



## BRIEFING PAPER

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# Carry-over of public bills

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1. House of Commons
2. House of Lords



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## Summary

The carry-over of public bills from one session to the next was suggested by the Modernisation Committee as a way of reducing the fluctuations in legislative activity caused by Parliamentary sessions. After briefly summarising the Modernisation Committee's views, this briefing paper describes the different approaches to allowing bills to be carried forward in both the House of Commons and the House of Lords.

On 29 October 2002, the House of Commons introduced carry-over on an experimental basis until the end of the 2001 Parliament. In the House of Lords, an *ad hoc* procedure, following recommendations from the House of Lords Procedure Committee, was agreed on 24 July 2002.

On 26 October 2004, the House of Commons agreed to make slightly amended arrangements for carry-over permanent. The permanent Standing Order was effective from the beginning of the 2004-05 Session of Parliament.

The briefing paper includes details of the bills that have been carried over. Before the permanent Standing Order became effective, six bills were carried over. Since the Standing Order became permanent, further bills have been carried over: nine in the 2005 Parliament; 11 in the 2010 Parliament; and two in the first session of the 2015 Parliament. Three carry-over motions were agreed to in the 2016-17 Session, before the general election was announced. However, it is not possible for public bills to be carried-over from one Parliament to another so these decisions will not have effect in the 2017 Parliament.

Under the Standing Order, proceedings lapse on bills that have not received Royal Assent within twelve months of their original introduction. However, the Standing Order does allow the period to be extended: these provisions have been used seven times.

In December 2011, the Standing Order was amended and a new Standing Order was made to allow bills introduced under Ways and Means resolutions to be carried over. This followed moving from spring to spring parliamentary sessions, in the wake of the passage of the *Fixed-term Parliaments Act 2011*. The *Finance (No 4) Bill 2010-12* was the first such bill to be the subject of a carry-over motion under the new Standing Order.

This briefing paper also provides examples of the form of words used in carry-over motions.

# 1. House of Commons

## 1.1 Background

In its first report, the Modernisation Committee<sup>1</sup> examined *The Legislative Process*. It briefly considered the carry-over of Government bills and agreed:

... the principle that, in defined circumstances and subject to certain safeguards, Government Bills may be carried over from one session to the next in the same way as hybrid and private Bills. Discussions should begin between the appropriate authorities in both Houses to determine how this might best be achieved, without infringing the constitutional implications of prorogation.<sup>2</sup>

Following the House's agreement to the Committee's first report,<sup>3</sup> the Committee again considered the issue of carry-over. It examined a proposal from the Clerk of the House and the Clerk of Parliaments, on the procedural methods which might be used to carry over Government bills. It then proposed that:

If, after an experimental period, the procedure were subsequently embodied in a Standing Order or a sessional order, it would be necessary to specify precisely the conditions which would need to be fulfilled before a bill could be considered for carry-over. We propose to look at this again once the House has had some experience of carrying bills over by means of *ad hoc* motions.<sup>4</sup>

Although only one bill, the *Financial Services and Markets Bill 1998-99*, was subject to this *ad hoc* carry-over procedure, the Modernisation Committee, in its wide-ranging review of procedures after the 2001 General Election, argued that:

If we are serious about providing for better scrutiny then we must adopt a longer time perspective which permits more time and more thorough scrutiny. That can only come from the wider use of carry-over. The most often repeated criticism of programming of Bills is that the timetable is too tight. Carry-over would enable programming motions to allow Bills longer before committee.<sup>5</sup>

Consequently, it recommended that:

Standing Orders be amended to permit carry-over of a Bill by resolution of the House for an experimental period, but that no Bill should be carried over for more than one extra Session.<sup>6</sup>

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<sup>1</sup> The Modernisation Committee was first appointed in 1997, following a commitment in the Labour Party election manifesto. It was appointed to consider how the practices and procedures of the House should be modernised. It was appointed again in the 2001 and 2005 Parliaments

<sup>2</sup> Select Committee on Modernisation of the House of Commons, *The Legislative Process*, 29 July 1997, HC 190 1997-98, para 102

<sup>3</sup> HC Deb 13 November 1997 cc1061-1129

<sup>4</sup> Select Committee on Modernisation of the House of Commons, *Carry-over of Public Bills*, 9 March 1998, HC 543 1997-98, para 8

<sup>5</sup> Select Committee on Modernisation of the House of Commons, *Modernisation of the House of Commons: A Reform Programme*, 5 September 2002, HC 1168-I 2001-02, para 38

<sup>6</sup> Select Committee on Modernisation of the House of Commons, *Modernisation of the House of Commons: A Reform Programme*, 5 September 2002, HC 1168-I 2001-02, para 38

and that:

for the experimental period on carry-over, if a Bill is not completed or arrives from the Lords more than twelve months after its introduction, it should not be further proceeded with in the Commons unless a fresh programme motion, debatable for one and a half hours, has been passed.<sup>7</sup>

