

Crime and Policing Bill

MARSHALLED LIST OF MOTIONS AND AMENDMENT TO BE MOVED ON CONSIDERATION OF COMMONS REASON AND AMENDMENTS

[The page and line references are to HL Bill 111(Corrected), the Bill as first printed for the Lords]

MOTION A

LORDS AMENDMENT 2

Clause 4

2 Clause 4, page 12, line 11, at end insert –

“(5) For the purposes of this section, any authorised person or company issuing fixed penalty notices under the provisions listed in subsection (6) must not receive, directly or indirectly, any financial benefit that is contingent upon –

- 5 (a) the issuing of a fixed penalty notice, or
(b) the number or value of fixed penalty notices issued.

(6) The provisions are –

- (a) section 52, and
(b) section 68,

10 of the Anti-social Behaviour, Crime and Policing Act 2014 (fixed penalty notices).

(7) For the purposes of subsection (5), a financial benefit includes, but is not limited to –

- 15 (a) any commission, bonus, incentive payment, or performance-related remuneration;
(b) any benefit provided under a contract, arrangement, or understanding that links remuneration to enforcement outcomes;
(c) any financial profit accrued by an employer;
(d) any non-monetary benefit prescribed by regulations.

20 (8) Any employer or person found to be in breach of subsection (5) may have their arrangements, accreditation or authorisation revoked by the chief officer of police or relevant local authority.”

COMMONS DISAGREEMENT AND AMENDMENTS IN LIEU

The Commons disagree to Lords Amendment 2 but propose amendments 2A to 2C to the Bill as amendments in lieu –

- 2A** Page 12, line 7, leave out “and (4)” and insert “to (5)”
- 2B** Page 12, line 9, at end insert –
- “(3A) In section 56 (guidance), after subsection (1) insert –
- “(1A) Guidance issued under this section may include guidance about the issue of fixed penalty notices under section 52 by authorised persons (within the meaning of section 52(1)).”
- 2C** Page 12, line 11, at end insert –
- “(5) In section 73 (guidance), after subsection (1) insert –
- “(1A) Guidance issued under this section may include guidance about the issue of fixed penalty notices under section 68 by authorised persons (within the meaning of that section).”

LORDS NON-INSISTENCE AND AMENDMENTS TO AMENDMENTS IN LIEU

The Lords do not insist on their Amendment 2, to which the Commons have disagreed, agree with the Commons Amendments 2A to 2C in lieu and do propose Amendment 2D as an amendment to Commons Amendment 2B and Amendment 2E as an amendment to Commons Amendment 2C –

- 2D** Leave out from “section” in line 3 to end and insert “must include provision setting out how to prevent authorised people or companies from being incentivised to issue fixed penalty notices under section 52 for the purposes of generating any direct or indirect financial benefit”
- 2E** Leave out from “section” in line 3 to end and insert “must include provision setting out how to prevent authorised people or companies from being incentivised to issue fixed penalty notices under section 68 for the purposes of generating any direct or indirect financial benefit”

COMMONS DISAGREEMENT AND AMENDMENTS TO THE COMMONS AMENDMENTS AS AMENDMENTS IN LIEU

The Commons disagree to Lords Amendments 2D and 2E but propose Amendment 2F to Commons Amendment 2B and Amendment 2G to Commons Amendment 2C as amendments in lieu –

- 2F** Line 2, leave out from “guidance)” to end of line 5 and insert –
- “(a) at the beginning insert –
- “(A1) The Secretary of State must issue –

- (a) guidance to chief officers of police about the issue of fixed penalty notices under section 52 by officers under their direction or control, and
- (b) guidance to local authorities about the issue of fixed penalty notices under section 52 by local authorities and persons designated under section 53(1)(c).”;
- (b) in subsection (1)(a), after “those officers” insert “other”;
- (c) in subsection (1)(b) –
 - (i) after “their” insert “other”;
 - (ii) for “those” substitute “other functions”.

2G Line 2, leave out from “guidance)” to end of line 5 and insert –

- “(a) at the beginning insert –
 - “(A1) The Secretary of State must issue guidance to local authorities about the issue of fixed penalty notices under section 68 by persons authorised by local authorities under that section.”;
- (b) in subsection (1)(a), for “those” substitute “other functions”.

LORDS NON-INSISTENCE, AGREEMENT AND AMENDMENTS TO AMENDMENTS IN LIEU

The Lords do not insist on their Amendments 2D and 2E, to which the Commons have disagreed, agree with the Commons Amendments 2F and 2G in lieu and do propose Amendment 2H as an amendment to Commons Amendment 2F and Amendment 2J as an amendment to Commons Amendment 2G –

2H In paragraph (a), at the end of inserted subsection (A1)(b), insert “, including how such persons can be disincentivised from issuing fixed penalty notices for the purpose of generating any direct or indirect financial benefit.

- (A2) Any person found to be in breach of the guidance under subsection (A1)(b) may have their designation revoked by the relevant local authority.”

