

No. 71



## House of Commons

Tuesday 16 November 2021

### Votes and Proceedings

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The House met at 11.30 am.

Prayers

- 1 Questions to the Secretary of State for Business, Energy and Industrial Strategy**
- 2 Urgent Question: Terrorist incident at Liverpool Women's Hospital (Kit Malthouse)**
- 3 Speaker's Statement: Cancellation of deferred division**
- 4 Flooding (Prevention and Insurance): Motion for leave to bring in a Bill (Standing Order No. 23)**

*Ordered,* That leave be given to bring in a Bill to set national minimum requirements for flood mitigation and protection measures in new build public and private properties enforced by local planning

authorities; to place reporting requirements on local and national government in relation to flood prevention measures; to establish a certification scheme for improvements to domestic and commercial properties for flood prevention and mitigation purposes and an accreditation scheme for installers of such improvements; to require insurers to take account of such improvements and any existing flood prevention and mitigation measures that were planning permission requirements when determining premiums; to extend eligibility to the Flood Reinsurance scheme under section 64 of the Water Act 2014 to small and medium-sized enterprises and homes built after 2009; and for connected purposes;

That Emma Hardy, Debbie Abrahams, Hilary Benn, Tracey Crouch, Philip Davies, Dan Jarvis, Dame Diana Johnson, Rachael Maskell, Jim Shannon, Karl Turner and Valerie Vaz present the Bill.

Emma Hardy accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 14 January 2022, and to be printed (Bill 191).

## 5 Business of the House (Today)

*Ordered*, That, at this day's sitting, the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of Mr Jacob Rees-Mogg relating to the Committee on Standards not later than one hour after the commencement of proceedings on the motion for this Order; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, until any hour, and may be entered upon after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—  
(*Mr Jacob Rees-Mogg.*)

## 6 Committee on Standards

*Resolved*, That, notwithstanding the practice of this House relating to questions already decided in the same Session, this House:

(1) rescinds the Resolution and Order of 3 November 2021 relating to the Third Report of the Committee on Standards (HC 797) and the appointment of a new select committee;

(2) approves the Third Report of the Committee on Standards (HC 797); and

(3) notes that Mr Owen Paterson is no longer a Member of this House.—(*Mr Jacob Rees-Mogg.*)

## **7 Finance (No. 2) Bill: Second Reading**

Motion made and Question proposed, That the Finance (No. 2) Bill be now read a second time.

Amendment moved, in line 1, to leave out from "That" to the end of the Question and add "this House declines to give a Second Reading to the Finance (No. 2) Bill because it does nothing to help people who are struggling with the rising costs of living, who are being hit by the cut to universal credit, or who are facing a rise in National Insurance Contributions and a freeze in the Income Tax Personal Allowance from next April, because it nonetheless cuts taxes for banking companies and derives from a Budget that will see the tax burden rise to its highest level in 70 years and announced cuts in air passenger duty for UK domestic flights, and because it fails to set out a plan to grow the UK's economy, fundamentally

reform business rates, and create better jobs for the future." .—(*James Murray.*)

Question put, That the Amendment be made.

The House divided.

Division No. 109

Ayes: 238 (Tellers: Gill Furniss, Jessica Morden)

Noes: 310 (Tellers: Gareth Johnson, Alan Mak)

Question accordingly negatived.

Question, That the Bill be now read a second time, put forthwith (Standing Order No. 62(2)).

The House divided.

Division No. 110

Ayes: 314 (Tellers: Gareth Johnson, Alan Mak)

Noes: 233 (Tellers: Jessica Morden, Gill Furniss)

Question agreed to and Bill accordingly read a second time.