## 1.2 Experimental procedures

The House debated the Modernisation Committee's reform programme on 29 October 2002, and agreed a temporary Standing Order which allowed Government bills to be carried over. Briefly, it provided for proceedings on a public bill not completed before the end of the session to be resumed in the next session of Parliament. The House agreed to implement the Modernisation Committee's recommendations on carrying over bills, by 365 votes 147. The temporary Standing Order was only effective until the end of the 2001 Parliament.<sup>8</sup>

The procedure was detailed in the Appendix of the 2003-04 edition of the Standing Orders under the heading 'Temporary Standing Orders and Sessional Orders'.<sup>9</sup>

## 1.3 Permanent procedures

The Leader of the House tabled a motion, for debate on 26 October 2004, to make the potential use of carry-over motions for Government bills that start in the House of Commons a permanent feature of the House's procedures. Different (*ad hoc*) procedures could be used to carry-over a bill that started in the House of Lords.

In outlining the motion, Peter Hain said:

The fourth motion would make permanent the temporary Standing Order on carry-over of Bills, which was agreed by the House for this Parliament only in October 2002. As the Procedure Committee found in its report on programming,

"carry-over increases flexibility and has the potential to lessen bottlenecks in the legislative process".

The Committee commended the gradual way in which the Government have introduced carry-over. Two Bills were carried over from the previous Session to the current Session, and three from this House and another in the House of Lords are to be carried over from the current Session to the next.

Those who believed that carry-over was an underhand method of undermining the Sessional cut-off have been proved wrong. [...] Carry-over has been a helpful but modest measure to increase flexibility in legislative planning, facilitating pre-legislative scrutiny. That is important: it is not a coincidence that all three Bills to be

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<sup>7</sup> Select Committee on Modernisation of the House of Commons, *Modernisation of the House of Commons: A Reform Programme*, 5 September 2002, HC 1168-I 2001-02, para 39

<sup>8</sup> HC Deb 29 October 2002 c828

<sup>9</sup> *Standing Orders of the House of Commons*, 26 November 2003, HC 3 2003-04, pp147-150

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carried over in this House this Session have been published in draft for pre-legislative scrutiny.<sup>10</sup>

He concluded that:

We believe that it would be timely to make the Standing Order on carry-over permanent. A few amendments are proposed to make it clear that the Order would not apply to private Members' Bills or Lords Bills, and that any programming order agreed in the first Session would continue to apply in the second.<sup>11</sup>

During the course of his comments, Peter Hain was pressed by Sir Nicholas Winterton, the then Chairman of the Procedure Committee, and Sir George Young to "give an assurance that, in future, the Government will carry over only with cross-party agreement".<sup>12</sup> Paul Tyler, for the Liberal Democrats, also called for discussion between the parties before bills were carried over.<sup>13</sup> Peter Hain responded: "I want to act by consensus, but I do not want to place a block on carry-over in the Standing Orders if consensus cannot be gained".<sup>14</sup>

A range of views on carry-over were put forward during the course of the debate. Oliver Heald, for the Conservative Party, had "mixed feelings" about carry-over:

... It seems sensible to have the definite benefits of increased flexibility that that facility can offer to the legislative process. It can be a waste of time if Bills fall at the end of a Session and have to be reintroduced in the same form in the next. I think that there is agreement on both sides of the House that such a situation can be undesirable. However, I have reservations about a mechanism being built into the procedure whereby the discipline of an annual cut-off point is removed from Government business managers. There is a great danger that the lack of pressure could encourage even more sloppiness in the drafting, programming and timetabling of legislation. That is clearly not desirable. On balance, the House should give the benefit of the doubt to carry-over, but it should be done only with the consent of the Opposition, not imposed by the Government. That is why I will oppose motion 5 tonight.<sup>15</sup>

Gwyneth Dunwoody objected to the principle of carry-over. She argued:

... The reality is that what the Government are seeking to enshrine in the Standing Orders will make [carry-over] an almost routine procedure.