2J In paragraph (a), at the end of inserted subsection (A1), insert “, including how such persons can be disincentivised from issuing fixed penalty notices for the purpose of generating any direct or indirect financial benefit.

- (A2) Any person found to be in breach of the guidance under subsection (A1) may have their designation revoked by the relevant local authority.”

COMMONS DISAGREEMENT AND AMENDMENTS TO THE COMMONS AMENDMENTS AS AMENDMENTS IN LIEU

The Commons disagree to Lords Amendments 2H and 2J but propose Amendment 2K to Commons Amendment 2F and Amendment 2L to Commons Amendment 2G as amendments in lieu –

2K At end insert –

“(d) after subsection (3) insert –

“(4) The Secretary of State must comply with the duty in subsection (A1)(a) and (b) within 6 months of the day on which the Crime and Policing Act 2026 is passed.””

2L At end insert –

“(c) after subsection (3) insert –

“(4) The Secretary of State must comply with the duty in subsection (A1) within 6 months of the day on which the Crime and Policing Act 2026 is passed.””

A Lord Hanson of Flint to move, That this House do not insist on its Amendment 2H to Commons Amendment 2F and its Amendment 2J to Commons Amendment 2G, and do agree with the Commons in their Amendment 2K to Commons Amendment 2F and Amendment 2L to Commons Amendment 2G in lieu.

MOTION B

LORDS AMENDMENTS 359 AND 439

After Clause 190

359 After Clause 190, insert the following new Clause –

“Proscription status of Iran-related entities: review

- (1) The Secretary of State must, within one month of the date on which this Act is passed, review whether any organisations related to the Iranian government should be proscribed under section 3 of the Terrorism Act 2000 (proscription).
- (2) The Secretary of State must publish the outcome of the review under subsection (1), and this must include the reasons for the Secretary of State’s decision.”

COMMONS REASON

The Commons disagree to Lords Amendment 359 for the following Reason –

359A *Because the amendment is unnecessary as the Home Secretary already keeps under review whether new organisations should be added to the list of proscribed organisations, and the Government has already committed to take forward plans for a proscription-like power for state and state-linked bodies to tackle hostile state activity.*

LORDS INSISTENCE

The Lords do insist on their Amendment 359 for Reason 359B.

359B *Because the Lords wish the Commons to consider the matter again.*

Clause 201

439 Clause 201, page 232, line 1, at end insert –

“(ca) section (*Proscription status of Iran-related entities: review*);”

COMMONS REASON

The Commons disagree to Lords Amendment 439 for the following Reason –

439A *Because it relates to Lords Amendment 359 to which the Commons disagree.*

LORDS INSISTENCE

The Lords do insist on their Amendment 439 for Reason 439B.

439B *Because the Lords wish the Commons to consider the matter again.*

COMMONS INSISTENCE ON DISAGREEMENT AND AMENDMENTS IN LIEU

The Commons insist on their disagreement with the Lords in their Amendments 359 and 439, but propose the following Amendments to the Bill in lieu of the Lords Amendments –

439C Page 223, line 6, at end insert the following new Clause –

“Duty to make statement about proscription regime

- (1) The Secretary of State must lay before Parliament, and publish, a statement about the general policies and procedures of the Secretary of State in relation to the Secretary of State’s powers under section 3 of the Terrorism Act 2000 (power to amend list of proscribed organisations).
- (2) The Secretary of State must comply with subsection (1) within six months of the day on which this Act is passed.”

439D Page 232, line 1, at end insert –

“(ca) section (*Duty to make statement about proscription regime*);”

LORDS DISAGREEMENT AND AMENDMENTS IN LIEU

The Lords do not insist on their Amendments 359 and 439, do disagree with the Commons in its Amendments 439C and 439D in lieu, and do propose Amendments 439E and 439F in lieu –

439E After Clause 190, insert the following new Clause –

“Proscription status of Iran-related entities: review

- (1) The Secretary of State must, within one month of the day on which this Act is passed, review whether any organisations related to the Iranian Armed Forces should be proscribed under section 3 of the Terrorism Act 2000 (proscription).
- (2) The Secretary of State must publish the outcome of the review under subsection (1), and this must include the reasons for the Secretary of State’s decision.”

439F Page 232, line 1, at end insert –

“(ca) section (*Proscription status of Iran-related entities: review*);”

COMMONS INSISTENCE, DISAGREEMENT AND REASON

The Commons insist on their Amendments 439C and 439D and disagree to Lords Amendments 439E and 439F in lieu for the following reason –

439G *Because the amendments are unnecessary as the Home Secretary already keeps under review whether new organisations should be added to the list of proscribed organisations, and the Government has already committed to take forward plans for a proscription-like power for state and state-linked bodies to tackle hostile state activity.*

B **Lord Hanson of Flint to move, That this House do not insist on its Amendments 439E and 439F and do agree with the Commons in their Amendments 439C and 439D.**

B1 **Lord Davies of Gower to move, as an amendment to Motion B, leave out from “House” to the end and insert “do insist on its Amendments 439E and 439F and do insist on its disagreement with the Commons in their Amendments 439C and 439D.”**

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