

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Fourth Delegated Legislation Committee

DRAFT LOCAL ELECTIONS (NORTHERN
IRELAND) (ELECTION EXPENSES) ORDER 2019

Tuesday 26 February 2019

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The Committee consisted of the following Members:

Chair: IAN PAISLEY

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|---|--|
| † Courts, Robert (<i>Witney</i>) (Con) | † Stewart, Iain (<i>Milton Keynes South</i>) (Con) |
| † Coyle, Neil (<i>Bermondsey and Old Southwark</i>) (Lab) | † Swayne, Sir Desmond (<i>New Forest West</i>) (Con) |
| Green, Kate (<i>Stretford and Urmston</i>) (Lab) | Thomas, Gareth (<i>Harrow West</i>) (Lab/Co-op) |
| † Morden, Jessica (<i>Newport East</i>) (Lab) | † Tomlinson, Michael (<i>Mid Dorset and North Poole</i>) (Con) |
| † Penrose, John (<i>Minister of State, Northern Ireland Office</i>) | † Turley, Anna (<i>Redcar</i>) (Lab/Co-op) |
| † Phillips, Jess (<i>Birmingham, Yardley</i>) (Lab) | † Warman, Matt (<i>Boston and Skegness</i>) (Con) |
| † Philp, Chris (<i>Croydon South</i>) (Con) | Whittingdale, Mr John (<i>Maldon</i>) (Con) |
| † Pursglove, Tom (<i>Corby</i>) (Con) | Adam Evans, <i>Committee Clerk</i> |
| † Slaughter, Andy (<i>Hammersmith</i>) (Lab) | |
| † Smyth, Karin (<i>Bristol South</i>) (Lab) | † attended the Committee |

Fourth Delegated Legislation Committee

Tuesday 26 February 2019

[IAN PAISLEY *in the Chair*]

Draft Local Elections (Northern Ireland) (Election Expenses) Order 2019

8.55 am

The Minister of State, Northern Ireland Office (John Penrose): I beg to move,

That the Committee has considered the draft Local Elections (Northern Ireland) (Election Expenses) Order 2019.

It is good to have you in charge of us on this bright and sunny Tuesday morning, Mr Paisley. Given that you are the only person in the room who represents a Northern Ireland constituency, it is particularly fitting that you are in charge of our deliberations.

The Chair: Thank you for declaring my interest.

John Penrose: This is, I hope, a fairly straightforward measure, in that it is already in place for a great number of other elections in the United Kingdom. It is in place for parliamentary elections and Stormont Assembly elections in Northern Ireland, as well as for Scottish parliamentary elections and council elections in England.

Very simply, on the declaration of expenses that every candidate has to make, once the measure is in place those candidates will not have to count towards their election expenses control total any disability-related expenses. I hope everybody would agree that that is only fair and just. It will ensure, for example, that a candidate who has to incur extra expenses for mobility costs, or whatever it might be, is not at an electoral disadvantage as they run their campaign. [*Interruption.*] I see an intervention brewing.

Neil Coyle (Bermondsey and Old Southwark) (Lab): It has brewed. I just want a quick clarification. Is there a reason why the order refers to the Disability Discrimination Act 1995 and not to the subsequent legislation that has replaced it for the rest of the UK?

John Penrose: As I understand it, the important thing is to take whatever is currently operative for Northern Ireland piece by piece and clause by clause. In many cases, bits of Acts have been replaced by subsequent Acts, but on occasion old sections are still in effect for specific points. I can get the hon. Gentleman a more detailed answer if he absolutely needs chapter and verse and the marshalled list, but that is what is happening in general. The important thing is that the order has to work technically, and it therefore has to take on and amend whatever piece of legislation is currently in force.

I was part way through explaining that the order means not only that candidates who have disability-related expenses will not have to count them towards their election expenses total or declare them, but that personal

expenses—this applies to everybody, whether they have a disability or not—will be exempt from the overall expenses control total, although those will have to be declared. As I said, those measures are in place for a wide variety of elections in the UK.

The order has to be made here in the Westminster Parliament because this is not a devolved matter in Northern Ireland. Therefore, constitutionally, it rightly falls to us to put it through. It will bring everything into line and, crucially, it will do so in time for the local elections. We clearly need to get it in place before the start of the election expenses control period, which will begin later in March.

With that, Mr Paisley, I propose to do something unusual for a politician, which is to stop talking and lay the room open to other people's contributions.

Hon. Members: Hear, hear!

The Chair: I mark the note of unanimity.

8.59 am

Karin Smyth (Bristol South) (Lab): It is a pleasure to serve under your chairmanship, Mr Paisley. Colleagues will be pleased to hear that I will not detain the Committee too long.

It is right, of course, to bring the law in Northern Ireland in line with the rest of the United Kingdom. Obviously, we want to encourage and support all disabled candidates to stand and to represent their various constituencies.

My hon. Friend the Member for Bermondsey and Old Southwark has some expertise in this area. When we were going through the order, it was quite difficult to understand the previous legislation in this area. It would be helpful, in time, to make sure that we are all clear on exactly what we are amending, if that has not been made clear.

It is right for us to debate the order, as it is not a devolved matter. Of course, there are many devolved matters that are not being dealt with in this place that are of great importance to people in Northern Ireland. It is of the utmost importance to get the Assembly and Northern Ireland politics working, so that what happens in our constituencies is replicated across Northern Ireland. However, on this matter, we support the order.

The Chair: As I see no one else itching to speak, I call the Minister.

9 am

John Penrose: I am delighted that there is cross-party consensus on this matter. I echo the hon. Lady in saying that there are many devolved matters that we all want to see dealt with by a properly constituted devolved Assembly in Stormont. Bring on that day! It cannot happen soon enough for all of us. That aside, since it is not directly relevant, I commend the order to the Committee.

Question put and agreed to.

9.1 am

Committee rose.