If the Minister believes that not operating with a cut-off point is a good idea, I recommend that he spend some time in the European Parliament.<sup>16</sup>

Eric Forth also objected to carry-over:

... One of the main disciplines on a Government is Sessional discipline, which is the tradition that at the end of a Session, a

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<sup>10</sup> HC Deb 26 October 2004 c1316

<sup>11</sup> HC Deb 26 October 2004 c1317

<sup>12</sup> *Ibid*

<sup>13</sup> HC Deb 26 October 2004 c1337

<sup>14</sup> HC Deb 26 October 2004 c1317

<sup>15</sup> HC Deb 26 October 2004 c1325

<sup>16</sup> HC Deb 26 October 2004 c1330

Government have either legislated on a matter or they have not. That was a key discipline on my Government and it used to be one on this Government. The Government want to escape from that discipline so that they can legislate in any year without limit, but that is a bad thing. We have far too much legislation. The few controls that exist on the Government are diminishing, and Sessional discipline was one of the last remaining ones. For the Government to say, "Oh, by the way, if we run out of time at the end of a Session, let's just go on into the next one so that we can do what we want", without any restriction or discipline strikes me as extremely bad. That is the main reason why the carry-over of Bills is wrong.<sup>17</sup>

The motion agreed on 26 October 2004 amended the temporary Standing Order of 29 October 2002 and made it a Standing Order of the House (permanent). The motion was agreed to on a division by 296 votes to 137.<sup>18</sup>

The full Standing Order (No. 80A) is available on the internet.<sup>19</sup>

Both the temporary and permanent standing orders included provisions that proceedings on any bill subject to a carry-over motion would lapse one year after the Bill's first reading in the House of Commons but allowed motions to extend the period to be considered.<sup>20</sup>

In its 2005-06 report on *The Legislative Process*, the Modernisation Committee endorsed the existing provisions for carry-over and commented on the question of cross-party support for individual carry-over motions:

We recommend that, where a bill is introduced late in a Session because it has been subject to pre-legislative scrutiny, the assumption should be that it will be carried over to the next Session, subject to the same restrictions which currently apply, including the twelve-month time-limit. It is hoped and expected that this would be done with cross-party support.<sup>21</sup>

Erskine May notes that "the provisions of the Standing Order do not apply to a carry-over motion made in respect of a Lords bill".<sup>22</sup>

## 1.4 Bills subject to carry-over motions

In 1998-99, the *Financial Services and Markets Bill* was carried over on the basis of an *ad hoc* motion. In 2002-03 and 2003-04, five bills were carried over under the experimental procedures introduced on a temporary basis in 2002. Appendix A details bills that were carried-over in accordance with *ad hoc* or temporary procedures.

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<sup>17</sup> HC Deb 26 October 2004 c1367

<sup>18</sup> HC Deb 26 October 2004 cc1398-1399

<sup>19</sup> House of Commons, [Standing Orders of the House of Commons – Public Business 2016](#), February 2016, HC 2 2015-16, SO No. 80A. The Standing Order was amended on 1 November 2006 to take account of the establishment of public bill committees and on 14 December 2011, when provision was made to carry over bills founded on Ways and Means resolutions

<sup>20</sup> Standing Order No. 80A (13) and (14)

<sup>21</sup> Modernisation Committee, *The Legislative Process*, 7 September 2006, HC 1097 2005-06, para 29

<sup>22</sup> Erskine May, *Parliamentary Practice*, 24 th edition, 2011, p641

The first bill to be the subject of a carry-over motion under the permanent procedures was the *Welfare Reform Bill 2005-06*.

Before the permanent Standing Order became effective, six bills were carried over. Since the Standing Order became permanent, further bills have been carried over: nine in the 2005 Parliament; 11 in the 2010 Parliament; and two in the 2015 Parliament. A list of bills subject to the permanent carry-over procedures is given in Appendix B(1).

Appendix C provides some examples of the form of carry-over motions used in the House of Commons.

### Extensions to time allowed to consider bills subject to a carry-over motion

Although Standing Order No 80A (13) allows twelve months from first reading for a bill to complete its passage through both Houses, ministers may table a motion to extend that period (Standing Order No 80A (14)). This provision has been used on seven occasions.

The provision was first used to allow the *Corporate Manslaughter and Corporate Homicide Bill 2006-07* to complete its passage through Parliament. The Bill was first introduced on 20 July 2006. On 18 July 2007, the House agreed to a motion moved by Jack Straw, the Secretary of State for Justice, that:

... the period on the expiry of which proceedings on the Corporate Manslaughter and Corporate Homicide Bill shall lapse in pursuance of paragraph (13) of Standing Order No. 80A shall be extended by the period of seven days.<sup>23</sup>

He provided the following explanation for the motion:

I think I owe the House a brief explanation of the motion — *[Interruption.]* No, just a brief presentation. The short story is that the business motion will extend the deadline for the Bill by just seven days. I am moving the motion because the Government have tabled quite significant amendments, which I hope will meet the anxieties expressed both in this House and the other place. If we are to complete the business, it is important that we allow ourselves an extra week beyond the existing deadline.