## 8 Finance (No. 2) Bill: Programme

Motion made and Question put forthwith (Standing Order No. 83A(7)), That the following provisions shall apply to the Finance (No. 2) Bill:

### *Committal*

(1) The following shall be committed to a Committee of the whole House—

- (a) Clause 4 (increase in rates of tax on dividend income);
- (b) Clause 6 (rate of banking surcharge and surcharge allowance);
- (c) Clauses 7 and 8 and Schedule 1 (attribution of trade and property business profits etc for a tax year);
- (d) Clause 12 (capital allowances: extension of temporary increase in annual investment allowance);
- (e) Clauses 27 and 28 (diverted profits tax: mutual agreement procedure and closure notices etc);
- (f) Clauses 53 to 66 (economic crime (anti-money laundering) levy);

- (g) Clauses 68 to 71 (value added tax);
  - (h) Clauses 84 to 92 and Schedules 12 and 13 (avoidance);
  - (i) Clause 93 and Schedule 14 (free zones);  
and
  - (j) any new Clauses or new Schedules relating to the subject matter of the Clauses and Schedules mentioned in paragraphs (a) to (i).
- (2) The remainder of the Bill shall be committed to a Public Bill Committee.

*Proceedings in Committee of the whole House*

- (3) Proceedings in Committee of the whole House shall be completed in one day.
- (4) The proceedings—
- (a) shall be taken on that day in the order shown in the first column of the following Table, and
  - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

## Proceedings

Clause 4; Clause 6; Clauses 7 and 8 and Schedule 1; Clause 12; any new Clauses or new Schedules relating to the subject matter of those Clauses and that Schedule

Clauses 27 and 28; Clauses 53 to 66; Clauses 84 to 89; Clause 90 and Schedule 12; Clause 91 and Schedule 13; Clause 92; any new Clauses or new Schedules relating to the subject matter of those Clauses and those Schedules

## Time for conclusion of proceedings

2 hours from commencement of proceedings on the Bill

4 hours from commencement of proceedings on the Bill



Clauses 68 to 71 (value added tax); Clause 93 and Schedule 14 (free zones); any new Clauses or new Schedules relating to the subject matter of those Clauses and that Schedule

6 hours from commencement of proceedings on the Bill

*Proceedings in Public Bill Committee etc*

(5) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 13 January 2022.

(6) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

(7) When the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Public Bill Committee have been reported to the House, the Bill shall be proceeded with as if it had been reported as a whole to the House from the Public Bill Committee.

### *Consideration and Third Reading*

(8) Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(9) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

### *Programming committee*

(10) Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House or to proceedings on Consideration and Third Reading.—(*Rebecca Harris.*)

Question agreed to.

## **9 Finance (No. 2) Bill: Ways and Means**

Motion made and Question put forthwith (Standing Order No. 52(1)(a)), That—

(1) Resolution 24 of the House of 3 November 2021 (diverted profits tax (closure notices etc)) is amended as follows.

(2) In paragraph (4), in the section 101C which is inserted into the Finance Act 2015 (closure notices: rules during review period)—

(a) in subsection (2), in the words before paragraph (a), for the words from “an” to “(1)(a)” substitute “a relevant enquiry”;

(b) after subsection (3) insert—

“(3A) In subsection (2), “relevant enquiry” means—

(a) an enquiry into the company tax return for the accounting period mentioned in subsection (1)(a);

(b) where the charging notice mentioned in subsection (1)(a) is issued to a company (“the foreign company”) for an accounting period by reason of section 86 applying in relation to it for that accounting period, an enquiry into any company tax return for the avoided PE (within the meaning of section 86) that may be amended by virtue of section 101B(2) so as to reduce the taxable diverted profits arising to the foreign company in that accounting period.”

(3) Resolution 24 is to be treated as if the amendments made by paragraph (2) had at all times been incorporated into the provision made by that Resolution.

And it is declared that it is expedient in the public interest that this Resolution should have statutory effect under the provisions of the Provisional Collection of Taxes Act 1968.—(*Rebecca Harris.*)

Question agreed to.

## **10 Statutory Instruments: Motions for Approval**

Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Food (Promotion and Placement) (England) Regulations 2021, which were laid before this House on 21 July, be approved.—(*Rebecca Harris.*)

Question agreed to.

## **11 Adjournment**

Subject: Funding for autism and neurodiversity research (Robert Buckland)

*Resolved*, That this House do now adjourn.—  
(*Rebecca Harris*.)

Adjourned at 6.24 pm until tomorrow.

