



Summary of Conclusions and Recommendations

Chapter 3 – The overall role of the second chamber

Recommendation 1: The new second chamber should have the capacity to offer counsel from a range of sources. It should be broadly representative of society in the United Kingdom at the beginning of the 21st century. It should work with the House of Commons to provide an effective check upon the Government. It should give the United Kingdom's constituent nations and regions, for the first time, a formally constituted voice in the Westminster Parliament. (Paragraph 3.30.)

Chapter 4 – Making the law

Recommendation 2: The House of Commons, as the principal political forum, should have the final say in respect of all major public policy issues, including those expressed in the form of proposed legislation. Equally, the second chamber should have sufficient power, and the associated authority, to require the Government and the House of Commons to reconsider proposed legislation and take account of any cogent objections to it. (Paragraph 4.7.)

Conclusion: Other ways of resolving disputes between the two chambers of Parliament which have been considered in the past, or which are used in other countries, do not seem to offer any significant advantages over the suspensory veto. (Paragraph 4.11.)

Recommendation 3: The second chamber should continue to have a suspensory veto of the present length in respect of most primary legislation. (Paragraph 4.12.)

Conclusion: The technical weaknesses of the Parliament Acts have not given rise to any real difficulty in practice and there would be no point in seeking to tackle them unless wider substantive changes were proposed. (Paragraph 4.15.)

Recommendation 4: No attempt should be made to impose a time limit on the second chamber's consideration of 'Parliament Act' Bills in the second session. (Paragraph 4.17.)

Recommendation 5: The scope of the Parliament Acts should not be extended to cover Bills which are introduced into the second chamber, unless the Acts are to be subjected to a radical overhaul. (Paragraph 4.19.)

Recommendation 6: The reformed second chamber should maintain the House of Lords' convention that all Government business is considered within a reasonable time. (Paragraph 4.20.)

Recommendation 7: The principles underlying the ‘Salisbury Convention’ remain valid and should be maintained. A version of the ‘mandate’ doctrine should continue to be observed: where the electorate has chosen a party to form a Government, the elements of that party’s general election manifesto should be respected by the second chamber. More generally, the second chamber should be cautious about challenging the clearly expressed views of the House of Commons on any public policy issue. It is not possible to reduce this to a simple formula, particularly one based on manifesto commitments. The second chamber should pragmatically work out a new convention reflecting these principles. (Paragraph 4.24.)

Recommendation 8: The two chambers should consider whether the current informal conciliation procedures could usefully be supplemented by the establishment of a Joint Committee designed to facilitate agreement between the two chambers over Bills. (Paragraph 4.29.)

Recommendation 9: Pre-legislative scrutiny of draft Bills should become an established feature of Parliamentary business. (Paragraph 4.34.)

Recommendation 10: The Delegated Powers and Deregulation Committee’s role could evolve to include making recommendations which would encourage greater flexibility in the use of delegated powers, making it easier to strike an appropriate balance between primary and secondary legislation. (Paragraph 4.45.)

Recommendation 11: The reformed second chamber should consider whether the practice of deferring votes until Report Stage, which has been a feature of the use of Grand Committees off the floor of the House to consider certain Bills, should be extended to conventional Committee Stages. (Paragraph 4.47.)

Recommendation 12: Reviewing the quality of the statute book and keeping the law up to date should not be a primary function of the second chamber. However, if any specific aspects of the law on a particular issue were identified as meriting detailed consideration, it might well be appropriate for the second chamber to establish an *ad hoc* Committee for that purpose. (Paragraph 4.48.)

Recommendation 13: The current arrangements for dealing with Consolidation Bills should continue. (Paragraph 4.49.)

Recommendation 14: The reformed second chamber should consider what steps might be taken to expedite the Parliamentary consideration of law reform Bills proposed by the Law Commissions. (Paragraph 4.51.)

Conclusion: The characteristics of the reformed second chamber may make it appropriate for a larger proportion of private Bills to be considered first by the second chamber. (Paragraph 4.52.)

Conclusion: There is no distinctive role for the second chamber in post-legislative scrutiny. (Paragraph 4.53.)

Chapter 5 – Protecting the constitution

Recommendation 15: One of the most important functions of the reformed second chamber should be to act as a ‘constitutional long-stop’, ensuring that changes are not made to the constitution without full and open debate and an awareness of the consequences. (Paragraph 5.4.)