Let me explain the situation to hon. Members who might not be aware of it. There is a deadline because this is a carry-over Bill. Under Standing Order No. 80A, such Bills usually last for only one year; tomorrow would be this Bill's deadline. The slight paradox is that hon. Members on both sides of the House support the principle of the Bill.<sup>24</sup>

The motion was supported by both the Conservative and Liberal Democrat front benches; and, despite some concerns from the Conservative back benches, the motion was agreed to without a division.<sup>25</sup>

The Bill received Royal Assent on 26 July 2007.<sup>26</sup>

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<sup>23</sup> HC Deb 18 July 2007 c326

<sup>24</sup> HC Deb 18 July 2007 c326

<sup>25</sup> HC Deb 18 July 2007 cc326-330

<sup>26</sup> HC Deb 26 July 2007 c1069



The provision has subsequently been used on six further occasions. On each occasion, the Minister moving the motion to extend the carry-over period explained that the Bill would “will fall if it does not receive Royal Assent within 12 months of its First Reading”,<sup>27</sup> or words to that effect.<sup>28</sup>

Details of the carry-over bills that have been the subject of motions to extend time for consideration are given in Appendix D.

## 1.5 Carry-over motions agreed before the 2017 general election was announced

Three carry-over motions were agreed to in the 2016-17 Session, before the general election was announced, for the following bills:

- *Local Government Finance Bill 2016-17*;
- *Vehicle Technology and Aviation Bill 2016-17*; and
- *Prisons and Courts Bill 2016-17*.

However, it is not possible for public bills to be carried-over from one Parliament to another so these decisions will not have effect in the 2017 Parliament. The Office of Parliamentary Counsel’s guidance on carry-over states that:

Neither House permits a public bill (other than a hybrid bill) to be carried over a dissolution of Parliament. This reflects the constitutional principle that one Parliament cannot bind its successor.<sup>29</sup>

And at Business Questions on 20 April 2017, after the House had voted for an early parliamentary general election, David Lidington, the Leader of the House of Commons, told the House that:

The Bills that were introduced to this House quite late in the current parliamentary Session and which received carry-over motions so that they could be debated in what would have been the third Session of this Parliament, including the Prisons and Courts Bill, will fall.<sup>30</sup>

## 1.6 Carry-over of bills brought in upon a Ways and Means resolution

On 14 December 2011, the House agreed to changes to Standing Order No 80A and agreed a new Standing Order (now No 80B) to set out specific rules to be applied when bills brought in under Ways and Means resolutions were carried over.

David Heath, the Parliamentary Secretary, Office of the Leader of the House of Commons, explained that the changes followed the switch to spring to spring parliamentary sessions. The standing order changes made it explicit that Standing Order No 80A did not apply to bills

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<sup>27</sup> [HC Deb 18 November 2013 c1047](#)

<sup>28</sup> HC Deb 13 July 2009 c44; [HC Deb 20 January 2014 c85](#); [HC Deb 12 January 2015 c677](#); [HC Deb 13 January 2015 c833](#), [c835](#)

<sup>29</sup> Office of Parliamentary Counsel, [Carrying over bills](#), June 2016, para 1.4

<sup>30</sup> [HC Deb 20 April 2017 c800](#)

brought in upon a Ways and Means resolution; and made a new standing order to enable Finance Bills to be carried over:

On 13 September last year, my right hon. Friend the Leader of the House announced the Government's intention to move the usual date of Prorogation and state opening from November to the spring, to create a fixed-term Parliament of five equal, 12-month Sessions. That decision has some consequences for financial business. The first motion before us today would adapt the House's existing procedures for carry-over to enable the Finance Bill to be carried over from one Session to the next. The House has already passed legislation, in last year's Finance Bill, to ensure that resolutions under the Provisional Collection of Taxes Act 1968 have continued legal effect from one Session to the next. The motion makes matching provision in the House's procedures. My right hon. Friend consulted the Procedure Committee on the proposal in February. The Chair replied on 9 March indicating that the Committee was content with the proposal.<sup>31</sup>

Chris Leslie speaking from the Opposition front bench expressed a number of concerns about the proposals to extend carry-over provisions in this way:

There are good reasons for the sessional divisions of the parliamentary calendar from year to year. Let us not be under any illusions: today's proposals would massively expand carry-over provisions for legislation, potentially ending the convention whereby Bills should normally be introduced, considered and completed within the year in which Her Majesty outlines the Government's plans in the Queen's Speech. Carrying over a Bill should happen in special and infrequent circumstances. The previous Government introduced carry-over procedures to accommodate complex and technical legislation, largely where there was a cross-party consensus on the need for reform or where the addition of pre-legislative scrutiny or wider-ranging provisions necessitated a longer time frame for the Bill's passage. Carry-over has been an exception rather than a rule. The House needs to recognise that, if the proposals proceed, standard legislation such as Finance Bills will routinely span the historical firewall that is in place to protect sessional business spilling over from one year to the next. Back-Bench Members will notice that carry-over is not possible for Back Bench-initiated legislation.<sup>32</sup>

