National Assembly for **Wales**
Cynulliad Cenedlaethol **Cymru**

Government of Wales Bill 2005-2006: Second Reading

Abstract
The Government of Wales Bill 2005-2006 received its Second Reading in the House of Commons on 9 January 2006.

This paper provides a summary of key issues which emerged in the debate.

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Cynulliad Cenedlaethol Cymru
National Assembly for Wales

Government of Wales Bill 2005-2006: Second Reading

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Executive Summary

This paper provides a brief overview of some of the key issues that were raised in the Second Reading Debate on the Government of Wales Bill 2005-06 which was held on Monday 9 January 2006. It covers:

- The reasoned amendment put down by the Conservatives to refuse the Bill a Second Reading because there was no commitment to a referendum before implementing Part 3 of the Bill.
- Pre-legislative Scrutiny of Orders in Council in Parliament and the Assembly.
- The powers of the Secretary of State in the Bill.
- The issue of dual candidacy on the additional list and in constituencies for elections to the Assembly.
- Miscellaneous issues raised in the debate such as the role of the House of Lords and the whether the Assembly could hold successive referendums under Part 4 of the Bill.
- Annex 1 sets out a programme for the rest of the Bill's passage through the House of Commons

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1 Introduction

The Government of Wales Bill received its Second Reading in the House of Commons on Monday 9 January 2006.

The Bill gives effect to the proposals set out in the White Paper, *Better Governance for Wales*, which was published in June 2005. These are: to effect formal separation between the Executive and Legislative parts of the Assembly; to make changes to electoral arrangements to the Assembly and to enhance the Assembly's legislative powers.

The Secretary of State for Wales, the Rt.Hon. Peter Hain MP set out the rationale for the Bill:

> Much has changed since the House debated the original Government of Wales Bill. The budget of the National Assembly has nearly doubled, and the responsibilities of the Assembly have also increased. In the past 18 months alone, this House has resolved to transfer from Westminster to Cardiff Bay a number of important new policy areas: animal welfare, the fire and rescue services, student support and more children's services.
>
> Devolution has not stood still; it has evolved, and through the measures contained in this Bill it will evolve still further. But there is widespread acceptance of the need for reform. The Assembly's corporate status, modelled on local government, was an innovative idea in theory, which has proved less successful in practice. All parties accept the case for change, and the Bill will reform the internal architecture of the Assembly to provide for enhanced democratic accountability.[1]

He also expressed the belief that:

The Bill delivers a lasting settlement that will settle the constitutional argument in Wales for a generation or more. Instead of constantly revising and returning to the issue of its powers and electoral arrangements, the Assembly will now be able to focus on policy development and delivery, in education, health and all the other devolved fields. The constant demand "More powers" will be redundant: they will be on the statute book when the Bill receives Royal Assent, ready for implementation after a successful referendum. Instead of powers, the real question will be: are the Welsh Assembly Government delivering or not? What are the future policies necessary to build a world-class Wales? Political arguments over policies will replace political arguments over powers, so that Welsh political culture gains full maturity.[2]

2 The Conservatives' Reasoned Amendment

The second reading stage of a bill provides MPs with their first opportunity to debate the broad principles which it contains. At the end of the second reading debate the House of Commons will vote on whether the bill should be proceeded with.

At this stage MPs can propose that a reasoned amendment be made to the Bill, explaining why they believe the bill should be rejected at this second reading stage.

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[1] HC Deb, 9 January 2006, c.31
[2] Ibid. c.32

A vote is taken on the reasoned amendment and if it is passed by the House then the bill is unable to continue its passage through Parliament

The Conservative Party and the new Shadow Secretary of State for Wales, Cheryl Gillan MP, tabled a reasoned amendment to the Bill was put down, which read.

> That this House declines to give a Second Reading to the Government of Wales Bill because there has been inadequate consultation about the electoral arrangements proposed in the Bill; and because the Bill fails to provide for a referendum on the introduction of the Orders in Council mechanisms for conferring enhanced legislative powers on the National Assembly for Wales.[3]

The Secretary of State described the reasoned amendment as a "wrecking amendment"

> The Conservatives, at the first opportunity, are asking us to kill the Bill. They could have achieved a debate, vote and decision on their concerns by tabling three new clauses on a referendum on bringing into force the part 3 Orders in Council, and an amendment to clause 7 on dual candidacy. If they were acting in the spirit of consensus promised by the Leader of the Opposition and echoed by the shadow Secretary of State, that is what they could have done.

