

Presiding Officer's Determination on Proper Form - Amendments to a Public Bill

Version 7.2, May 2015

The Presiding Officer has determined, under Standing Order 26.58 that the form of amendments to a Public Bill (hereinafter referred to as a "Bill") must be as follows:

General

- 01.** An amendment to a Bill will only be admissible if it is consistent with the Presiding Officer's Determination on the Proper Form of Public Bills for Acts of the Assembly.
- 02.** An amendment to a Bill may only propose one change to the text of the Bill; an amendment to an amendment may only propose one change to the text of that amendment.

(Note: these rules must be read subject to paragraph 32.)

A "change" (other than the kind of change referred to in paragraph 32) means either:

- a. the leaving out of text and the insertion of different text in its place;
- b. the leaving out of text (without the insertion of any text); or
- c. the insertion of text (without the leaving out of any text).

Where a number of changes are linked (e.g. the leaving out of one word and the insertion of another word in its place in a number of different places in the text of the Bill or amendment (as the case may be)) each must nevertheless be the subject of a separate amendment.

- 03.** A single amendment may not change the text of more than one section or schedule (e.g. an amendment may not "Leave out sections 5 to 7" – three separate amendments each of which leaves out one of the sections, would be required).
- 04.** An amendment may not propose a change to part of a word (e.g. to change "child" to "children", an amendment should leave out 'child' and insert 'children', not add '-ren' to the end of 'child').

The Form of Amendments

Amendments which leave out text and insert different text in its place

- 05.** Amendments to insert a new section or schedule in place of an existing one must be in the form:

Page x, line x, leave out [section / schedule x] and insert—

'text of new section / schedule'.

The line number referred to is to be that of the first line of the text of the section or schedule to be left out, ignoring the title, unless a new title is to be inserted in place of the existing one, in which



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Presiding Officer



case it is to be that of the first line of the title. If a new title is to be inserted in place of the existing one, its text must be included in the text to be inserted.

- 06.** Amendments to insert one or more new subsections or schedule paragraphs in place of existing ones must be in the form:

[Section / Schedule x], page x, line x, leave out [subsection(s) / paragraph(s) x (to y)] and insert—

'text of new subsection(s) / paragraph (s)'.

The line number referred to is to be that of the first line of the text of the subsection(s) or schedule paragraph(s) to be left out, ignoring, in the case of schedule paragraphs, any cross-heading, unless a new cross-heading is to be inserted in place of the existing one, in which case it is to be that of the first line of the cross-heading. If a new cross-heading is to be inserted in place of the existing one, its text must be included in the text to be inserted.

- 07.** Amendments to insert one or more new subdivisions, other than subsections or schedule paragraphs, in place of existing ones, must be in the form:

[Section / Schedule x], page x, leave out [line x or lines x to y] and insert—

'text of new subdivision(s)'.

(Note: a subdivision in this paragraph means a numbered or lettered subdivision of a subsection or a schedule paragraph e.g. a paragraph within a subsection or a subparagraph of a schedule paragraph).

The line number referred to is to be that of the first line of the subdivision to be left out.

- 08.** Amendments to insert a combination of one more new subdivisions and subsections in place of a combination of existing subdivisions and subsections, must be in the form:

[Section / Schedule x], page x, leave out [lines x to y] and insert—

'text of new subdivisions'.

The line number referred to is to be that of the first line of the subdivision to be left out.

- 09.** Amendments to insert new text in place of existing text (other than those which fall within paragraphs 4 to 7) must be in the form:

[Section / Schedule x], page x, line x, leave out 'identifying the words to be left out' and insert 'text to be inserted'.

The line number referred to is to be that of the line on which the first line of the text to be left out appears.

- 10.** Amendments to insert a new table or figure in place of an existing one, must be in the form:

[Section / Schedule x], page x, line x, leave out [Table x / Figure x] and insert—



Amendments which only leave out text

11. Amendments to leave out a section or a schedule must be in the form:

Page x, line x, leave out [section / schedule x].

The line number referred to is to be that of the first line of the text of the section or schedule to be left out, ignoring the title. The effect of leaving out the section or schedule will be that the title will also be left out.

12. Amendments to leave out one or more subsections or schedule paragraphs must be in the form:

Section x, page x, line x, leave out subsection(s) (x) to (y).

or

Schedule x, page x, line x, leave out paragraph(s) (x) to (y).

The line number referred to is to be that of the first line of the text of the subsection or schedule paragraph to be left out, ignoring, in the case of a schedule paragraph, any cross-heading. Where a cross-heading refers only to a single schedule paragraph the effect of leaving out the paragraph will be that the cross-heading will also be left out.

13. Amendments to leave out one or more subdivisions other than subsections or schedule paragraphs, must be in the form:

[Section / Schedule x], page x, leave out [line x / lines x to y].

(Note: a subdivision in this paragraph means a numbered or lettered subdivision of a subsection, a schedule paragraph or schedule subparagraph e.g. a paragraph within a subsection or a sub-subparagraph of a schedule subparagraph).

14. Amendments to leave out a combination of existing subdivisions and subsections, must be in the form:

[Section / Schedule x], page x, leave out [lines x to y]

The line number referred to is to be that of the first line of the subdivision to be left out.