Greg Knight, Chair of the Procedure Committee, noted (like David Heath had) that the Government had consulted the Procedure Committee:

The Leader of the House initially wrote to the Procedure Committee on 8 February this year asking whether the Committee was content for the Government to develop proposals to set aside the principle of sessionality in respect of supply procedure, and to provide for the carry-over of Finance Bills from one session to the next. The Committee subsequently engaged in a detailed discussion about a number of issues relating to the proposed procedure, following which we decided that we were content with it and with the Government's reasons for proposing it.<sup>33</sup>

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<sup>31</sup> HC Deb 14 December 2011 c814

<sup>32</sup> HC Deb 14 December 2011 c817

<sup>33</sup> HC Deb 14 December 2011 cc820-821

After the short debate, changes were approved on a division, by 266 votes to 187.<sup>34</sup>

The *Finance (No 4) Bill 2010-12* was the first bill to be carried over under the new procedure.<sup>35</sup> Bills that have been carried over under this procedure are detailed in Appendix B(2).

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<sup>34</sup> HC Deb 14 December 2011 c827

<sup>35</sup> HC Deb 16 April 2012 cc137-140

## 2. House of Lords

On 15 July 2002, the House of Lords Procedure Committee published its *Fifth Report*, which included the Committee's response to the recommendations of a Group appointed "to consider how the working practices of the House can be improved, and to make recommendations".<sup>36</sup>

The Committee's recommendation on carry-over of bills was made in paragraph 7 of its report. It emphasised the link between carry-over and pre-legislative scrutiny. However, it expected that carry-over would be achieved, after discussion in the usual channels, by a motion agreed by one or both Houses, depending on where the bill had been introduced. Paragraph 6 is included in the following quotation because it is referred to in paragraph 7:

6. This is not a procedural issue. **We support Group recommendation (a), provided that the quality of pre-legislative scrutiny is maintained at a high level and also that pre-legislative scrutiny committees are not required to work to unreasonably tight timetables or to consider draft bills that are incomplete.** We draw attention to the resource implications, especially the number of members of the House needed to undertake additional regular pre-legislative scrutiny.

Group recommendation (b): subject to the right of the House of Commons to determine its own procedures, bills that have received pre-legislative scrutiny in either House should, on a motion moved in the House in possession of the bill at the end of the session, be allowed to be carried-over into the next session; but if a bill that has been carried over does not reach the statute book by the end of the session following carry-over it should fall, as now (paragraph 10)

7. The Procedure Committee endorsed the principle of carry-over in 1998. **We recommend that the House should now take this endorsement a stage further and agree to Group recommendation (b), but only for Government bills and subject to the provisos on pre-legislative scrutiny in paragraph 6 above.** At present, carry-over is restricted to bills that have not yet left the House in which they originated; eligibility of bills for carry-over is settled by informal discussion in the usual channels; and bills are carried-over by ad hoc motions. If Group recommendation (b) is implemented, as we propose, carry-over would no longer be restricted to bills that had not yet left the House in which they originated: any bill that had been subject to pre-legislative scrutiny in either House would be eligible for carry-over. Carry-over would be achieved, after discussion in the usual channels, by a motion agreed by one or both Houses, depending on where the bill had been introduced. We would expect the fact that a bill had been subject to pre-legislative scrutiny would influence significantly the judgment by the usual channels in this House on whether the bill should be carried-over.

8. The question of the application of the Parliament Acts to a bill that is to be carried over was raised in the House's debate of 21 May 2002. In theory, the Parliament Acts could be applied to a bill which, having been received by the Lords at least one month

<sup>36</sup> Procedure Committee, *Fifth Report*, 15 July 2002, HL 148 2001-02, para 1

before the end of a session, was carried-over but not passed by the end of the next session. In the case of the Lords carrying-over a Commons bill, in order to avoid the Parliament Acts being implemented, the Commons should be invited to agree, before the Lords agrees to the carry-over, to a formal direction that section 2 of the Parliament Act 1911 should not apply to the bill in the ensuing session.<sup>37</sup>

The House of Lords agreed to the Committee's report on 24 July 2002.<sup>38</sup> During the course of the debate, Lord Williams of Mostyn, the then Leader of the House of Lords, said:

Each House would decide as to whether it was satisfied that the pre-legislative scrutiny had been of sufficient quality to justify carry-over.<sup>39</sup>

In a subsequent question on the procedure of carry-over in the House of Lords, Lord Williams confirmed that a bill originating in the House of Lords would have to have the agreement of the House of Lords before it could be carried over:

**Lord Roper:** My Lords, will the Lord Privy Seal also agree that the carry-over of any Bill if introduced initially in this House, irrespective of where it is at the end of the Session, will have to be agreed by this House?