Conclusion: Increasing the powers of the second chamber in respect of any particular category of legislation would be inconsistent with maintaining the position of the House of Commons as the pre-eminent chamber of Parliament. (Paragraph 5.7.)

Recommendation 16: The second chamber should not be given additional powers in respect of a list of designated constitutional legislation. (Paragraph 5.8.)

Recommendation 17: The second chamber should not be given additional powers in respect of constitutional *issues*. There is no satisfactory basis on which this could be done and no suitable machinery for adjudicating on whether a particular Bill raised constitutional issues. (Paragraph 5.11.)

Recommendation 18: The second chamber should not be given additional powers over constitutional or human rights issues or legislation. (Paragraph 5.12.)

Recommendation 19: The Parliament Acts should be amended to exclude the possibility of their being further amended by the use of Parliament Act procedures. (Paragraph 5.15.)

Recommendation 20: The second chamber’s veto over any Bill to extend the life of a Parliament should be reinforced. Our previous recommendation would achieve that. (Paragraph 5.16.)

Recommendation 21: The second chamber should establish an authoritative Constitutional Committee to act as a focus for its interest in and concern for constitutional matters. (Paragraph 5.22.)

Recommendation 22: There should be a mechanism, at least in the second chamber, for looking behind Ministerial statements of compatibility under Section 19 of the Human Rights Act 1998 and checking that all provisions of a Bill really are compatible with the ECHR. (Paragraph 5.30.)

Recommendation 23: The second chamber should establish a Committee with a wide-ranging remit in relation to human rights. (Paragraph 5.31.)

Recommendation 24: The second chamber should consider whether the proposed Constitutional Committee should establish a Human Rights Sub-committee to serve as the focus for the second chamber’s interest in human rights. That Sub-committee might also provide the second chamber’s members of the proposed Joint Committee on Human Rights. (Paragraph 5.33.)

Chapter 6 – Giving a voice to the nations and regions

Recommendation 25: The reformed second chamber should be so constructed that it could play a valuable role in relation to the nations and regions of the United Kingdom whatever pattern of devolution and decentralisation may emerge in future. (Paragraph 6.5.)

Recommendation 26: The reformed second chamber should be, and be seen to be, a chamber which serves the interests of the whole of the United Kingdom. (Paragraph 6.7.)

Recommendation 27: At least a proportion of the members of the second chamber should provide a direct voice for the various nations and regions of the United Kingdom. (Paragraph 6.8.)

Recommendation 28: The second chamber should not become a ‘federal legislature’, supporting a ‘federal’ government. (Paragraph 6.10.)

Recommendation 29: The reformed second chamber should not become a forum for inter-governmental liaison. Liaison between the Government and the executive authorities in Scotland, Wales and Northern Ireland is most appropriately and effectively carried on outside Parliamentary institutions. (Paragraph 6.12.)

Recommendation 30: While it would clearly be desirable to promote the development of links between the various legislatures across the United Kingdom, none of the members of the various devolved assemblies should be automatically entitled to sit in, or nominate others to join, the second chamber. (Paragraph 6.19.)

Recommendation 31: The role of the reformed second chamber in relation to the nations and regions of the United Kingdom should not be to provide a vehicle by which the devolved institutions themselves could be represented in Parliament. Its primary role in this context should be to provide a voice in Parliament for all the nations and regions of the United Kingdom. (Paragraph 6.20.)

Recommendation 32: The reformed second chamber should consider establishing a Committee to provide a focus for its consideration of the issues raised by devolution, possibly as a further Sub-committee of the proposed Constitutional Committee. (Paragraph 6.25.)

Recommendation 33: The reformed second chamber as a whole should not meet outside London but it should consider whether Committees, perhaps particularly any ‘Devolution’ Committee, should meet in the various regional centres from time to time. (Paragraph 6.27.)

Recommendation 34: The Overseas Territories should not be formally represented or given a voice in the second chamber; but individuals from the Territories might be offered membership on a personal basis in the light of the closer ties that may develop. (Paragraph 6.30.)

Chapter 7 – Scrutinising statutory instruments

Recommendation 35: There is a strong case for enhanced Parliamentary scrutiny of secondary legislation. The reformed second chamber should make a strong contribution in this area. (Paragraph 7.6.)

