



# **GUIDANCE ON PETITIONING AGAINST A PRIVATE BILL IN THE HOUSE OF COMMONS**

House of Commons Private Bill Office

April 2021

**The principal purpose of this Guidance is to assist those who may wish to object to (“petition against”) a private bill whilst it is in the House of Commons. (We also set out, however, how you can “petition against alteration” if you do not want a private bill to be changed.)**

**Further information can be obtained from the House of Commons Private Bill Office or from the internet. Contact details and relevant web addresses can be found at the end of this Guidance.**

**A template for petitions is available on the Parliament website: <https://www.parliament.uk/about/how/laws/bills/private/privatebillpetition/>.**

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## 1. WHAT IS A PRIVATE BILL?

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A private bill is a bill which seeks to confer benefits on particular individuals, institutions or localities, over and above the provisions of the general law of the land. It is different from a public bill, which relates to the public general law affecting everybody (Public bills include private Members' bills introduced by backbench MPs, which should not be confused with private bills). Private bills are introduced not by an MP or a Lord but by an outside body such as a company or a local authority, who are known as the Promoters of the bill. The Promoters are represented by a firm of specialist solicitors known as Parliamentary Agents.

Private bills, like public bills, cannot become law until they have passed through both Houses of Parliament. They may begin in either the House of Commons or the House of Lords.

Proceedings relating to private bills are governed by Standing Orders relating to Private Business (PrBSOs). The link to House of Commons PrBSOs is given at the end of this Guidance.

## 2. PETITIONING AGAINST A PRIVATE BILL

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### ***Who may petition?***

Any individual, group of individuals or organisation “directly and specially affected” by the provisions of a private bill may petition against that bill. Local authorities and MPs may also petition against private bills.

If the Promoters of the bill believe that you are not “directly and specially affected”, they may object to your petition being considered (see Section 5 below).

### ***What should I put in my petition?***

Your petition should:

- say who you, the petitioner or petitioners, are and where you live (or what your business is and where its premises are if it is your business which is affected by the bill). If you are petitioning as a group or organisation, the petition should also mention what the group or organisation does and the size of its membership;
- describe how you are “directly and specially affected” by the bill, and set out your objections to the bill. You may object to the whole bill or only to certain parts of it. If the latter, say which clauses or parts of the bill affect you if you can; and
- state what needs to be done to reduce the adverse effect the bill has on you or your property and, if possible, how the bill should be amended to achieve this.

Your petition forms the basis of your case before the Committee appointed to consider petitions against the bill (see Section 5 below). It must include all the objections which you wish to raise. Matters can only be raised in Committee if they are referred to in your petition.

If you petitioned in the House of Lords against the same bill, you can re-use the same text in your petition to the House of Commons if you wish. If you do this, you will need to ensure that all of the references to the House of Lords are changed where appropriate.

### ***Can I include photos and pictures in my petition?***

No. Your petition is just a summary so do not include anything other than text. The appropriate

place for photos etc. is in your evidence to the Committee.

### ***When can I submit my petition?***

You must submit your petition within the **petitioning period**. The timing of the petitioning period depends on whether the bill has started in the House of Commons or was brought up from the House of Lords. If the bill started in the House of Commons, petitions have to be submitted on or before 30 January. If the bill has been brought up from the House of Lords, the petitioning period runs for 10 calendar days after the bill was introduced into the House of Commons. The Private Bill Office can advise when the petitioning period runs for specific bills. That information is also contained on the bill's webpage.

### ***How do I submit my petition?***

**A template for petitions is available on the Parliament website:** visit [bills.parliament.uk](https://bills.parliament.uk), find the relevant Bill, then follow the prompts under petition information. After downloading and completing the template, you can submit your petition via the portal on the webpage. You can also submit it via email, by post or in person using the contact details set out in Section 6 below.

The use of the template is recommended but not obligatory. Your petition should ideally be typed but it can be hand-written as long as it is easy to read. No changes should be made to your petition once it has been typed. Nothing should be written in, crossed out, or rubbed out and nothing should be pinned or stapled to it.<sup>1</sup>

If you wish to submit it in person, you should contact the House of Commons Private Bill Office to make an appointment. Petitions can only be received on weekdays, between 10 am and 5 pm, and within the petitioning period. You or any other petitioner named on the petition, your representative or another person, may deliver your petition to the House of Commons Private Bill Office.

If you post your petition, you should allow time for it to arrive before the end of the petitioning period. You may wish to contact the Private Bill Office to check that it has arrived. Postal delays will not be taken into consideration if you miss the deadline.