**Lord Williams of Mostyn:** My Lords, I thought I had said that, but, not being entirely familiar with English as a first language, I must have got it wrong.<sup>40</sup>

The Leader's Group in the House of Lords published a *Review of Working Practices* in September 2004. Despite only one bill, the *Constitutional Reform Bill 2003-04 [HL]*, having been subject to a carry-over motion, it recommended that the existing arrangements for carry-over (that is "that carry-over is possible whenever there is general agreement that it would be in the interests of good legislation") should be continued.<sup>41</sup>

The procedure has been used once more since the Leader's Group report was published.

Appendix E reports the bills that have been carried over in the House of Lords and gives an example of the motion used.

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<sup>37</sup> *Ibid*, paras 6-8

<sup>38</sup> HL Deb 24 July 2002 cc371-405, cc421-465, cc479-508

<sup>39</sup> HL Deb 24 July 2002 c442

<sup>40</sup> HL Deb 19 November 2002 c255

<sup>41</sup> House of Lords Leader's Group, *Review of Working Practices*, 9 September 2004, HL 162 2003-04, paras 8-9

## Appendix A: Bills subject to carry-over motions under ad hoc or temporary procedures

Bill	Date of carry-over motion	Other details
<i>Financial Services and Markets Bill 1998-99</i>	25 October 1999 [HC Deb 25 October 1999 c737]	An <i>ad hoc</i> motion was used to facilitate carry-over. The motion was agreed to without a division, but see Appendix A 1a
<i>Planning and Compulsory Purchase Bill 2002-03</i>	10 June 2003 [HC Deb 10 June 2003 cc543-570]	A motion under the temporary SO was used to facilitate carry-over. It was agreed to on a division: 279 votes to 162.
<i>European Parliament and Local Elections (Pilots) Bill 2002-03</i>	21 October 2003 [HC Deb 21 October 2003 cc611-613]	A motion under the temporary SO was used to facilitate carry-over. It was agreed to on a division: 349 votes to 125.
<i>Mental Capacity Bill 2003-04</i>	11 October 2004 [HC Deb 11 October 2004 c122]	A motion under the temporary SO was used to facilitate carry-over. It was agreed to without a division.
<i>School Transport Bill 2003-04</i>	28 October 2004 [HC Deb 28 October 2004 cc1668-1671]	A motion under the temporary SO was used to facilitate carry-over. It was agreed to on a division: 245 votes to 130.
<i>Gambling Bill 2003-04</i>	1 November 2004 [HC Deb 1 November 2004 cc138-141]	A motion under the temporary SO was used to facilitate carry-over. It was agreed to on a division: 295 votes to 172.

## Appendix B: Bills subject to carry-over motions under permanent procedures

### 1. Standing Order No 80A 2005 Parliament

<b>Bill</b>	<b>Date of carry-over motion</b>	<b>Other details</b>
<i>Welfare Reform Bill 2005-06</i>	24 July 2006 [HC Deb 24 July 2006 c706]	It was agreed to without a division.
<i>Corporate Manslaughter and Corporate Homicide Bill 2005-06</i>	10 October 2006 [HC Deb 10 October 2006 cc269-272]	It was agreed to on a division: 292 votes to 26
<i>Child Maintenance and Other Payments Bill 2006-07</i>	4 July 2007 [HC Deb 4 July 2007 c1039]	It was agreed to without a division.
<i>Criminal Justice and Immigration Bill 2006-07</i>	8 October 2007 [HC Deb 8 October 2007 cc135-138]	It was agreed to on a division: 296 votes to 183
<i>Banking Bill 2007-08</i>	14 October 2008 [HC Deb 14 October 2008 c765]	It was agreed to without a division.
<i>Political Parties and Elections Bill 2007-08</i>	20 and 22 October 2008 [HC Deb 20 October 2008 c131; HC Deb 22 October 2008 c370 and cc425-428]	It was agreed to on a deferred division: 285 votes to 216
<i>Equality Bill 2008-09</i>	11 and 13 May 2009 [HC Deb 11 May 2009 c655; HC Deb 13 May 2009 c910 and cc995-998]	It was agreed to on a deferred division: 331 votes to 136
<i>Child Poverty Bill 2008-09</i>	20 July 2009 [HC Deb 11 May 2009 c680]	It was agreed to without a division.
<i>Constitutional Reform and Governance Bill 2008-09</i>	20 October 2009 [HC Deb 20 October 2009 cc880-883]	It was agreed to on a division: 273 votes to 113