Recommendation 36: The Delegated Powers and Deregulation Committee should encourage the practice of publishing particularly significant Statutory Instruments in draft so that they can be subjected to detailed comment by interested parties and members of both Houses of Parliament before being formally laid before Parliament. Ministers and Departments should consider doing so wherever that would be beneficial. (Paragraph 7.22.)

Recommendation 37: A ‘sifting’ mechanism should be established to look at the significance of every Statutory Instrument subject to Parliamentary scrutiny; call for further information from Departments where necessary; and draw attention to those Statutory Instruments which are important and those which merit further debate or consideration. (Paragraph 7.23.)

Recommendation 38: A joint Committee should be established to sift Statutory Instruments. Alternatively, the second chamber should consider setting up machinery to sift Statutory Instruments, perhaps inviting the Delegated Powers and Deregulation Committee to take on the task. (Paragraph 7.26.)

Recommendation 39: Neither chamber should consider a Statutory Instrument until the JCSI has reported on it. The Statutory Instruments Act 1946 should be amended to extend the statutory ‘praying time’ in respect of negative resolution instruments from 40 days to 60 days. (Paragraph 7.28.)

Conclusion: There is no case for making it possible to amend Statutory Instruments once they have been formally laid before Parliament. (Paragraph 7.29.)

Recommendation 40: The reformed second chamber should adopt an open-minded, flexible and innovative approach to the consideration of Statutory Instruments within the present procedural arrangements. (Paragraph 7.30.)

Recommendation 41: Where the second chamber votes against a draft instrument, the draft should nevertheless be deemed to be approved if the House of Commons subsequently gives (or, as the case may be, reaffirms) its approval within three months. (Paragraph 7.37.)

Recommendation 42: Where the second chamber votes to annul an instrument, the annulment should not take effect for three months and could be overridden by a resolution of the House of Commons. (Paragraph 7.37.)

Recommendation 43: In both cases the relevant Minister should publish an Explanatory Memorandum, giving the second chamber an opportunity to reconsider its position and ensuring that the House of Commons is fully aware of all the issues if it has to take the final decision. (Paragraph 7.37.)

Conclusion: Changing the nature of the second chamber’s powers in relation to Statutory Instruments would actually strengthen its influence and its ability to cause the Government and the House of Commons to take its concerns seriously. (Paragraph 7.38.)

Chapter 8 – Holding the Government to account

Recommendation 44: It should continue to be possible for Ministers to be drawn from and be directly accountable to the second chamber. (Paragraph 8.6.)

Recommendation 45: A mechanism should be developed which would require Commons Ministers to make statements to and deal with questions from members of the second chamber. (Paragraph 8.7.)

Recommendation 46: The current complementary system of scrutiny of European Union business by the two Houses of Parliament should be maintained and improved. (Paragraph 8.16.)

Recommendation 47: The reformed second chamber should consider making additional staff and other resources available to the European Union Committee. (Paragraph 8.16.)

Recommendation 48: No one should become a member of the second chamber by virtue of being a United Kingdom MEP. (Paragraph 8.20.)

Recommendation 49: The reformed second chamber should consider what steps it could take to make United Kingdom MEPs feel more welcome at Westminster. It should also consider how it might provide greater opportunities for United Kingdom MEPs to contribute to the development of Parliament's understanding of and approach to EU issues. (Paragraph 8.21.)

Recommendation 50: The House of Commons European Scrutiny Committee is best placed to assess the extent to which European Union proposals comply with the principle of subsidiarity but the European Union Committee should co-operate fully in that task. (Paragraph 8.23.)

Recommendation 51: The reformed second chamber should set aside a regular time for dealing with Questions for Oral Answer on EU matters. (Paragraph 8.24.)

Recommendation 52: The second chamber should continue to play its part in developing inter-parliamentary contact and co-operation within the EU, both with the European Parliament and with the national parliaments of EU Member States. (Paragraph 8.26.)

Recommendation 53: The reformed second chamber should continue to provide a distinctive forum for national debate. (Paragraph 8.27.)

Recommendation 54: Specialist committee work should continue to be an important function of the reformed second chamber. (Paragraph 8.29.)

