

Police, Crime, Sentencing and Courts Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Tenth Marshalled List]

Amendment
No.

After Clause 170

LORD FAULKNER OF WORCESTER

292U★

Insert the following new Clause –

“Offence of buying or selling scrap metal for cash etc

- (1) Section 12 of the Scrap Metal Dealers Act 2013 is amended as follows.
- (2) After subsection (1), insert –
 - “(1A) A seller of scrap must not receive payment except –
 - (a) by a cheque which under section 81A of the Bills of Exchange Act 1882 is not transferable, or
 - (b) by an electronic transfer of funds (authorised by credit card or debit card or otherwise).”
- (3) In subsection (3), after “paying”, in the first place it occurs, insert “or receiving”.
- (4) In subsection (4), after “subsection (1)” insert “or a seller receives payment in breach of subsection (1A)” and at the end insert –
 - “(d) the seller of scrap metal or any person acting for or on behalf of the seller.”
- (5) In subsection (5), leave out “or (b)” and insert “, (b) or (d)”.

After Clause 61

LORD PADDICK

As an amendment to Amendment 319A

319AA★

In subsection (1)(b), leave out “or is capable of causing”

Member’s explanatory statement

This would limit the offence to an act that causes serious disruption.

As an amendment to Amendment 319A

- 319AB★** In subsection (1)(c), leave out “or are reckless as to whether it will have such a consequence”

Member’s explanatory statement

This limits the new offence to ensure that there must be intent to cause serious disruption.

As an amendment to Amendment 319A

- 319AC★** In subsection (3), after “fine” insert “not exceeding level 2 on the standard scale”

Member’s explanatory statement

A person convicted of an offence of ‘locking on’ may be subjected to a fine. Under Amendment 319A there is no limit on the fine that may be imposed. This amendment is to probe the level of fine that a person may be subject to.

As an amendment to Amendment 319B

- 319BA★** In subsection (1), leave out “or in connection with”

Member’s explanatory statement

This is to probe what actions may also be criminalised "in connection with" an offence.

As an amendment to Amendment 319B

- 319BB★** In subsection (1) leave out “any person” and insert “them”

Member’s explanatory statement

Currently the offence of being equipped for locking on does not require the object to be used by the person with the item specifically, but by “any person”. This amendment is intended to limit the offending behaviour to a person who commits the offence of locking on.

As an amendment to Amendment 319B

- 319BC★** In subsection (2), after “fine” insert “not exceeding level 1 on the standard scale”

Member’s explanatory statement

A person convicted of an offence of ‘being equipped for locking on’ may be subjected to a fine. Under amendment 319B there is currently no limit on the fine that may be imposed. This amendment is to probe the level of fine that a person may be subject to.

As an amendment to Amendment 319D

- 319DA★** In subsection (1), leave out paragraph (a)(iii)

Member’s explanatory statement

This amendment seeks to limit the range of acts potentially criminalised by this provision.

As an amendment to Amendment 319D

- 319DB★** In subsection (1), leave out paragraph (b)

Member’s explanatory statement

This amendment seeks to limit the range of acts potentially criminalised by this provision.

As an amendment to Amendment 319D

- 319DC★** In subsection (3), after “fine” insert “not exceeding level 2 on the standard scale”

Member’s explanatory statement

A person convicted of an offence of obstructing major transport works may be subjected to a fine. Under amendment 319D there is currently no limit on the fine that may be imposed. This amendment is to probe the level of fine that a person may be subject to.

As an amendment to Amendment 319K

- 319L★** In subsection (1), in inserted section 342L(2)(a), leave out “on the balance of probabilities” and insert “beyond reasonable doubt”

Member’s explanatory statement

This amendment raises the burden of proof for imposing a serious disruption prevention order to the criminal standard.

As an amendment to Amendment 319K

- 319M★** In subsection (1), in inserted section 342L(3)(b), leave out “on the balance of probabilities” and insert “beyond reasonable doubt”

Member’s explanatory statement

This amendment raises the burden of proof for imposing a serious disruption prevention order to the criminal standard.

As an amendment to Amendment 319K

- 319N★** In subsection (1), leave out inserted section 342M

Member’s explanatory statement

This ensures that serious disruption prevention orders can only be made when a person has previously committed a related offence.

As an amendment to Amendment 319K

- 319P★** In subsection (1), in inserted section 342S(2), after “fine” insert “not exceeding level 2 on the standard scale”

Member’s explanatory statement

A person convicted of an offence related to a serious disruption prevention order may be subjected to a fine. Under amendment 319K there is currently no limit on the fine that may be imposed. This amendment is to probe the level of fine that a person may be subject to.

As an amendment to Amendment 319K

- 319Q★** In subsection (1), in inserted section 342T(1), leave out “, renewing”

Member’s explanatory statement

This amendment would prevent an existing serious disruption prevention order from being renewed.

As an amendment to Amendment 319K

- 319R★** In subsection (1), in inserted section 342T(6), leave out “, renewing”

Member's explanatory statement

This amendment would prevent an existing serious disruption prevention order from being renewed.

As an amendment to Amendment 319K

- 319S★** In subsection (1), in inserted section 342T(7), leave out “renew a serious disruption prevention order, or”

Member's explanatory statement

This amendment would prevent an existing serious disruption prevention order from being renewed.

As an amendment to Amendment 319K

- 319T★** In subsection (1), in inserted section 342T(8), leave out “the renewal of a serious disruption prevention order, or”

Member's explanatory statement

This amendment would prevent an existing serious disruption prevention order from being renewed.

As an amendment to Amendment 319K

- 319U★** In subsection (1), in inserted section 342T(9), leave out “or renewing”

Member's explanatory statement

This amendment would prevent an existing serious disruption prevention order from being renewed.

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19 November 2021