Mrs Gillan responded:

> Will he confirm that he received a letter from me, dated 21 December, in which I explained in words of one syllable that although I had tabled a reasoned amendment, it should not be interpreted as opposition to every element of the Bill, and that I reassured him that where we have common ground, he could expect our support? I hope that he will acknowledge that he received that letter and that he is misrepresenting my position, because I have told him and have given him every indication that I will be supportive where I believe that we have common ground and can work constructively. Otherwise, I think that the Bill deserves detailed scrutiny at every stage.[4]

During the course of the debate Conservative speakers argued that the proposals to empower the National Assembly for Wales to make Measures though Orders on Council passed in Westminster constituted a radical constitutional departure and should therefore be subject to a referendum. The Shadow Attorney-General, Dominic Grieve MP, challenged the Secretary of State for Wales:

> The Secretary of State says that the proposal is in tune with the people of Wales and with democratic principles, but that is the very thing that the Bill is not, because it provides a mechanism for Government by Orders in Council, bypassing the scrutiny of this House and doing so without asking the Welsh people whether that is the system that they wish to have. Would he please address that issue, because it is fundamental?

The Secretary of State responded that the Conservatives at Westminster were "returning to the old anti-devolution, anti-Wales, anti-Welsh Assembly politics" and highlighted an apparent contradiction of views expressed by their colleagues in the Assembly. Mr Grieve replied:

> The Secretary of State clearly did not listen to what I said to him. I did not suggest that there was anything undemocratic about devolving further powers to the Welsh Assembly. If the Government wish to give the Welsh Assembly primary legislative

[3] HC, Order of Business, 9 January 2006.
http://www.publications.parliament.uk/pa/cm200506/cmagenda/ob60109.htm
[4] HC Deb, 9 January 2006,c.30

> functions—for which they provide in the Bill— they can do so, if they can secure the approval of the Welsh people by referendum. But that is not what the Government are trying to do in the Bill. The most important part of it is about bypassing, ultimately, both the Assembly and this place to govern by Order in Council. What is the democratic justification for such an extraordinary system?[5]

In response, the Secretary of State said that "the Bill provides for Parliament to be in charge, just as it is now. Instead of providing for the devolving of powers to the Assembly through primary legislation, it provides an opportunity to devolve powers to the Assembly through Orders in Council—subject, as I shall explain, to prior scrutiny." He also asserted that to have a referendum on this issue was a "bizarre, astonishing idea" and would cost £7million. He concluded:

> Can the hon. Gentleman imagine asking local people on their doorsteps, "Do you want to vote yes or no on whether measures should be decided through primary legislation or through Orders in Council?"? Can he imagine the response that he would receive?[6]

3 Parliamentary Scrutiny of Orders in Council

The Bill establishes a new Order in Council procedure that will enable Parliament to grant the Assembly the power to make its own laws over the specific matter set out in the Order in Council. The Secretary of State informed the House that the Orders would not be long and would not set out the detail of the policy that the Assembly wishes to implement. This information would be set out in an explanatory memorandum. The orders will simply define the scope of the powers being conferred on the Assembly and Parliament will vote on the principle of the Assembly acquiring those powers. He then outlined the main procedural stages where the Welsh Assembly Government have initiated a proposal for an Order in Council.

> First, a preliminary draft Order in Council would be prepared following discussion between the Welsh Assembly Government, relevant Whitehall Departments, and the Wales Office.
>
> Secondly, the preliminary draft would be submitted to pre-legislative scrutiny by Parliament and the Assembly. The precise nature of pre-legislative scrutiny would be a matter for the House and for the Assembly to determine. The processes are therefore not laid down in the Bill, but I hope that the successful model of the Welsh Affairs Committee scrutinising Wales-only Bills, such as the Transport (Wales) Bill, in tandem with the relevant Assembly Committee could be applied to Orders in Council, as my hon. Friend the Member for Wrexham (Ian Lucas) suggested.
>
> That process of pre-scrutiny will give all Members of this House an opportunity to become involved if they wish in examining requests from the Assembly at an early stage, with the Secretary of State and the Assembly making modifications as appropriate in response to parliamentary recommendations. Parliament will therefore be an active player in shaping the future powers of the Assembly.
>
> After pre-scrutiny has been completed, there would be a formal statutory process for agreeing the final text. Once the final text of a draft order had been approved by the Assembly, it would be sent to the Secretary of State who must, by the end of 60 sitting days, either have laid the draft Order in Council before both Houses of Parliament or have given the First Minister written reasons for not being prepared to do so. The 60-day deadline is needed principally to cover those occasions, which I believe will be infrequent, where there has not been consensual co-operation between the Welsh

[5] Ibid., c. 26-7.
[6] Ibid.