Recommendation 55: Parliament should continue to scrutinise the Government's general conduct in making public appointments, but there is no distinctive role for the second chamber in this area. (Paragraph 8.36.)

Recommendation 56: The Liaison Committee should consider the establishment of a Select Committee to scrutinise international treaties into which the Government proposed to enter. (Paragraph 8.42.)

Chapter 9 – The Law Lords and the judicial functions of the second chamber

Conclusion: There is no reason why the second chamber should not continue to exercise the judicial functions of the present House of Lords. (Paragraph 9.5.)

Recommendation 57: The Lords of Appeal in Ordinary should continue to be *ex officio* members of the reformed second chamber and carry out its judicial functions. (Paragraph 9.7.)

Recommendation 58: The terms for which Lords of Appeal in Ordinary can be appointed to the second chamber under the Appellate Jurisdiction Act 1876 should be amended to bring them into line with those of other members of the second chamber, subject to automatic reappointment for as long as they are entitled to sit on the Appellate or Appeal Committees. (Paragraph 9.8.)

Recommendation 59: The Lords of Appeal should set out in writing and publish a statement of the principles which they intend to observe when participating in debates and votes in the second chamber and when considering their eligibility to sit on related cases. (Paragraph 9.10.)

Chapter 10 – Characteristics of the reformed second chamber

Recommendation 60: The reformed second chamber should be authoritative. That authority could be derived from a number of sources, but should not be such as to challenge the ultimate democratic authority of the House of Commons. (Paragraph 10.7.)

Recommendation 61: The reformed second chamber should be sufficiently confident and cohesive to use its powers effectively and appropriately. (Paragraph 10.9.)

Recommendation 62: The reformed second chamber should be broadly representative of British society as a whole. (Paragraph 10.13.)

Recommendation 63: The reformed second chamber should contain a substantial proportion of people who are not professional politicians, who have continuing experience in a range of different walks of life and who can bring a broad range of expertise to bear on issues of public concern. Accordingly, part-time membership of the second chamber should continue to be facilitated and even encouraged. There should be no minimum attendance requirement. (Paragraph 10.18.)

Recommendation 64: The reformed second chamber should include members with the knowledge and skills necessary to enable it to discharge effectively its roles in relation to constitutional matters and human rights issues. (Paragraph 10.20.)

Recommendation 65: The reformed second chamber should continue to include people who can help it to maintain a philosophical, moral or spiritual perspective on public policy issues. (Paragraph 10.21.)

Recommendation 66: The reformed second chamber should contain people of considerable personal distinction who have established reputations in various walks of life and can make a positive contribution to its work. (Paragraph 10.22.)

Recommendation 67: The reformed second chamber should not be capable of being dominated by any one political party and its members should be encouraged and enabled to deal with issues on their merits. (Paragraph 10.28.)

Recommendation 68: The reformed second chamber should preserve the relatively non-polemical style of the present House of Lords. (Paragraph 10.30.)

Conclusion: Members of the reformed second chamber should have a long-term perspective and the chamber should have a reasonable degree of continuity of membership from one period to another. (Paragraph 10.32.)

Chapter 11 – Principles of composition

Conclusion: We cannot recommend:

- a wholly or largely directly elected second chamber;
- indirect election from the devolved institutions (or local government electoral colleges) or from among British MEPs;
- random selection; or
- co-option. (Paragraph 11.36.)

Recommendation 69: Our broad overall recommendations on composition are that an independent appointments system should be supplemented by an arrangement which would give the regional electorate a voice in the selection of regional members and that the political balance in the reformed second chamber should match that of the country as expressed in votes cast at the most recent general election. (Paragraph 11.36.)

Recommendation 70:

- (a) An Appointments Commission, independent of the Prime Minister, Government and the political parties, should be responsible for all appointments to the second chamber.
- (b) A significant minority of the members of the second chamber should be 'regional members' selected on a basis which directly reflects the balance of political opinion within the regional electorates, to provide a voice for the nations and regions of the United Kingdom.
- (c) The Appointments Commission should ensure that at least 20 per cent of the members of the second chamber are not affiliated to one of the major parties.
- (d) The Appointments Commission should exercise its own judgement in selecting appointees who are affiliated to political parties. It should of course have regard to nominations made by the political parties, which it would also vet for propriety.
- (e) In making appointments, the Appointments Commission should be required to ensure that members of the second chamber are broadly representative of British society on a range of stated dimensions. They should possess a variety of expertise and experience and various specific qualities appropriate to the role and functions of the reformed second chamber.