## Other Proceedings

### *Deferred Divisions*

## **12 Road Traffic**

The draft Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2021 were withdrawn (Papers Laid, item 11).

Order for deferred division on the Question that the draft Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations 2021, which were laid before this House on 16 September, be approved (8 November) read and discharged.

Deferred division scheduled for Wednesday 17 November cancelled.

## *Changes to Notices Given*

### **13 Non-Disclosure Agreements Bill**

Order for Second Reading on Friday 3 December, read and discharged.

Bill withdrawn.

### **14 Intimate Images (Offences) Bill**

Order for Second Reading on Friday 3 December, read and discharged.

Bill to be read a second time on Friday 18 March 2022.

### **15 Pregnancy and Maternity (Redundancy Protection) Bill**

Order for Second Reading on Friday 3 December, read and discharged.

Bill to be read a second time on Friday 18 March 2022.

## *Lords Messages*

### **16 Telecommunications (Security) Bill**

The Lords do not insist on their Amendments to the Telecommunications (Security) Bill to which the Commons have disagreed.

### **17 Social Security (Up-rating of Benefits) Bill**

The Lords do not insist on their Amendments to the Social Security (Up-rating of Benefits) Bill to which the Commons have disagreed.

## *General Committees: Reports*

### **18 Animal Welfare (Kept Animals) Bill Committee**

Geraint Davies (Chair) reported written evidence submitted to the Committee.

Written evidence to be published.

### **19 Judicial Review and Courts Bill Committee**

Sir Mark Hendrick (Chair) reported written evidence submitted to the Committee.

Written evidence to be published.

## **20 Nuclear Energy (Financing) Bill Committee**

Yvonne Fovargue (Chair) reported:

(1) That the Committee had come to the following Resolution, That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication; and

(2) written evidence.

Written evidence to be published

### *General Committees: Appointments*

*The Speaker appoints the Chair of General Committees and members of Programming Sub-Committees, and allocates Statutory Instruments to Delegated Legislation Committees.*

*The Committee of Selection nominates Members to serve on General Committees (and certain Members to serve on Grand Committees).*



**21 Second Delegated Legislation Committee  
(Value Added Tax (Distance Selling  
and Miscellaneous Amendments No. 2)  
Regulations 2021 (SI, 2021, No. 1165)  
and the Customs Tariff (Establishment  
and Suspension of Import Duty) (EU Exit)  
(Amendment) (No. 2) Regulations 2021 (SI,  
2021, No. 1191))**

Members: Mr Richard Holden discharged  
and Angela Richardson nominated in  
substitution.

*Reports from Select Committees*

**22 Backbench Business Committee**

Transcript of representations made on  
Tuesday 16 November to be published (Ian  
Mearns).

**23 Business, Energy and Industrial Strategy  
Committee**

*(1) Correspondence from the Minister  
of State for Energy, Clean Growth and  
Climate Change relating to the Biomass  
Policy Statement: Written evidence, to be  
published;*

(2) *Correspondence from the Secretary of State relating to the 2021 Spending Review*: Written evidence, to be published;

(3) *Net Zero Governance*: Written evidence, to be published (HC 486)

(Darren Jones).

## **24 Defence Committee**

(1) *Withdrawal from Afghanistan*: Oral evidence, to be published (HC 699);

(2) *Protecting those who protect us: Women in the Armed Forces from recruitment to civilian life*: Written evidence, to be published (HC 154)

(Tobias Ellwood).

## **25 Defence, International Development and International Trade Committees**

(1) *UK arms exports in 2019*: Oral and written evidence, to be published (HC 224);

(2) *Correspondence with the Secretary of State for International Trade relating to the Export Control Joint Unit Transformation Programme*: Written evidence, to be published

(Mark Garnier).

## **26 Digital, Culture, Media and Sport Committee**

(1) *Sport governance*: Oral and written evidence, to be published (HC 855);

(2) *Influencer culture*: Written evidence, to be published (HC 258);

(3) *The work of the BBC*: Written evidence, to be published (HC 257)

(Julian Knight).

