

## **CRIMINAL FINANCES BILL – Analysis on the application of Standing Order No. 83O of the Standing Orders of the House of Commons relating to Public Business in respect of Lords Amendments**

The following is the Home Office's assessment of the amendments to the Bill made in the House of Lords.

### Summary

1. The amendments made in the House of Lords do not significantly change the territorial extent of the Bill. Furthermore, Lords amendments 34, 74 and 97, which insert new clauses into the Bill, do not relate exclusively to England or to England and Wales and, as such, we assess that motions relating to the new clauses would not be certifiable under SO 83O.
2. Government amendments 63, 75-76, 94, 96, 105, and 129-132 **apply to England and Wales only**, but they relate to a clause or schedule that extends to other parts of the UK as well.
3. Government amendments 64 and 65 relate to clause 25, which **relates only to England and Wales** but is not within devolved legislative competence for the purposes of certification.
4. The table below reflects the above assessment.

### Territorial application

5. The amendments made during its stages in the House of Lords apply as follows:
  - Government amendments 12-33, 35, 69-73, 145 and 147 **apply to Scotland**.
  - Government amendments 34, 36-49, 74-93, 97, 105-111, 127-144 and 146 have varying application, but they **collectively make changes which apply to the relevant UK wide provisions and do not change their territorial extent**.
  - Government amendments 98-104 enable Scottish Ministers and the Department of Justice in Northern Ireland to make consequential amendments to legislation that is within their legislative competence. They collectively apply to the UK as they confer a power to amend primary legislation across the UK.

- Government amendments 1-11, 50-62, 95 and 112-126 **apply to England, Wales and Northern Ireland only.**
- Government amendments 66-68 **apply to Northern Ireland only.**
- Government amendments 63, 75-76, 94, 96, and 129-132 **apply to England and Wales only**, but they relate to a clause or schedule that extends to other parts of the UK as well.
- Government amendments 64 and 65 relate to clause 25, which **relates only to England and Wales** but is not within devolved legislative competence for the purposes of certification.

6. None of these amendments change the territorial application of these clauses.

Provision	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Would corresponding provision be within competence of Welsh Assembly for Wales?	Extends and applies to Scotland?	Would corresponding provision be within competence of Scottish Parliament?	Extends and applies to Northern Ireland?	Would corresponding provision be within competence of Northern Ireland Assembly?	Legislative Consent Motion needed?
Amendments 1-11	Y	Y	N	N	N	Y	Y	Y (NI)
Amendments 12-33	N	N	N	Y	In part	N	N	Y (S)
Amendments 34 (New Clause)	Y	Y	N	Y	N	Y	N	N
Amendments 35	N	N	N	Y	Y	N	N	N
Amendments 36-49	Y	Y	N	Y	N	Y	N	N
Amendments 50-62	Y	Y	N	N	N	Y	Y	Y (NI)
Amendment 63	Y	Y	N	N	N	N	N	N
Amendments 64-65	Y	Y	N	N	N	N	N	N
Amendments 66-68	N	N	N	N	N	Y	Y	Y (NI)
Amendments 69-73	N	N	N	Y	Y	N	N	Y (S)
Amendments 74 (New Clause)	Y	Y	N	Y	N	Y	N	N (S&NI)
Amendments 75-76	Y	Y	N	N	N	N	N	N

Amendments 77-78	N	N	N	Y	N	N	N	N
Amendments 79-80	N	N	N	N	N	Y	N	N
Amendments 81-93	Y	Y	N	Y	N	Y	N	N
Amendment 94	Y	Y	N	N	N	N	N	N
Amendment 95	Y	Y	N	N	N	Y	N	N
Amendment 96	Y	Y	N	N	N	N	N	N
Amendment 97 (New Clause)	Y	Y	N	Y	N	Y	N	N
Amendments 98-104	Y	Y	N	Y	Y	Y	Y	Y (S&NI)
Amendments 105-109	Y	Y	N	Y	N	Y	N	N (S&NI)
Amendments 110	Y	Y	N	Y	N	Y	N	N
Amendments 111	Y	Y	N	Y	N	Y	N	N
Amendments 112-123	Y	Y	N	N	N	Y	Y	N
Amendments 124	Y	Y	N	N	N	Y	N	N
Amendments 125-126	Y	Y	N	N	N	Y	Y	N
Amendments 127-128	Y	Y	N	Y	Y	Y	N	Y (S)
Amendments 129-132	Y	Y	N	N	N	N	N	N
Amendments 133-136	N	N	N	Y	N	N	N	N
Amendments 137-140	N	N	N	N	N	Y	N	N
Amendments 141-143	Y	Y	N	Y	Y	Y	N	N
Amendments 144	Y	Y	N	Y	In part	Y	In part	Y (S & NI)
Amendment 145	N	N	N	Y	Y	N	N	Y(S)
Amendment 146	Y	Y	N	Y	N	Y	N	N

Amendment 147	N	N	N	Y	Y	N	N	Y(S)
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