## 2010 Parliament

<b>Bill</b>	<b>Date of carry-over motion</b>	<b>Other details</b>
<i>Local Government Finance Bill 2010-12</i>	10 January 2012 [HC Deb 10 January 2012 c150; HC Deb 11 January 2012 c230 and cc303-306]	It was agreed to on a division: 329 votes to 207
<i>Civil Aviation Bill 2010-12</i>	30 January 2012 [HC Deb 30 January 2012 c647]	It was agreed to without a division.
<i>Financial Services Bill 2010-12</i>	6 February 2012 [HC Deb 6 February 2012 c131]	It was agreed to without a division.
<i>Energy Bill 2012-13</i>	19 December 2012 <a href="#">[HC Deb 19 December 2012 c963]</a>	It was agreed to without a division.
<i>Marriage (Same Sex Couples) Bill 2012-13</i>	5 February 2013 <a href="#">[HC Deb 5 February 2012 cc244-247]</a>	It was agreed to on a division: 464 votes to 38
<i>Children and Families Bill 2012-13</i>	25 February 2013 <a href="#">[HC Deb 25 February 2013 c134]</a>	It was agreed to without a division.
<i>Financial Services (Banking Reform) Bill 2012-13</i>	11 March 2013 <a href="#">[HC Deb 11 March 2013 c128]</a>	It was agreed to without a division.
<i>Consumer Rights Bill 2013-14</i>	28 January 2014 <a href="#">[HC Deb 28 January 2014 c834]</a>	It was agreed to without a division.
<i>Deregulation Bill 2013-14</i>	3 February 2014 <a href="#">[HC Deb 3 February 2014 c105]</a>	It was agreed to without a division.
<i>Criminal Justice and Courts Bill 2013-14</i>	24 February 2014 <a href="#">[HC Deb 24 February 2014 c127]</a>	It was agreed to without a division.
<i>Wales Bill 2013-14</i>	31 March 2014 <a href="#">[HC Deb 31 March 2014 c695]</a>	It was agreed to without a division.



## 2015 Parliament

**Note:** the carry-over motions agreed in the 2016-17 Session fell because of dissolution

Bill	Date of carry-over motion	Other details
<i>Policing and Crime Bill 2015-16</i>	7 March 2016 <a href="#">[HC Deb 7 March 2016 c104]</a>	It was agreed to without a division.
<i>Investigatory Powers Bill 2015-16</i>	15 March 2016 <a href="#">[HC Deb 15 March 2016 c908]</a>	It was agreed to without a division.
<i>Local Government Finance Bill 2016-17</i>	23 January 2017 <a href="#">[HC Deb 23 January 2017 c128]</a>	It was agreed to without a division. Fell – dissolution
Vehicle Technology and Aviation Bill 2016-17	6 March 2017 <a href="#">[HC Deb 6 March 2017 c644]</a>	It was agreed to without a division. Fell – dissolution
Prisons and Courts Bill 2016-17	20 March 2017 <a href="#">[HC Deb 20 March 2017 c743]</a>	It was agreed to without a division. Fell – dissolution

## 2. Standing Order No 80B – bills brought in upon a ways and means resolution

Bill	Date of carry-over motion	Other details
<b>2010 Parliament</b>		
<i>Finance (No 4) Bill 2010-12</i>	16 April 2012 <a href="#">[HC Deb 16 April 2012 cc137-140]</a>	It was agreed to on a division: 319 votes to 241
<i>Finance (No 2) Bill 2012-13</i>	15 April 2013 <a href="#">[HC Deb 15 April 2013 c135]</a>	It was agreed to without a division.
<i>Finance (No 2) Bill 2013-14</i>	1 April 2014 <a href="#">[HC Deb 1 April 2014 c852]</a>	It was agreed to on a division: 273 votes to 223
<b>2015 Parliament</b>		
<i>Finance (No 2) Bill 2015-16</i>	11 April 2016 <a href="#">[Votes and Proceedings, 11 April 2016, Item 10]</a>	It was agreed to without a division.

## Appendix C: Carry-over motions: examples from the House of Commons

### 1. Ad hoc motions

Under the ad hoc procedures implemented following the Modernisation Committee's initial proposals only the *Financial Services and Markets Bill 1998/99* was carried over. The House agreed, without a division,<sup>42</sup> after a short debate,<sup>43</sup> to the following motion:

That the following provisions shall apply to the Financial Services and Markets Bill:

1. Standing Committee A shall report the Bill to the House, so far as then amended, not later than Thursday 11th November.
2. On the report of the Bill to the House in accordance with paragraph 1, further proceedings on the Bill shall be suspended until the next session of Parliament.
3. If a Bill is presented in the next session in the same terms as the Bill reported to the House in accordance with paragraph 1, it shall be read the first and second time without Question put, shall be ordered to be printed, and shall stand committed, in respect of those clauses and schedules not ordered to stand part of the Bill in this session, to a Standing Committee of the same Members as the Members of the Standing Committee on the Bill in this session.<sup>44</sup>