> Assembly Government and the Wales Office in the development of the proposal. Once the order has been laid by the Secretary of State, it would then have to be approved by both Houses of Parliament on an affirmative resolution.[7]

Dominic Grieve expressed concern that the scrutiny would not be on the details of the legislation but on the principles of the area to be delegated for the Assembly to legislate on and expressed the view that this constituted a "considerable abdication of the responsibility of Members of this House without the people of Wales endorsing that".

The Secretary of State denied that this was a major constitutional shift and re-asserted his point that "Parliament will still be in charge". He explained:

> Since 1999, legislation that has gone through the House has provided for the Assembly to take through regulations by secondary legislation to determine detailed policies. There is no difference in principle between that and a procedure through which the Assembly draws up Assembly measures by Orders in Council rather than primary legislation, because Parliament is still in charge. Each Order in Council will be accompanied by an explanatory memorandum that will explain the provision's purpose fully to all hon. Members—whether they are Welsh or not—so that they will be able to take a view on the matter.[8]

The Government plans for granting the Assembly powers through Orders in Council was also challenged from its own benches by Alan Williams, MP for Swansea West and Chair of the Liaison Committee. He was concerned "that if just one non-controversial, innocuous order is passed, a policy area is opened. Once that happens, the Assembly is free to introduce new measures with different policy objectives, without having to go for a further order. It is a form of creeping devolution". He went on:

> In view of that, and because that is a result of the order process proposed, it is important that we examine how thorough and efficient are the safeguards provided under the order process, in both the Lords and the Commons. My right hon. Friend knows, as I and every other Member of this House know, that a one and a half hour order cannot be amended. By the time that the Front Bench speeches have finished, there is hardly any time for any alternative opinion. Indeed, by the nature of the House of Commons, it is improbable that the House would be packed with English Members who were gasping to hear the detailed reasons why the order should not be introduced.[9]

Mr Williams agreed with the case for a Joint Committee between the House and the Assembly as mooted by the Secretary of State for the pre-legislative scrutiny stage. However, he announced his intention to :

> suggest to the Liaison Committee [*that*] another element is necessary, otherwise the two groups that make up the Select Committee would both be predominantly in favour of devolution going as far as possible. Therefore, the Joint Committee needs an element that would look after the interests of the House of Commons and consider the constitutional impact of the propositions outside Wales. My colleagues on the Liaison Committee and I will consider the possibility of the Constitutional Affairs Committee also being represented.[10]

Mr Williams' concerns about the scrutiny process in Parliament were shared by the Rt. Hon. Paul Murphy MP, a former Secretary of State for Wales. He stated:

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[7] HC Deb, 9 January 2006. C.36
[8] Ibid. c.37.
[9] Ibid. c.53
[10] Ibid.

> I am a little doubtful—I agree with my right hon. Friend the Member for Swansea, West (Mr. Williams), the Father of the House—about the way in which Parliament will deal with scrutiny in that Order in Council process. I am not convinced that we have got that right yet. As Secretary of State for Northern Ireland, my right hon. Friend knows that the Order in Council provision, which is used to legislate while there is direct rule for Northern Ireland, does not allow for amendments to be made to legislation and that there is a limit of one and a half hours for debate. I know that putting on the face of the Bill improvements to our method of scrutiny would be a problem, but Parliament and the Government ought to consider in more detail how the process could be improved. Pre-legislative scrutiny, working with the Assembly Committees and extending the time for debate on Orders in Council will all be necessary, of course, but I hope that my right hon. Friend will also take on board the suggestions that I am sure will be made in Committee.[11]

The Chair of Welsh Affairs Select Committee, Hywel Francis MP, stated:

> I appreciate that not everyone is keen on using delegated legislation to confer powers on the National Assembly, as it is possible that draft orders will not receive adequate parliamentary scrutiny. For that reason, our *[the Welsh Affairs Committee*] report recommended that draft orders should be considered not in a Standing Committee but on the Floor of the House for one and a half hours. If there was cross-party consensus that a particular draft Order in Council needed a longer debate, we recommend that it should be referred to the Welsh Grand Committee. Furthermore, proposals for draft orders will be subject to detailed pre-legislative scrutiny. I am pleased that the Secretary of State has suggested that there is a role for the Welsh Affairs Committee in such scrutiny. [12]

