

Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 1

BARONESS PINNOCK
LORD FOX

- 1 Page 2, line 20, at end insert –
- “(7A) Before the first determination to which this section applies is made, the Valuation Office Agency must publish a statement outlining –
- (a) how many checks, challenges or appeals in relation to a material changes of circumstances due to the coronavirus pandemic it has received and what the total monetary value of those checks, challenges or appeals is, and
 - (b) its assessment of the impact of this section on the ability of the current system of business rates to –
 - (i) provide an effective form of funding for local authorities; and
 - (ii) support town centres and local high streets.”

Member’s explanatory statement

This amendment would require the Valuation Office Agency to publish information on applications relating to a material changes of circumstances, and whether the changes introduced in this Act will support local authorities, town centres and high streets.

After Clause 1

BARONESS BLAKE OF LEEDS

- 2 Insert the following new Clause –
- “Report on the system of business rates in relation to section 1**
- (1) Before 1 May 2022, the Secretary of State must publish a report on whether the changes introduced by section 1 make the system of business rates fair and effective.

After Clause 1 - continued

- (2) For the purposes of subsection (1), the Secretary of State must consult with businesses.
- (3) The report must include recommendations as to whether further legislation is needed on factors which may or may not be taken into account in making a relevant determination to ensure the business rates system is fair and effective.
- (4) On the same day as the publication of the proposals, a Minister of the Crown must make a statement to both Houses detailing any steps which will be taken to implement the recommendations.
- (5) Within 90 days of the publication of the proposals, a Minister of the Crown must publish draft legislation for the implementation of the recommendations.”

Member’s explanatory statement

This amendment would ensure a report is produced which will include recommendations as to whether further legislation is needed on factors which may or may not be taken into account in making a relevant determination in relation to business rates.

3 Insert the following new Clause—

“Advice to local authorities

Before 1 March 2022, the Secretary of State must publish a statement containing advice to local authorities on the implementation of this Act.”

Member’s explanatory statement

This amendment would ensure that the Secretary of State publishes advice to local authorities on the implementation of this Act.

After Clause 3

BARONESS BLAKE OF LEEDS

4 Insert the following new Clause—

“Insolvency Service finances and resources

- (1) Before 1 March 2022, the Secretary of State must make a statement on the impact of this Act on the financial situation of the Insolvency Service.
- (2) The statement must include an assessment as to whether the Insolvency Service is sufficiently resourced to meet its obligations under this Act.”

Member’s explanatory statement

This amendment would place an obligation on the Secretary of State to make a statement on the impact of this Act on the financial situation of the Insolvency Service and whether the Insolvency Service is sufficiently resourced to meet its obligations under this Act.

LORD FOX
LORD LEIGH OF HURLEY

5 Insert the following new Clause—

“Reporting requirement: resources

- (1) Within six months of the day on which this Act is passed, and every three years thereafter, the Secretary of State must publish a report on the resources and the powers available to the Secretary of State, the Department for Business, Energy and Industrial Strategy, and the Insolvency Service in relation to this Act.
- (2) The report in subsection (1) must include but is not limited to—
 - (a) whether the appropriate resources are available to undertake the additional investigations required as a result of this Act, in addition to existing investigations into insolvent companies; and
 - (b) whether the appropriate mechanisms are available to the Secretary of State to prosecute directors of dissolved companies, and to recoup money from them on behalf of all creditors.
- (3) The report must make a recommendation as to whether further legislation should be brought forward, or increased resources should be made available, in light of the report.
- (4) The Secretary of State must lay a copy of the report before Parliament.”

Member’s explanatory statement

This new Clause would add a requirement on the Secretary of State to report on the resources and the powers available to the Secretary of State, the Department for Business, Energy and Industrial Strategy, and the Insolvency Service in relation to this Act.

6★ Insert the following new Clause—

“Reporting requirement: investigations

- (1) Within six months of the day on which this Act is passed, and every three years thereafter, the Secretary of State must publish a report on the impact of this Act on investigations into the conduct of directors of dissolved companies.
- (2) The report in subsection (1) must include but is not limited to how much money has been returned to creditors as a result of investigations under this Act, including the proportion of this money returned to the Government.
- (3) The Secretary of State must lay a copy of the report before Parliament.”

Member’s explanatory statement

This new Clause would add a requirement on the Secretary of State to report on the impact of this Act on the investigations into the conduct of directors of dissolved companies.

Clause 4BARONESS PINNOCK
LORD FOX

7 Page 7, line 4, leave out paragraph (a)

Member's explanatory statement

This amendment is consequential on the amendment in the name of Baroness Pinnock to page 7, line 12.

8

Page 7, line 12, at end insert—

“(4A) Section 1 comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.

(4B) The Secretary of State may not make regulations under subsection (4A) until he or she has laid before Parliament a report outlining further details of the use of the £1.5 billion business rates relief fund announced by the Government on 25 March 2021, including an assessment of whether the fund will be sufficient to support those businesses who have previously applied to the Valuation Office Agency on the basis that the coronavirus pandemic represented a material change of circumstances.”

Member's explanatory statement

This amendment would prevent section 1 of this Act coming into force until the Government has provided further detail on the £1.5 billion fund intended to support businesses in light of this Act removing the pandemic as a contributing factor in determining a material changes of circumstances.

Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

29 November 2021