- (f) It should be under a statutory duty to ensure that a minimum of 30 per cent of new members of the second chamber should be women, and a minimum of 30 per cent men, with the aim of making steady progress towards gender balance in the chamber as a whole over time. It should also be required to use its best endeavours to ensure a level of representation for members of minority ethnic groups which is at least proportionate to their presence in the population as a whole. It should also play a role in ensuring appropriate representation for religious faiths (see Chapter 15).
- (g) One of the tasks of the Appointments Commission in making appointments to the second chamber should be to achieve or maintain an overall balance among all those members affiliated to political parties (both regional members and directly appointed members) which matches the distribution of votes between the parties at the most recent general election.

Chapter 12 – Composition: specific proposals and practicalities

Recommendation 71: All members of the second chamber should so far as possible serve the same terms, benefit from the same allowances and facilities and be treated in all respects identically, in order to minimise the risk of ‘mixed membership’ problems. There are also more practical reasons for believing that our specific proposals would not give rise to ‘mixed membership’ problems. (Paragraph 12.6.)

Recommendation 72: Regional members, whatever the precise means of their selection, should serve for the equivalent of three electoral cycles and appointed members should serve for fixed terms of 15 years. (Paragraph 12.15.)

Recommendation 73: There should be no minimum age for members of the reformed second chamber. (Paragraph 12.17.)

Recommendation 74: Both regional and directly appointed members should be eligible for reappointment, at the discretion of the Appointments Commission, for further periods of up to 15 years. Regional members should not be eligible for reselection on a regional basis. (Paragraph 12.18.)

Recommendation 75: Members of the reformed second chamber should be able to retire. (Paragraph 12.20.)

Recommendation 76: Members of the reformed second chamber should not be eligible for election to the House of Commons until ten years after their term of membership ends, whether or not they serve out their full term. (Paragraph 12.21.)

We present three possible models for the selection of regional members. Each model has the support of different members of the Commission. Model B has the support of a substantial majority of the Commission.

Model A The regional members should be selected on the same day as a general election, using a system which we have called complementary voting. Under this system the votes cast for the parties’ general election candidates would be accumulated at regional level and the parties would secure a number of regional members for each region proportional to their share of the vote in that region.

There would be 65 regional members, who would be selected on a staggered basis, with the complementary voting system being applied in one-third of the twelve nations and regions at each general election. (Paragraphs 12.26–12.32.)

Model B There should be a total of 87 regional members, elected by thirds at the same time as each European Parliamentary election (with one-third of the nations and regions voting for regional members at each European election). The system of election should be the same as that used for electing United Kingdom MEPs, although a majority of those supporting this model would prefer the ‘partially open’ list system of proportional representation (PR). (Paragraphs 12.33–12.38.)

Model C The regional members should be directly elected on a regional basis, using a form of ‘partially open’ list PR. Sixty-five regional members would be elected at the same time as each European Parliament election and serve for three terms, giving a total of 195 regional members in the reformed second chamber. (Paragraphs 12.39–12.42.)

Recommendation 77: The reformed second chamber should establish a procedure for expelling members whose continued presence would otherwise bring the chamber into disrepute. (Paragraph 12.45.)

Recommendation 78: Vacancies among the regional members arising within the first electoral cycle after they join the second chamber should be filled by offering the vacant place to the next person on the relevant party list. Under Models A and B, consideration should be given to introducing a system of co-option where a vacancy arises some time after the original selection. (Paragraph 12.46.)

Recommendation 79: The arrangements for selecting regional members should be kept under review, in the light of experience and taking account of any changes which flow from devolution or from the emergence of new structures in the English regions. (Paragraph 12.47.)

Chapter 13 – The Appointments Commission

Recommendation 80: The Appointments Commission should be charged by the Crown with a general duty to appoint members to the second chamber and empowered to appoint individual members on its own authority. (Paragraph 13.3.)

Recommendation 81: The independent Appointments Commission should be the only route into the second chamber, whether individuals reach this point through selection as a regional member, through selection by the Commission, or through appointment as a Lord of Appeal in Ordinary or representative of the Church of England. (Paragraph 13.4.)