Dominic Grieve pointed out that during the debate speakers had been unclear about the distinction between the draft order and the Assembly measure:

> There are all sorts of unanswered questions about the procedure. The Government say that there will be pre-legislative scrutiny, but they completely gloss over what will be subjected to such scrutiny. It will be only Orders in Council. Assembly measures cannot be subjected to pre-legislative scrutiny because they will not exist. The Government are thus misleading the public and some of their Back Benchers about what will happen. [13]

Elfyn Llwyd MP drew attention to the delays that were associated with existing Orders in Council. He cited an example of a measure that had taken more than three years to come about in the National Assembly (the *Removal and Disposal of Vehicles (Amendment) (Wales) Regulations 2005*).[14]

4 The Powers of the Secretary of State

The Opposition parties were very concerned with the amount of powers conferred on the Secretary of State in the Bill. Lembit Opik MP stated that "its main problem is that it concentrates great power in the figure of the Secretary of State for Wales and, in doing so, could thrust the devolution process into complete limbo for decades" Furthermore, a risk existed "whereby a Secretary of State for Wales might decide to stamp on the requests of the Assembly and therefore thwart devolution."[15] He concluded:

[11] Ibid., c.62
[12] Ibid., c.68
[13] Ibid., c.119
[14] Ibid., c.71
[15] Ibid., c.57

> The Bill was meant to tip the balance of power from Westminster to Cardiff, but instead it strengthens the Secretary of State's grip. On Orders in Council, primary powers and future referendums, he holds all the aces. The Welsh Assembly has to pull off a five-card trick to guarantee that it will get anywhere at all.[16]

Cheryl Gillan concurred that the Government had given no convincing answers to "legitimate concerns over what would happen if Westminster rejects an application by the Assembly to legislate in a certain area or what would happen if the Secretary of State uses his pro-consular powers to block an application" and for Plaid Cymru, Elfyn Llwyd pronounced "the triple lock procedure" to be worrying. He went on:

> The National Assembly, the Executive, the Counsel General or a Member of the Assembly can present a request to the Secretary of State for Wales. The Secretary of State calls that "making a bid", which is a rather unfortunate choice of words, as it implies an element of lottery. In any event, if the Secretary of State declines, the legislation will not advance. Any number of reasons or excuses that a less sympathetic Secretary of State than the right hon. Gentleman might employ—for example, "I shall not accept the proposed measure because it is the UK Government's intention to legislate for England and Wales in a similar way in the future." That would be a perfectly reasonable response. It could also be a brake put on the National Assembly by Westminster for less benign reasons.[17]

Elfyn Llwyd's reading of clause 100, relating to the powers of Secretary of State to intervene in the passage of Assembly Measures, led him to believe that the Secretary of State "could scupper the Assembly's legislative plans on a whim, perhaps because of hostility towards the Assembly and irrespective of the subject matter of any proposed legislation" and expressed concerns about the "draconian powers" handed to the Secretary of State in clause 101, which relates to the procedures for approving Assembly Measures. He pressed the Secretary of State about what opportunity existed for appealing against the Secretary of State's decisions. The Secretary of State responded:

> I do not think that any appellate procedure is necessary because, as the hon. Gentleman will note, I have provided up to a maximum of 60 sitting days, including weekends, for a proper explanation to be given by the Secretary of State if he or she is not proceeding with a request. That would be subject to judicial review, providing the necessary safeguards.[18]

Mr Llwyd responded:

> Far be it from me to take bread from the mouths of my fellow lawyers, but surely we should put within the Bill a procedure to avoid having to run back and forth to the High Court. Hitherto, the only assurance given in the White Paper is that the Secretary of State, or his successor, should not turn down legislation for a trivial reason. In two or three places in the Bill—clauses 98 and 101, I believe—there are references to the Supreme Court. Could we not put in a form of reference to the Supreme Court to see whether the reason given was reasonable? That would be quicker than going through judicial review and, in my view, far better.[19]

For the Liberal Democrats, Roger Williams MP concluded that "the Bill contains a detailed, empire-building plan for the Secretary of State, under which Wales will not be

[16] Ibid., c.59
[17] Ibid., c.72
[18] Ibid., c.28-9
[19] Ibid.

governed by sound constitutional principles, but by the mood and whim of its ruler. What we are witnessing is the making of a self-proclaimed king of Wales".[20]

However, concern was also voiced from the Government benches by Hywel Francis, who drew attention to the findings of the Welsh Select Committee's Report.