### ***Is there a charge for petitioning?***

Yes. You will be asked to pay a fee of £20 for your petition when you submit your petition. This is a flat fee for each petition (not each petitioner). You can pay by bank transfer (quoting sort code of 60-70-80; account number 10022317; and a reference of your choice), cheque (payable to "HOC Administration 2"), or, if you are submitting your petition in person, by cash.

Please note a petition will not be considered by the Committee if the fee has not been received.

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<sup>1</sup> In formal terms: No erasures or interlineations should be made in the petition; and no letter, affidavit, appendix or other document may be annexed to it.

### ***Can you check my petition for me?***

Yes. If you send a draft of your petition to us in advance we will check it to ensure that the form of your petition is correct. We cannot comment on your arguments though as those are a matter of your own judgement.

### ***Can I withdraw my petition after submitting it?***

Yes. Please inform the Private Bill Office, in writing or by email. If you are not the only petitioner on your petition, you or any of the other petitioners may withdraw from the petition in the same way, leaving the remaining petitioners to continue with their case.

### ***Does it matter whether or not I have already petitioned the House of Lords?***

No. You may petition either or both Houses (but have to pay the fee in each). So, you can petition the House of Commons, whether or not you petitioned the House of Lords.

If you petitioned the House of Lords and you want the Committee in the House of Commons to consider your petition, you will need to make your case as though you were doing so for the first time. The House of Commons Committee will only consider the petitions submitted in the House of Commons, and will be unaware of evidence to the Committee in the House of Lords.

If you were content with the outcome of the consideration of your petition in the House of Lords (or if you reached agreement with the Promoters of the bill) you do not need to petition again.

## **3. PETITIONING AGAINST ALTERATION**

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You cannot petition in favour of a bill. However, you may present a “**petition against alteration**” to the bill. You would do this if you have a special interest (usually financial) in the bill and you wish the bill (or some of its provisions) to remain unamended by the Committee.

Whilst your position coincides with the Promoters’ position on the bill, you would not have the right to be heard by the Committee. Should the Promoters undertake to alter the bill (in its negotiations with other petitioners) then you, as a petitioner against alteration, would be able to argue the case for provisions to remain as originally drafted. Further information on the form of a petition against alteration is available from the Private Bill Office.

## **4. PETITION REPRESENTATIVES**

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### ***Can someone else represent me in front of the committee?***

As a petitioner you may decide to represent yourself - many petitioners do. Alternatively, you may ask someone to act as your representative, to act on your behalf in all matters relating to the petition and to argue your case in front of the Committee. You may pay someone to do this, for example, a solicitor, or you may simply ask someone you know (such as a friend, relative or colleague) to act for you.

There are two types of representative:

- Professional Parliamentary Agents (solicitors accredited by Parliament who specialise in promoting and opposing hybrid and private bills). These are also known as “Roll A” Agents and you will pay them a fee to act for you (see list in Appendix I below).
- All other representatives, including solicitors or barristers that are not Roll A Agents.

If you wish to be represented by a Roll A Agent they will take care of all of the necessary paperwork for you.

If you wish for someone else to represent you, they may submit the petition on your behalf, or you can do so yourself, and provide contact details for your representative for when the petition is due to be considered by the Committee.

You may change your representative at any time. Just let the Private Bill Office know when this happens, so we know who to contact about your petition.

### ***Does a business need a representative?***

Yes. If your business wishes to petition against a bill it must have a representative who will speak on behalf of the petition. This can be either a Roll A Agent or someone else, for example the chief executive or company secretary.

### ***Does a group of individuals need a representative?***

Yes. One of the petitioners may act on behalf of their co-petitioners with their consent, as their representative. Or the group can employ a Roll A Agent or someone else to represent them. The names of all the co-petitioners must be set out at the beginning of the petition.

### ***Do other types of organisation need a representative?***

Yes. If your organisation wishes to petition against a bill, it must have a named representative, which can be either a Roll A Agent or someone else, such as the chair of the organisation who will represent the petition in front of the Committee. Your organisation should hold a properly constituted meeting and pass resolutions authorising the submission of the petition and for the named person to act as a representative.

### ***How are local authorities represented?***

If a local authority wishes to petition against a bill it must be represented by either a Roll A Agent or someone else, for example, a councillor.

Please note that if you are a councillor you may petition as an individual and give evidence if a bill specially and directly affects you individually, but you cannot use that petition to give evidence on behalf of your local authority. Such a petition must be presented in the name of the local authority.

### ***Should I employ someone with legal expertise to represent my petition?***

It is up to you. You may decide that you would prefer a Roll A Agent or other legal

representative to put your case before the Committee. The Promoters will have Counsel to represent them, but many petitioners either speak for themselves or let their representatives do so. The committee expects to hear cases from people with no legal training and the Committee members will not necessarily be legally qualified themselves.