## **27 Education Committee**

(1) *Children's Homes*: Oral evidence, to be published (HC 83);

(2) *Accountability hearings*: Written evidence, to be published (HC 82);

(3) *Correspondence from Ofqual regarding new guidance to improve the accessibility of exams and assessments*: Written evidence, to be published;

(4) *Summer results 2021 and arrangements for 2022*: Written evidence, to be published (HC 673);

(5) *Universities and the pandemic*: Written evidence, to be published (HC 779)

(Robert Halfon).

## **28 Environment, Food and Rural Affairs Committee**

(1) *Labour shortages in the food and farming sector*: Oral and written evidence, to be published (HC 713);

(2) *Animals Abroad Bill*: Written evidence, to be published (HC 511);

(3) *Animals Welfare (Sentience) Bill*: Written evidence, to be published (HC 277);

(4) *Correspondence from the Minister for Farming, Fisheries and Food relating to the fisheries private briefing*: Written evidence, to be published

(Neil Parish).

## **29 European Statutory Instruments Committee**

Eighth Report, to be printed, with the formal minutes relating to the Report (HC 592) (Andrew Jones).

### **30 Foreign Affairs Committee**

*Implementing the Integrated Review: Tilt to the Indo-Pacific*: Oral evidence, to be published (HC 684) (Tom Tugendhat).

### **31 Health and Social Care Committee**

(1) *NHS litigation reform*: Oral evidence, to be published (HC 740);

(2) *Cancer services*: Written evidence, to be published (HC 551);

(3) *Clearing the backlog caused by the pandemic*: Written evidence, to be published (HC 599);

(4) *Expert Panel: evaluation of the Government's commitments in the area of mental health services in England*: Written evidence, to be published (HC 612)

(Jeremy Hunt).

### **32 Home Affairs Committee**

(1) *The Windrush Compensation Scheme*: Fifth Report, to be printed, with the formal minutes relating to the Report (HC 204);

(2) *Correspondence from the Minister for Safeguarding relating to the Appointment of the Chair of the Gangmasters and Labour Abuse Authority*: Written evidence, to be published

(Yvette Cooper).

### **33 International Development Committee**

(1) *Foreign, Commonwealth and Development Office's Annual Report and Accounts*: Oral evidence, to be published (HC 739);

(2) *Correspondence with COP 26 President, The Rt Hon Alok Sharma MP, relating to the International Development Committee report and survey on UK climate action*: Written evidence, to be published

(Sarah Champion).

### **34 Petitions Committee**

(1) Record of the Committee's decisions relating to e-petitions, to be published;

(2) List of closed e-petitions presented to the House, to be published;

(3) *Tackling online abuse*: Oral evidence, to be published (HC766);

(4) *Correspondence with the Minister of State for Justice, relating to e-petition 587647*: Written evidence, to be published (Catherine McKinnell).

### **35 Scottish Affairs Committee**

(1) *Labour shortages*: Oral and written evidence, to be published (HC 879);

(2) *Airports in Scotland*: Written evidence, to be published (HC 601)

(Pete Wishart).

### **36 Transport Committee**

(1) *Airlines and airports: supporting recovery in the UK aviation sector*: Written evidence, to be published (HC 683);

(2) *Correspondence from the Minister of State for Transport relating to Southeastern railway*: Written evidence, to be published;

(3) *The work of the Driver and Vehicles Standards Agency 2021*: Written evidence, to be published (HC 810)

(Huw Merriman).

### **37 Treasury Committee**

*Correspondence with the Money and Pensions Service relating to advice on debt: Written evidence, to be published (Mel Stride).*

*Lindsay Hoyle*

Speaker

Westminster Hall

The sitting began at 9.30 am.

Business appointed by the Chairman of Ways and Means (Standing Order No. 10(6))

#### **1 Delivery of a new Tobacco Control Plan**

*Resolved*, That this House has considered the matter of the delivery of a new Tobacco Control Plan.—(*Bob Blackman.*)



## **2 Safety of women and the regulation of pedicabs in London**

*Resolved*, That this House has considered the safety of women and the regulation of pedicabs in London.—(*Nickie Aiken.*)

*The sitting was suspended between 11.29 am and 2.30 pm (Standing Order No. 10(1) (b)).*

## **3 Case of Nazanin Zaghari-Ratcliffe**

Motion made and Question proposed, That this House has considered the case of Nazanin Zaghari-Ratcliffe.—(*Tulip Siddiq.*)

The Chair announced a time limit on backbench speeches (under the authority of the Chairman of Ways and Means and Standing Order No. 47(1)).