15. Amendments to leave out other text must be in the form:

[Section / Schedule x], page x, line x, leave out 'identifying the words to be left out'.

16. Amendments to leave out a Table or Figure must be in the form:

[Section / Schedule x], page x, line x, leave out Table x / Figure x.

Amendments which only insert text

17. Amendments to insert new sections or schedules into the Bill must be in the form:



Page x, after line x, insert a new section / schedule—

followed by the text of the proposed section or schedule including any proposed cross-heading.

- 18.** If new text to be inserted begins at the beginning of a line and extends to the whole of that line, the amendment must be in the form:

[Section / Schedule x], page x, after line x, insert—

'text to be inserted'.

where "line x" refers to the line immediately before the place where the new text is to be inserted.

- 19.** Subject to paragraphs 18 and 20 to 21 amendments to insert new text (other than new sections or schedules) into the Bill must be in the form:

[Section / Schedule x], page x, line x, after 'identifying the word immediately before the text to be inserted', insert—

'text to be inserted'.

The line number referred to is to be that of the line on which the first word of the text to be inserted is to appear.

- 20.** If new text to be inserted begins at the beginning of a line (but does not extend to the whole of that line), the amendment must be in the form:

[Section / Schedule x], page x, at the beginning of line x, insert 'text to be inserted'.

The line number referred to is to be that of the line on which text is to be inserted.

- 21.** Amendments to insert a new table or figure must be in the form:

[Section / Schedule x], page x, after line x, insert—

[Table x / Figure x]

Amendments to text presented in columns

- 22.** If text appears in a format which involves more than one column, for example where the text incorporates a table, an amendment must be in the form:

[Section / Schedule x], page x, Table x, line x, column x, leave out '[identifying the words to be left out]' and insert 'text'.

or as the case may be, depending on the type of amendment.

(Note: If a column is identified in the text by a number or letter this must be used to identify it. If it is not, the column should be referred to by counting from the left (e.g. column one, column two etc.))



Amendments to move a section or schedule without otherwise amending it

23. Amendments to move a section or schedule from one place to another in the Bill, without otherwise amending it, must be in the form:

Page x, line x, move [section x / schedule x] and insert after [section x / schedule x]

Identifying the changes to be made

24. In all amendments, words which appear in the Bill and words to be left out or inserted must be framed with single quotation marks (e.g. after 'Assembly', insert 'for Wales').

25. In amendments to leave out words and insert new words, the first or last words to be inserted must not be the same as the first or last words to be left out (e.g. an amendment must not leave out 'Assembly' and insert 'Assembly for Wales'. The correct form of amendment would be: ..after 'Assembly', insert 'for Wales').

26. Amendments to leave out words must do so by reference to those words.

27. Text to be inserted in a Bill is to be set out in the form in which it is to appear.

If the text to be inserted incorporates additional subsections / schedule paragraphs (or other additional subdivisions) they must either be un-numbered or numbered so as not to require re-numbering of existing provisions of the Bill.

28. If an amendment refers to a word that appears more than once on a line, then the amendment must identify which occurrence of that word is intended. It must be in the following form, adapted as necessary, depending on the type of amendment:

[Section x / Schedule x], page x, line x, after 'word' at the [first / second / third / fourth place] where it appears, insert 'text to be inserted'.

Miscellaneous

29. Amendments to the long title must begin:

Long title, page 1, line x, ...

30. Amendments to amendments must begin:

As an amendment to amendment x, ...

and must generally follow the equivalent form to amendments to the text of the Bill itself but referring to the line of the amendment, as appropriate.

When referring to the line of the amendment, a first line that only includes an instruction, e.g. 'Section x, page x, line x, insert—' should not be counted.

The Language of Amendments

31. An amendment may propose a change to the text in one language without a corresponding change to the text in the other language, for example in order to eliminate an inconsistency



between the meaning of the two texts or to eliminate a linguistic error which only occurs in one of the texts. Such an amendment must be in the form:

[Section / Schedule x], page x, line x, leave out [identifying the words to be left out] and insert 'text to be inserted'.

(Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.)

or as the case may be, depending on the type of amendment.

(Note: The effect of Standing Order 15.4 is that amendments to a Bill that are tabled by the Government must, so far as is appropriate in the circumstances and reasonably practicable, be tabled in both English and Welsh. Amendments tabled other than by the Government may be tabled either in both languages or in one language only).

The extent of the change needed to achieve the object of an amendment in one language will often differ from that needed to achieve that object in the other language (e.g. a change affecting one word in English may require changes to two words in Welsh or vice versa). It will nevertheless almost always be possible to express the amendment as a single change in both languages. Exceptionally, it will be permissible to include more than one change in the version of the amendment in one language provided the version of the amendment in the other language only makes one change. For example:

Section x, page x, line x, after 'school', insert 'do not, subject to subsection (3),'.

Adran x, tudalen x, ar ddechrau llinell x, hepgorer 'Mae'r' a mewnosoder 'Nid yw'r'; llinell y, ar ôl 'ysgol' mewnosoder ', yn ddarostyngedig i is-adran (3),'.