You only need to tell us whether you intend to instruct someone to put your case close to the time that your petition is due for consideration by the committee.

### ***Which Parliamentary Agents (Roll A Agents) can I ask to represent me?***

The firms listed in Appendix I to this Guidance are professional Parliamentary (Roll A) Agents who you can employ to represent you in all matters relating to your petition.

## **5. WHAT HAPPENS AFTER SUBMITTING MY PETITION?**

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### ***Will my petition be published?***

Yes. A copy will be given to the Promoters' Parliamentary Agent and posted on our website. This will include your name and address. Once the Parliamentary Agent has received a copy of your petition they, or the Promoters, will often contact you to discuss your objections.

### ***What happens next?***

If the bill is read a second time in the House (i.e. if the House agrees to let the Bill proceed to its Committee Stage) it is referred, with any petitions, to a Committee of four members which is appointed solely to consider that bill (or occasionally a group of bills). The Committee has the power to amend the bill or not to proceed with it, and it can instruct the Promoters to give you an undertaking (a promise, for example, to carry out a particular action or proceed in a particular way).

### ***Will my petition be considered by the Committee?***

If the Promoters believe that you are not specially and directly affected the bill, they may ask the Committee not to hear you. The Promoters may choose to challenge certain parts of your petition whilst accepting that you may speak on the remaining parts.

### ***What happens if the Promoters challenge my right to be heard?***

If the Promoters do wish to challenge your right to be heard, they must give you, and the House of Commons, written notice of their intention to do so. The decision as to whether you will be able to argue your case on all or some of the matters in your petition will then be determined by another committee, called the Court of Referees.

### ***What happens when the Committee considers my petition?***

It is usual for all petitioners who have complied with the rules of the House to be heard by the

Committee.<sup>2</sup> It is likely that you (or someone representing you) will be expected to present your case before the Committee. The Private Bill Office will contact petitioners to set the date for the Committee's sitting.

Sometimes there is a considerable amount of time between the petitioning period and the actual Committee. This may be for a variety of reasons: the Promoters may be negotiating with petitioners or Government Departments, or the Committee may be delayed through pressure of business in the House and the timing of other committees.

We shall make every effort to accommodate reasonable needs for the timetabling of the Committee, but there may be little scope for altering the timetable to suit individual petitioners. If you know you (or any of your witnesses) will be unavailable on certain dates or for certain periods you should let the Private Bill Office know as soon as possible. The more warning we have the more likely it is that the schedule can be adjusted.

For more information, see Appendix 2 below.

## **6. CONTACT DETAILS AND OTHER INFORMATION**

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### ***Address and location of the House of Commons Private Bill Office***

The address is: Private Bill Office, House of Commons, London SW1A 0AA.

The House of Commons Private Bill Office is located in the Houses of Parliament, Westminster, London. If you intend to hand in your petition, you will need to enter the Palace of Westminster through the Cromwell Green entrance as shown on this map: <https://www.parliament.uk/documents/facilities/maps/colmap.pdf>. This is the main visitor entrance to the House. When you arrive you should ask for the House of Commons Private Bill Office. Please advise the Private Bill Office, in advance, that you are intending to submit your petition in person.

### ***Contact details***

Rob Page, Clerk of Private Bills

 020 7219 6008

020 7219 3250

Email [prbohoc@parliament.uk](mailto:prbohoc@parliament.uk) or [pager@parliament.uk](mailto:pager@parliament.uk)

### ***Information on the internet***

There is a variety of information on the UK Parliament's website, including the text of the bill. Each bill has its own page on [bills.parliament.uk](https://bills.parliament.uk), which during the petitioning period includes a link to the petitioning portal. The petitions against a bill will also be posted on the appropriate bill page shortly after the end of the petitioning period.

Private Business Standing Orders can be found here:

<https://publications.parliament.uk/pa/cm201719/cmstords/Nov2017/pytbs01.htm>

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<sup>2</sup> Although the Standing Orders make provision for "grouping" petitioners.