At 4.00 pm, the Motion lapsed (Standing Order No. 10(6)).

## **4 Access to archives purchased with public money**

*Resolved*, That this House has considered the matter of access to archives purchased with public money.—(*Chris Evans.*)

*The sitting was suspended between 4.26 pm and 4.30 pm.*

## **5 Pension age of prison officers**

Motion made and Question proposed, That this House has considered the pension age of prison officers.—(*Gordon Henderson.*)

The Chair announced a time limit on backbench speeches (under the authority of the Chairman of Ways and Means and Standing Order No. 47 (1)).

*The sitting was suspended between 5.02 pm and 5.22 pm for divisions in the House (Standing Order No. 10(3)).*

*Resolved,* That this House has considered the pension age of prison officers.

Sitting adjourned without Question put (Standing Order No. 10(14)).

Adjourned at 5.49 pm until tomorrow.

*Eleanor Laing*

Chairman of Ways and Means

## Papers Laid

### Papers subject to Affirmative Resolution

#### **1 Constitutional Law**

Draft Civil Partnership (Scotland) Act 2020 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Modifications) Order 2022 (by Act), with an Explanatory Memorandum (by Command) (Secretary Alister Jack)

#### **2 Private International Law**

Draft Civil Jurisdiction and Judgments (2005 Hague Convention and 2007 Hague Convention) (Amendment) Regulations 2022 (by Act), with an Explanatory Memorandum (by Command) (Secretary Dominic Raab)

### Papers subject to Negative Resolution

#### **3 Food**

Products Containing Meat etc. (England) (Amendment) Regulations 2021 (SI, 2021,

No. 1271), dated 15 November 2021 (by Act), with an Explanatory Memorandum (by Command) (Secretary George Eustice)

#### **4 Income Tax**

Authorised Investment Funds (Tax) (Amendment) Regulations 2021 (SI, 2021, No. 1270), dated 15 November 2021 (by Act), with an Explanatory Memorandum (by Command) (John Glen)

#### **5 Local Government**

Draft London Borough of Lambeth (Electoral Changes) Order 2022 (by Act), with an Explanatory Memorandum (by Command) (The Speaker)

#### **6 National Security**

National Security and Investment Act 2021 (Prescribed Form and Content of Notices and Validation Applications) Regulations 2021 (SI, 2021, No. 1272), dated 15 November 2021 (by Act), with an Explanatory Memorandum (by Command) (Secretary Kwasi Kwarteng)

## **7 Protection of Freedoms**

Surveillance Camera Code of Practice (by Act), with an Explanatory Memorandum (by Command) (Secretary Priti Patel)

Other papers

## **8 Government Resources and Accounts (Audit of Public Bodies)**

Report and Accounts of The Housing Ombudsman for 2020–21, with the Report of the Comptroller and Auditor General (by Statutory Instrument), to be printed (HC 816) (Secretary Michael Gove)

## **9 Justice**

Mental Capacity Small Payments Scheme (by Command) (CP 559) (Secretary Dominic Raab)

## **10 National Heritage**

Report and Accounts of the Board of Trustees of the Royal Armouries for 2020–21, with the Report of the Comptroller and

Auditor General (by Act), to be printed  
(HC 762) (Nigel Huddleston)

Withdrawn papers

## 11 Road Traffic

Draft Motor Vehicles (Driving Licences)  
(Amendment) (No. 2) Regulations 2021 (laid  
16 September)

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## SPEAKER'S CERTIFICATES

Voting by proxy

Suspension of proxy voting arrangement

The Speaker has certified, further to the certificate of 6 September, that Stella Creasy has given notice that she wishes to suspend her proxy vote and vote in person on Wednesday 17 November.