CONSIDERATION OF BILL

GROCERIES CODE ADJUDICATOR BILL, AS AMENDED

Supplier turnover

Philip Davies

To move the following Clause:—

‘Suppliers are not allowed to refer cases to the Adjudicator and cannot have cases referred on their behalf if their turnover exceeds £1bn per annum.’.

Sunsetting

Philip Davies

To move the following Clause:—

‘This Bill will expire in seven years from the date it receives Royal Assent.’.

Page 3, line 15 [Clause 8], at end add—

‘(4) The large retailer may appeal against the requirement to publish information—
(a) to the High Court, in England and Wales or Northern Ireland; or
(b) to the Court of Session, in Scotland.’.

Page 5, line 27 [Clause 14], at end add—

‘(d) all costs incurred by the Adjudicator.’.
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Groceries Code Adjudicator Bill, continued

Philip Davies

Page 8, line 33 [Clause 19], at end add—

‘(3A) For the purpose of the first levy and any subsequent annual increase in the levy of greater than 10 per cent on the previous year, the Adjudicator must undertake a consultation process with the large retailers and consider any submissions received as the Adjudicator considers appropriate.’.

Supplier headquarters

Mr Christopher Chope

To move the following Clause:—

‘Suppliers are not allowed to refer cases to the Adjudicator and cannot have cases referred on their behalf if they have their principal headquarters outside the European Union.’.

Supply source

Mr Christopher Chope

To move the following Clause:—

‘The provisions of this Act shall not apply to any supplies which are produced, manufactured or processed, in whole or in part, outside the European Union.’.

Mr Christopher Chope

Page 10 [Clause 25], leave out lines 35 to 40 and insert ‘This Act shall come into force two months after Royal Assent.’.

Secretary Vince Cable

Page 6 [Clause 15], leave out lines 34 to 36 and insert—

‘(10A) The Secretary of State may by order provide that this Act has effect as if the section set out in subsection (11) below were inserted after section 4.

(10B) An order under subsection (10A)—

(a) may be made only if, as a result of the findings of a review, the Secretary of State thinks that making the order would enable the Adjudicator to be more effective;

(b) may be revoked only if, as a result of the findings of a review, the Secretary of State thinks that revoking the order would not impair the Adjudicator’s effectiveness.

(11) This is the section referred to in subsection (10A)—’.

As Amendments to Secretary Vince Cables’ proposed Amendment (No. 8):—

Mr Christopher Chope

Line 6, after ‘more’, insert ‘efficient and’.
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Groceries Code Adjudicator Bill, continued

Mr Christopher Chope

(b)

Line 9, after ‘Adjudicator’s’, insert ‘efficiency and’.

Ian Murray
Huw Irranca-Davies

Page 4, line 32 [Clause 12], at end insert—

‘(a) the nature and type of arbitrations to be conducted under section 3 including:

(i) the law applicable to an arbitration; and

(ii) where the arbitration should be conducted.’.

Page 5, line 18 [Clause 13], at end add—

‘(2) The Office of Fair Trading shall be required to publish a response to the Adjudicator on the recommendations set out in subsection (1) explaining whether they will be acted upon or not.’.

Page 5, line 18 [Clause 13], at end add—

‘(3) In assessing changes that could be made to the Code, the Adjudicator shall give due consideration to—

(a) the territorial extent of the Code, especially in relation to activities of large retailers outwith the UK, including work done by subsidiaries of large retailers;

(b) whether intermediaries in the supply chain should be covered; and

(c) whether commercial pressures or criminal activity pose risks to consumer interests by potentially compromising standards of food safety, hygiene and food authenticity.’.

Page 5, line 29 [Clause 14], after ‘followed’, insert ‘and whether any further enforcement measures are to be taken in order to secure compliance with the Groceries Code.’.

Page 6, line 34 [Clause 15], leave out subsection (11).