## APPENDIX I: LIST OF “ROLL A” PARLIAMENTARY AGENTS

Firm	Roll A Agent	Parliamentary Clerk
<b>Bryan Cave Leighton Paisner LLP</b> Adelaide House, London Bridge, London EC4R 9HA ☎: 020 7760 1000 Fax: 020 7760 1111 Email: <a href="mailto:Helen.kemp@blplaw.com">Helen.kemp@blplaw.com</a> Website: <a href="http://www.blplaw.com">www.blplaw.com</a>	Ms H Kemp	A Rosamond
<b>BDB Pitmans LLP</b> 50 Broadway, Westminster, London SW1H 0BL ☎: 020 7227 7080 Fax: 020 7233 1351 Email: <a href="mailto:pamthompson@bdb-law.co.uk">pamthompson@bdb-law.co.uk</a> Website: <a href="http://www.bdb-law.co.uk">www.bdb-law.co.uk</a>	I H McCulloch P H Thompson E N W Brown D N Mundy N J Evans	Mrs P J Thompson 020-7783 3437
<b>Eversheds Sutherland (International) LLP</b> 1 Wood Street, London EC2V 7WS ☎: 020 7497 9797 Fax: 0845 497 4919 Email: <a href="mailto:stephencollings@eversheds-sutherland.com">stephencollings@eversheds-sutherland.com</a> Website: <a href="http://www.eversheds-sutherland.com">www.eversheds-sutherland.com</a> (Rees & Freres joined Eversheds in 2008)	J A Durkin Miss M A R Peto S Collings	D C White D Slevin 020-7919 4878
<b>Pinsent Masons LLP</b> 30 Crown Place, Earl Street, London EC2A 4ES ☎: 020 7418 7000 Fax: 020 7418 7050 email: <a href="mailto:robbie.owen@pinsentmasons.com">robbie.owen@pinsentmasons.com</a> Website: <a href="http://www.pinsentmasons.com">www.pinsentmasons.com</a>	R J V Owen R P P Bull	Frances Ellis 020-7667 0164
<b>Sharpe Pritchard LLP</b> Elm Yard, 13-16 Elm Street, London WC1X 0BJ ☎: 020 7405 4600 Fax: 020 7405 4646 Email: <a href="mailto:alewis@sharpepritchard.co.uk">alewis@sharpepritchard.co.uk</a> Website: <a href="http://www.sharpepritchard.co.uk">www.sharpepritchard.co.uk</a>	W A Lewis E Rh Thomas	No Clerk
<b>Veale Wasbrough Vizards LLP</b> Barnards Inn, 86 Fetter Lane, London EC4A 1AD ☎:020 7405 1234 Fax:020 7405 4171 Email: <a href="mailto:rperry@vww.co.uk">rperry@vww.co.uk</a> Website: <a href="http://www.vww.co.uk">www.vww.co.uk</a>	R E Perry	No Clerk
<b>Winckworth Sherwood LLP</b> Minerva House, 5 Montague Close, London SE1 9BB ☎: 020 7593 5005 Fax: 020 7593 5199 Email: <a href="mailto:agorlov@wslaw.co.uk">agorlov@wslaw.co.uk</a> Website: <a href="http://www.wslaw.co.uk">www.wslaw.co.uk</a>	P M C F Irving Mrs A M H Gorlov H S Wiggs	D N Walker



## APPENDIX 2: SUMMARY OF COMMITTEE PROCEDURE

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Petitioners may appear in person on their own behalf before the Committee. If so, they are entitled to cross-examine witnesses called by the Promoters of the bill and may call their own witnesses in support of the allegations which appear in their petition.

A petitioner may appear not only on his or her own behalf but also on behalf of other petitioners whose names appear at the beginning of the petition. In this event a petitioner may call the co-petitioners as witnesses.

Alternatively, a petitioner or petitioners may appoint someone to act as representative. The representative will then appear on the petitioner's behalf before the Committee, and will be entitled to examine and cross-examine witnesses and generally conduct the petitioner's case.

Committees on private bills are sometimes described as “quasi-judicial”. This means that the Committee sits like a judge and jury to hear in an impartial way the arguments and the evidence for and against a particular bill.

Prior to the first meeting of the Committee, all petitioners (or their representatives) will be asked to confirm that they wish to appear before the Committee. If they do not do this the Committee will assume that the petitioner no longer wishes to be “heard” on his or her petition (that is, the petition will be treated as though it had been withdrawn). If a petitioner or representative knows in advance that they cannot attend on the first day they should contact the Private Bill Office in advance so that alternative arrangements can be made.

The committee stage begins with the Promoters setting out the case in principle for the bill. The petitioners make their cases subsequently.

The burden of proof is always on the Promoters to demonstrate that their bill should be passed. They are requesting that Parliament should set aside or supplement in their interest the general law of the land, and accordingly it is up to them to prove to the Committee's satisfaction that this should be done.

The Committee has wide powers. It may reject the bill altogether (“find the preamble not proved”), amend it, or approve it in unamended form. However, in some particulars the Committee's powers are restricted. Except in certain limited circumstances, it may not amend the bill in a way which affects people who have not previously been affected by the bill. Furthermore, except where permission is expressly given by the House, the Committee cannot call for evidence except that offered by the parties formally represented before it.

The public proceedings of the Committee are transcribed verbatim. Each day's transcript is usually available the following morning and will be posted on our website as soon as possible.