Recommendation 82: The Appointments Commission should have no discretion over the appointment to the second chamber of regional members, Lords of Appeal in Ordinary, or any representatives of the Church of England. (Paragraph 13.6.)

Recommendation 83: The Appointments Commission should be established by primary legislation. (Paragraph 13.13.)

Recommendation 84: There should be eight Appointments Commissioners. Three should be nominees from the main political parties, one a nominee of the Convenor of the Cross Benchers and four should be independents, of whom one should be the chairman. (Paragraph 13.14.)

Recommendation 85: The independent members of the Appointments Commission should be selected according to the Nolan principles. (Paragraph 13.15.)

Recommendation 86: A number of Appointments Commissioners, though not a majority, should be members of the second chamber. None should be an MP. (Paragraph 13.16.)

Recommendation 87: Appointments Commissioners should be appointed by the Queen following an Address, on a motion moved by the Leader of the second chamber following the normal consultation with the leaders of the other party groupings and the Convenor of the Cross Benchers. (Paragraph 13.18.)

Recommendation 88: Appointments Commissioners should hold office for no more than ten years. (Paragraph 13.19.)

Recommendation 89: Removal of an Appointments Commissioner should require a resolution of the second chamber. (Paragraph 13.20.)

Recommendation 90: The Appointments Commission should make an annual report to Parliament. This report should set out the characteristics required of members of the second chamber and the Commission's strategy for ensuring that there is an appropriate balance of members from all parts of society and between the political parties. The report should also provide a detailed breakdown of the composition of the chamber, in terms of party, gender, ethnicity, age and region and the extent to which the chamber's membership as a whole reflects the characteristics set out in the Appointments Commission's published specification. (Paragraph 13.23.)

Recommendation 91: The size of the second chamber should not be fixed in statute, but should be set by the Appointments Commission. The Appointments Commission should regularly review the total number of members required, taking account of the chamber's workload, levels of attendance and the need to achieve or maintain a balance between the political parties in the second chamber that reflects their shares of the votes cast at the previous general election. (Paragraph 13.28.)

Recommendation 92: The Appointments Commission should encourage appointments and nominations from under-represented groups and report regularly on progress in achieving gender balance and a fair representation for minority ethnic groups. (Paragraph 13.29.)

Recommendation 93: The Appointments Commission should use its best endeavours to ensure that each of the nations and regions has an appropriate level of representation among the overall membership of the second chamber. (Paragraph 13.30.)

Recommendation 94: The Appointments Commission should publish and keep up to date a statement specifying the broad characteristics it would expect members of the second chamber, individually and collectively, to possess. (Paragraph 13.34.)

Recommendation 95: The Appointments Commission should systematically develop its knowledge of, and relationship with, a wide range of vocational areas and other sectors of society. (Paragraph 13.36.)

Recommendation 96: The Appointments Commission should open up the nomination process to the widest possible range of candidates. (Paragraph 13.37.)

Recommendation 97: The Appointments Commission should adopt a proactive approach to the identification of suitable appointees. (Paragraph 13.39.)

Recommendation 98: The Appointments Commission should make all discretionary appointments to the second chamber and should make the final decision in all cases. The Appointments Commission should be able to appoint people with party affiliations, whether or not these have the support of their political party. (Paragraphs 13.42 and 13.43.)

Recommendation 99: The Appointments Commission should vet nominations for propriety and high-level security checks should be undertaken on all shortlisted candidates. (Paragraph 13.44.)

Recommendation 100: The Appointments Commission should not seek Parliamentary approval of its appointments. (Paragraph 13.45.)

Recommendation 101: The Appointments Commission should normally make appointments on a half-yearly cycle. (Paragraph 13.46.)

Chapter 14 – The existing life peers

Recommendation 102: Under the legislation necessary to implement the second stage of Lords reform, those life peers created before the publication of this report who wish to take up the opportunity should be deemed to have been appointed to the reformed second chamber, for life. (Paragraph 14.12.)

Recommendation 103: Life peers created between the publication of this report and the enactment of the legislation necessary to implement the second stage of Lords reform should be deemed to have been appointed to the reformed second chamber for a period totalling 15 years from the award of their life peerage. (Paragraph 14.14.)