> In relation to draft Orders in Council, the Secretary of State would have the power to refuse to lay a draft order before Parliament. That power would be appropriate if the draft order did not comply with the Bill or did not conform to parliamentary rules. It would not, however, be appropriate for the Secretary of State to refuse an order on political or policy grounds. For that reason, the Committee believes that the rejection of a draft order is the preserve of Parliament, not the Government of the day. It would be more appropriate for the Secretary of State to be limited to assessing the validity of a draft order. He should not make decisions to lay such an order based on policy and political judgement or advantage. Similarly, the Secretary of State voting by a two thirds majority in favour of holding that referendum. Again, we believe that Parliament, not the Government of the day, holds the authority to accept or reject a call for a referendum. For that reason, we recommend that the Secretary of State should not have the power to refuse a call for a referendum.[21]

5 Dual Candidacy

The debate on dual candidacy saw a sharp divide between the Government and Opposition benches. Successive Labour Members denounced the current system as allowing list Members in through "the back door" and argued that their constituents did not understand why people who lost on the first-past-the-post ballot were then elected to the Assembly. Opposition Members in return argued that the Government was introducing the changes for partisan reasons.

Several Labour Members complained about list Members setting up offices in order to nurse first-past the post constituencies, "cherry-picking issues and targeting seats that they or their party are looking at for future elections". The provision of additional list Members with the same amount for staffing and office costs as "properly elected Members"[22] was also questioned. Hywel Williams MP pointed out that there was nothing in the Bill that would prevent these practices continuing:

> **Hywel Williams (Caernarfon) (PC):** The Secretary of State cited as an abuse that he wishes to remedy the fact that list Members set up constituency offices. How would his proposal stop them doing so in constituencies in which they intend to stand?
>
> **Mr. Hain:** It would not stop them setting up constituency offices. However, I think that the Assembly may make a decision in its standing orders to stop that practice, and I hope that it does so.[23]

Mark Tami MP suggested that the Bill and the Assembly should go further and define the role of list Members. They should have exactly the same status as other Members within the Assembly, but without an unchecked roaming remit outside.[24]

Paul Murphy suggested that an adjustment to the existing system might go some way to tackling its problems.

[20] Ibid., c.93
[21] Ibid., c..70
[22] Mark Tami MP, Ibid., c.97
[23] Ibid., c.42-3
[24] Ibid., c.97

> We should keep the 40 first-past-the-post AMs and the 20 top-up AMs should be elected on an all-Wales list based on strict proportionality, so that people are elected according to the number of votes cast throughout Wales for their party. That would be easily understood by the people of Wales.[25]

Finally, Hywel Francis appealed to the Secretary of State to seek some common ground with the Opposition parties on this issue.

> My personal view is that, whatever the merits of the arguments on each side of the debate, the Government and all parties need to proceed on a cross-party basis. Electoral reform should not get caught up in internecine party politics. The Secretary of State may well wish to consider whether, as my right hon. Friend the Member for Torfaen said in his contribution, the present system is an unloved and confusing creature that causes more grief than it is worth. I believe that, as he suggested, a national list may be a better option.
>
> It is incumbent upon all Members to take the heat out of the debate on electoral reform and to find a way forward that gains cross-party consensus. Without that, the many welcome proposals in the Bill could be drowned out by the argument on what is for many of us a very minor part of a welcome improvement to the devolution settlement for Wales. The Secretary of State has it in his gift as the sponsor of the Bill to give serious consideration to other proposals.[26]

6 Miscellaneous Issues

A number of other issues were raised by Members.

6.1 Repeated Referendums

A number of Members raised concerns about the fact that there was no provision in the Bill that prevented the Assembly holding successive referendums to acquire full primary powers if one failed initially. Alan Williams saw its omission as leaving it "open to exploitation for political expediency"[27] Hywel Francis concurred:

> We need a strict limitation on the calling of a second referendum—a point that has been well made by other contributors to our debate. Referendums cannot be called persistently until they return the desired result, and that should be reflected in the Bill. The Committee came to the conclusion that two National Assembly terms are an appropriate period between a first and a subsequent referendum.