### 2. Motions based on temporary Standing Orders

The first bill carried over following the House's agreement to the temporary Standing Orders was the *Planning and Compulsory Purchase Bill 2002-03*. The carry-over motion was:

That if at the conclusion of this Session of Parliament proceedings on the Planning and Compulsory Purchase Bill have not been completed, they shall be resumed in the next Session.<sup>45</sup>

### 3. Motions based on permanent Standing Orders

The first bill carried over under the permanent Standing Orders was the *Welfare Reform Bill 2005-06*. The carry-over motion was:

That if, at the conclusion of this Session of Parliament, proceedings on the Welfare Reform Bill have not been completed, they shall be resumed in the next Session.<sup>46</sup>

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<sup>42</sup> A division was called for but:

Mr. Mike Hall and Mr. David Jamieson were appointed Tellers for the Ayes, and Mr. Eric Forth was appointed Teller for the Noes; but no Member being willing to act as a second Teller for the Noes, Mr. Deputy Speaker declared that the Ayes had it.

<sup>43</sup> HC Deb 25 October 1999 cc706-737

<sup>44</sup> *Ibid*, c737

<sup>45</sup> HC Deb 10 June 2003 cc543-570

<sup>46</sup> HC Deb 24 July 2006 c706

## Appendix D: Bills subject to motions to prevent proceedings lapsing under Standing Order No 80A on the carry-over of bills

Bill	Date of motion	Other details
<i>Corporate Manslaughter and Corporate Homicide Bill 2006-07</i>	18 July 2007 <a href="#">[HC Deb 18 July 2007 cc326-330]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to without a division. First introduced: 20 July 2006 Extension agreed: 7 days Royal Assent: 26 July 2007
<i>Political Parties and Elections Bill 2008-09</i>	13 July 2009 <a href="#">[HC Deb 13 July 2009 cc44-52]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to on a division by 283 votes to 196. First introduced: 17 July 2008 Extension agreed: 15 weeks Royal Assent: 21 July 2009
<i>Energy Bill 2013-14</i>	18 November 2013 <a href="#">[HC Deb 18 November 2013 cc1047-1051]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to without a division. First introduced: 29 Nov 2012 Extension agreed: 13 weeks Royal Assent: 18 Dec 2013
<i>Children and Families Bill 2013-14</i>	20 January 2014 <a href="#">[HC Deb 20 January 2014 c85]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to without a division. First introduced: 4 Feb 2013 Extension agreed: 46 days Royal Assent: 13 March 2014
<i>Consumer Rights Bill 2014-15</i>	12 January 2015 <a href="#">[HC Deb 12 January 2015 cc677-685]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to without a division. First introduced: 23 Jan 2014 Extension agreed: 67 days* Royal Assent: 26 March 2015

<b>Bill</b>	<b>Date of motion</b>	<b>Other details</b>
<i>Criminal Justice and Courts Bill 2014-15</i>	13 January 2015 <a href="#">[HC Deb 13 January 2015 cc833-834]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to without a division. First introduced: 5 Feb 2014 Extension agreed: 54 days* Royal Assent: 12 February 2015
<i>Deregulation Bill 2014-15</i>	13 January 2015 <a href="#">[HC Deb 13 January 2015 cc835-838]</a>	A motion to prevent proceedings on the bill expiring on the anniversary of its introduction was agreed to without a division. First introduced: 23 Jan 2014 Extension agreed: 67 days* Royal Assent: 26 March 2015

\* until 30 March 2015 (the day of dissolution)

## Appendix E: Carry over in the House of Lords

The first bill to be carried over in the House of Lords was the *Constitutional Reform Bill 2003-04 [HL]*. The carry-over motion was agreed on 22 March 2004:

**The Lord President of the Council (Baroness Amos):** My Lords, I beg to move the Motion standing in my name on the Order Paper.

Moved to resolve, That it is expedient that if the Constitutional Reform Bill [HL]—

(a) has not completed all its stages by the end of this Session of Parliament, and  
 (b) is reintroduced in the next Session of Parliament, the new Bill shall, notwithstanding the provisions of Standing Order 47 (No two stages of a Bill to be taken on one day), be taken pro forma through all the stages completed in this Session.—(Baroness Amos.)

[...]

On Question, Motion agreed to.<sup>47</sup>

Since then, one further bill has been the subject of a carry-over motion:

Bill	Date of carry-over motion	Other details
<i>Trusts (Capital and Income) Bill 2010-12 [HL]</i>	28 March 2012 [HL Deb 28 March 2012 cc1419-1420]	It was agreed to without a division.

<sup>47</sup> HL Deb 22 March 2004 cc471-472

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