Recommendation 104: People appointed as life peers under the Life Peerages Act 1958 or the Appellate Jurisdiction Act 1876 and who remain in the reformed second chamber should be able to renounce their entitlement to sit and vote in the second chamber, or otherwise be able to retire from the second chamber under new legislation. (Paragraph 14.15.)

Recommendation 105: Life peers who renounce their right to sit and vote in the second chamber, or otherwise retire from it, should, like other members of the reformed second chamber, be precluded from being elected to the House of Commons within the following 10 years. (Paragraph 14.16.)

Recommendation 106: The life peers who remain members of the second chamber should be encouraged to reach an informal understanding with the Appointments Commission about how long they intend to serve. (Paragraph 14.17.)

Chapter 15 – The representation of religious faiths

Recommendation 107: The reformed second chamber should continue to include people capable of articulating a range of philosophical, moral and spiritual viewpoints, both religious and secular. (Paragraph 15.6.)

Recommendation 108: The Church of England should continue to be explicitly represented in the second chamber, but the concept of religious representation should be broadened to embrace other Christian denominations, in all parts of the United Kingdom, and other faith communities. (Paragraph 15.9.)

Recommendation 109: The Appointments Commission should ensure that at any one time there are at least five members of the second chamber specifically selected to be broadly representative of the different non-Christian faith communities. (Paragraph 15.17.)

Recommendation 110: The total number of places in the reformed second chamber for members formally representing the various Christian denominations throughout the United Kingdom should be 26. Taking into account the relative size of the population in each of the nations which comprise the United Kingdom, 21 of these places should go to members representing the Christian denominations in England and five should go to members representing the Christian denominations in Scotland, Wales and Northern Ireland. (Paragraph 15.18.)

Recommendation 111: Of the 21 places available for members of Christian denominations in England, 16 should be assigned to representatives of the Church of England and five to members of other Christian denominations in England. (Paragraph 15.19.)

Recommendation 112: The Appointments Commission should have the ultimate responsibility for appointing individuals to the five places available for members of Christian denominations in England other than the Church of England. But in doing so, it should consult extensively with the relevant ecumenical instrument, Churches Together in England. (Paragraph 15.21.)

Recommendation 113: The Appointments Commission should have the ultimate responsibility for appointing individuals to the five places available for members of Christian denominations in Scotland, Wales and Northern Ireland, but it should consult extensively with the relevant ecumenical instruments. (Paragraph 15.23.)

Recommendation 114: Demographic changes and changes in the level of adherence to particular sets of religious beliefs should be reflected in adjustments to the pattern of religious representation which we have proposed. (Paragraph 15.26.)

Recommendation 115: The Church of England should review the options for providing formal Church of England representation in the reformed second chamber. Their detailed recommendations should be made to the Government in time for incorporation into whatever legislation is required to implement our own recommendations. (Paragraph 15.28.)

Chapter 16 – Procedures

Recommendation 116: The second chamber should seek to continue the House of Lords' tradition of open procedures. (Paragraph 16.6.)

Recommendation 117: Any restrictions to the rights of members of the second chamber should be designed to preserve the essential character of what exists at present. (Paragraph 16.10.)

Recommendation 118: The second chamber's approach to the conduct of business should be such as to allow the chamber to remain self-regulating. (Paragraph 16.11.)

Chapter 17 – Resources

Recommendation 119: The financial arrangements which apply to members of the second chamber should make regular attendance economically viable for people who live outside the South East of England and who do not have a separate source of income. (Paragraph 17.7.)

Recommendation 120: Payment should be made for the time members of the second chamber devote to their Parliamentary duties. (Paragraph 17.9.)

Recommendation 121 : Financial support for members of the reformed second chamber should be related to attendance in Parliament. (Paragraph 17.10.)

Recommendation 122: Total payments made to members for time and lost income should be less than the basic salary of an MP over an average session. (Paragraph 17.11.)

Recommendation 123: Chairmen of significant Committees of the second chamber should receive a salary in respect of their additional duties. (Paragraph 17.12.)

Recommendation 124: The SSRB should consider the issue of severance payments and pension arrangements for members of the reformed second chamber. (Paragraph 17.13.)

Recommendation 125: The second chamber should provide additional office and secretarial resources to enable Committees and individual members to fulfil their Parliamentary duties more effectively. (Paragraph 17.15.)