He also proposed that the wording of the referendum question should be set out in the Bill.[28]

6.2 Orders in Council and the House of Lords

A number of Members raised the question of the well known dislike of delegated legislation by the House of Lords and what measures the UK Government would take if the Lords refused to give consent to an Order. For example, the Secretary of State was asked if he would invoke the Salisbury Convention (whereby the Lords will not oppose

[25] Ibid., c.63-4
[26] Ibid., c.70
[27] Ibid., c.52
[28] Ibid., c.69

measures for which there is an explicit manifesto commitment). The Secretary of State said that use would be made of the *Parliament Act 1911*, allowing legislation to be passed in the next Parliamentary Session without the consent of the House of Lords.[29]

Elfyn Llwyd saw this as inherently unstable:

> we still face the difficulty that the other place has taken a consistently critical view of Orders in Council, principally because Orders in Council are unamendable. I raised that point when the Secretary of State made his initial statement earlier this year, and he said that the Parliament Act would be invoked in that case. In my view, consideration from the very beginning of the use of the Parliament Act in the working of the Bill is evidence of a fundamental flaw, and the situation is a recipe for disaster and constitutional conflict. Put simply, if it is envisaged that the Parliament Act must be invoked regularly, the system is surely wrong from the beginning.[30]

Alan Williams also expressed concern:

> Now we come to the Lords end. As I understand the evidence that my right hon. Friend gave to the Select Committee, he clearly envisages that what is in effect the Parliament Act process would apply if the Lords rejected the order. So we have a process in the Commons that will be meaningless and a whipped majority will drift the provisions through. In the Lords, my right hon. Friend has cut the legs from under what is intended as a process of scrutiny on behalf of Parliament. It would be interesting to hear my right hon. Friend's evidence on whether the Parliament Act would be appropriate.[31]

6.3 Assembly Partnership with Business

Huw Irranca-Davies MP drew attention to Clauses 72 to 75 that deal with the partnership council, the local government scheme and the voluntary sector scheme. He questioned why the Assembly was not required to have comparable arrangements with the business sector.[32] Jessica Morden MP also supported this.[33]

6.4 Regional Committees

Albert Owen MP wished to see the requirement for Regional Committees retained and strengthened in the Bill.

> I want the Bill to strengthen the regional dimension in Wales through real devolution to the regions, which could be done by strengthening the regional committees to include open debates and decision making or by the scrutiny committees visiting the regions, taking evidence and examining regional issues.[34]

David Jones MP also wished to see the North Wales Committee retained.[35]

[29] ibid., c.71
[30] Ibid., c.74
[31] Ibid., c.54
[32] Ibid., c.78
[33] Ibid., c.103
[34] Ibid., c.107
[35] Ibid., c.103

7 Conclusion

The Conservatives' reasoned amendment to the Bill was defeated by 341 votes to 161 with the Liberal Democrats and Plaid Cymru supporting the Government. The Bill passed its second reading and a programme motion was approved which set out the timetable for the next stages of the Bill. This can be seen in **Annex 1.**

A Annex 1 – Programme Motion

Motion made, and Question put forthwith, pursuant to Standing Order No. 83A (6) (Programme motions),

That the following provisions shall apply to the Government of Wales Bill:
Committal

1. The Bill shall be committed to a Committee of the whole House.
Proceedings in Committee
2. Proceedings in Committee of the whole House shall be completed in three days.
3. The proceedings shall be taken in the following order: Clauses 92 and 93, Schedule 5, Clauses 94 to 102, Schedule 6, Clauses 103 to 107, Schedule 7, Clauses 108 to 115, Clauses 1 and 2, Schedule 1, Clauses 3 to 27, Schedule 2, Clauses 28 to 58, Schedule 3, Clauses 59 to 87, Schedule 4, Clauses 88 to 91, Clauses 116 to 144, Schedule 8, Clauses 145 to 148, Schedule 9, Clauses 149 to 159, Schedule 10, Clauses 160 and 161, Schedule 11, Clause 162, Schedule 12, Clauses 163 to 165, new Clauses, new Schedules, remaining proceedings on the Bill.
4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the third day.
5. Standing Order No. 83B (Programming committees) shall not apply to the proceedings on the Bill in Committee of the whole House.
Consideration and Third Reading
6. Proceedings on consideration and Third Reading shall be completed in two days
7. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the second day.
8. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
9. Standing Order No. 83B (Programming committees) shall not apply to proceedings on consideration and Third Reading.
Other proceedings
10. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.— *[Mr. Watson.]*

Question agreed to