A, 465 and 466 of that Act),
(b) the Small Business, Enterprise and Employment Act 2015 (see sections 29, 33 and 34 of that Act),
(c) the Enterprise Act 2016 (see section 2 of that Act),
(d) the Procurement Act 2023 (see section 123 of that Act),
(e) the Digital Markets, Competition and Consumers Act 2024,
(f) the Housing Grants, Construction and Regeneration Act 1996,
(g) the Insolvency Act 1986, and
(h) any other enactment which the Secretary of State considers relevant.

(4) The report must in particular assess—
(a) where and to what extent the definitions mentioned in subsection (2) differ from those mentioned in subsection (3), and the reasons for any such difference,
(b) the compliance costs and administrative burden arising from this Act as a result of any such difference, in particular for micro, small and medium-sized undertakings,
(c) the extent to which any such difference gives rise to uncertainty as to whether a person or a contract falls within the scope of this Act,
(d) the effect of any such difference on the exercise by the Small Business Commissioner of functions conferred or modified by this Act, including the SBC adjudication scheme,
(e) whether the definitions used in this Act should be standardised with those used in the enactments mentioned in subsection (3), and if so by what means, and
(f) whether the power to make regulations under section 3 should be exercised, or amended, in consequence of the matters considered under paragraphs (a) to (e).

(5) Before preparing the report the Secretary of State must consult such persons as the Secretary of State considers appropriate, including persons appearing to the

Secretary of State to represent the interests of small businesses and of larger businesses.

(6) The report must state whether the Secretary of State proposes to make further provision in connection with any matter within subsection (4) and, if so, describe the provision proposed and the timetable for making it.

(7) In this section "the SBC adjudication scheme" has the meaning given by section 2A of the Enterprise Act 2016 (inserted by section 18 of this Act)."

Member's explanatory statement
This amendment would prevent the Secretary of State from commencing various provisions of the Bill until the Government has laid before Parliament a review of the definitions used in the Bill and their consistency with the definitions used for corresponding purposes in other legislation.

Clause 28

LORD LEONG

Clause 28, page 40, line 19, after "Act" insert "or regulations made under this Act"

Member's explanatory statement
This amendment ensures that if the powers proposed by my new clause were exercised to change a payment period, the necessary consequential changes could be made to other statutory provisions.

Schedule 1

LORD LEONG

Schedule 1, page 43, line 20, leave out "2F" and insert "2G"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

LORD LEONG

Schedule 1, page 43, line 23, leave out "2F(1)" and insert "2G(1)"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

LORD LEONG

Schedule 1, page 44, line 21, at end insert—

"(e) section 2F(1),
(f) section 2F(3),
(g) section 2F(5), or

(h) section 2F(6),"

Member's explanatory statement
This amendment deals with ancillary matters relating to the powers proposed by my new clause, namely consultation before exercise of powers, consent of devolved authorities and Parliamentary procedure, as set out in section 15 of the Commercial Payments and Interest on Late Payment Act 1998.

LORD LEONG

Schedule 1, page 44, line 23, at end insert—

"(3A) The duty in subsection (3)(e), (f), (g) or (h) may be satisfied by consultation that took place in compliance with the duty in section 2F(7)."

Member's explanatory statement
This amendment has the effect that if the Secretary of State has consulted about whether to shorten payment terms as required by my new clause, that counts as satisfying the consultation requirements set out in section 15 of the Commercial Payments and Interest on Late Payment Act 1998.

LORD LEONG

Schedule 1, page 46, line 10, leave out "2F(1)" and insert "2G(1)"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

LORD LEONG

Schedule 1, page 47, line 32, leave out "2F(1)" and insert "2G(1)"

Member's explanatory statement
This amendment is consequential on my proposed new clause.

Schedule 3

LORD FOX

★ Schedule 3, page 58, line 3, leave out "in the United Kingdom"

Member's explanatory statement
This amendment concerns financial penalties that may be imposed by the Small Business Commissioner in relation to poor payment practices. This amendment has the result that the penalties need not be linked to turnover in the United Kingdom.

LORD FOX

★ Schedule 3, page 58, line 4, leave out “in the United Kingdom”

Member's explanatory statement
This amendment mirrors my amendment of Schedule 3, page 58, line 3.

LORD FOX

★ Schedule 3, page 59, line 30, leave out “in the United Kingdom”

Member's explanatory statement
This amendment mirrors my amendment of Schedule 3, page 58, line 3.

Schedule 4

LORD HUNT OF WIRRAL
LORD SHARPE OF EPSOM

Schedule 4, page 60, line 22, after “functions),” insert—

“(a) in subsection (1), for paragraphs (a) to (c) substitute—

“(a) has no more than 50 full-time equivalent employees, and

(b) has a turnover of no more than £15 million or a balance sheet total of not more than £7.5 million.”;

(b)”

Member's explanatory statement
This amendment seeks to amend the definition of small business in the Enterprise Act 2016.

Commercial Payments Bill [HL]

RUNNING LIST OF ALL
AMENDMENTS ON REPORT

Tabled up to and including
10 September 2026

10 September 2026

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