Recommendation 126: The SSRB should review the rules governing the payment of expenses incurred in respect of travel and overnight costs by members of the second chamber in the course of their Parliamentary duties with a view to ensuring that regular attendance is economically viable for people who live outside London. (Paragraph 17.17.)

Chapter 18 – Titles and name

Recommendation 127: Possession of a peerage should no longer be a necessary qualification for membership of the second chamber, and new members should not be offered a peerage in that connection. (Paragraph 18.6.)

Recommendation 128: The question of the name of the second chamber and the titles of its members should be left to evolve. (Paragraph 18.11.)

Chapter 19 – Implementing this report

Recommendation 129: Depending on which of the models (set out in Chapter 12) for selecting regional members is adopted, we recommend the following:

Model A

At the first general election after the passage of the necessary legislation, 65 regional members should be selected using a system of ‘complementary’ election so that every region has its full complement of regional members from the outset. Those selected for one-third of the regions should serve for one Parliamentary term, and those selected for a further third of the regions should serve for two Parliamentary terms: exceptionally (as a transitional measure) all of these regional members should be eligible for reselection at the point at which their membership would otherwise lapse. At the second and all subsequent general elections, regional members would be selected by ‘complementary’ election in respect of the relevant one-third of the regions.

Model B

At the first European Parliament election after the passage of the necessary legislation, 87 regional members should be elected by whatever method of election is in use to elect MEPs so that every region has its full complement of regional members from the outset. Those elected for one-third of the regions should serve for one European Parliament term, and those elected for a further third of the regions should serve for two European Parliament terms: exceptionally (as a transitional measure) all these members should be eligible for reelection at the point at which their membership would otherwise lapse. At the time of the second and all subsequent European Parliament elections, regional members should be elected by the relevant one-third of the regions.

Model C

At the first European Parliament election after the passage of the necessary legislation, 65 regional members should be elected by ‘partially open’ list PR, so that each region has one-third of its eventual complement of regional members. A further 65 regional members should be elected in the same way at the time of each of the next two European Parliament elections. (Paragraphs 19.4–19.8.)

Recommendation 130: The remaining hereditary peers should cease to be entitled to sit and vote in the second chamber at the point at which the first regional members join the second chamber. They, and other hereditary peers, would be eligible to seek nomination as regional members, or offer themselves for appointment by the Appointments Commission. (Paragraph 19.6.)

Recommendation 131: Pending its formal establishment as a statutory body, the independent Appointments Commission which will be responsible for nominating Cross Bench members of the interim House of Lords and vetting political nominations for propriety, should prepare to take on the wider role we envisage it discharging as part of the ‘second stage’ of Lords reform. (Paragraph 19.10.)

Recommendation 132: Even prior to the formal establishment of the Appointments Commission as a statutory body, the Prime Minister of the day should be guided by the principles of composition we have recommended in settling the number of nominations (for life peerages) which each party and the Appointments Commission should make; and all party nominations should be consistent with the gender and ethnic minority requirements we have proposed and be endorsed by the Appointments Commission, rather than made directly by the party leaders. (Paragraph 19.11.)

The full text of our report is available at www.lords-reform.org.uk, and at www.official-documents.co.uk/document/cm45/4534/4534.htm

ALL OF WHICH WE HUMBL Y SUBMIT FOR YOUR MAJESTY'S
GRACIOUS CONSIDERATION



The Rt Hon Lord Wakeham
(Chairman)



The Rt Hon Gerald Kaufman MP



**The Rt Hon Baroness Dean
of Thornton-le-Fylde**



The Rt Hon Lord Hurd of Westwell,
*Member of Your Order of the Companions of Honour,
Commander of Your Most Excellent Order of the
British Empire*



Lord Butler of Brockwell,
*Knight Grand Cross of Your Most Honourable
Order of the Bath, Commander of Your
Royal Victorian Order*



**The Rt Reverend Richard Harries,
Lord Bishop of Oxford**



Sir Michael Wheeler-Booth,
*Knight Commander of Your Most Honourable
Order of the Bath*



Kenneth Munro



Professor Anthony King



Ann Beynon



William Morris



Professor Dawn Oliver



David Hill (Secretary)



Dr Martin Samuels (Deputy Secretary)