Wednesday 20 December 2017

COMMITTEE OF THE WHOLE HOUSE

PROCEEDINGS

EUROPEAN UNION (WITHDRAWAL) BILL

[FIRST TO EIGHTH DAY]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.
Agreed to on division: agreed following a vote.
Negatived: rejected without a vote.
Negatived on division: rejected following a vote.
Not called: debated in a group of amendments, but not put to a decision.
Not moved: not debated or put to a decision.
Question proposed: debate underway but not concluded.
Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.
Not selected: not chosen for debate by the Chair.

FIRST DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 1, CLAUSE 1

Frank Field
Ruth Smeeth
Mr Ronnie Campbell
Gareth Snell
Kelvin Hopkins
Graham Stringer

Gordon Henderson  Kate Hoey  Withdrawn after debate  NC49

To move the following Clause—
“Date of exit from the European Union

The United Kingdom ceases to belong to the European Union on 30 March 2019.”

Clause 1, page 1, line 3, at beginning insert “Subject to ratification by both Houses of Parliament of a new Treaty between the European Union and the United Kingdom,”

Clause 1, page 1, line 3, after “1972”, insert “, except for section 5 of and Schedule 2 to that Act,”

Clause 1, page 1, line 3, at end insert “, if the requirement in subsection (2) is met.”
European Union (Withdrawal) Bill, continued

(2) The European Communities Act 1972 shall only be repealed under subsection (1) if an agreement has been reached with the European Council that failure by the Parliament of the United Kingdom to approve the terms of exit for the UK will result in the maintenance of UK membership on existing terms.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Catherine West       Mr David Lammy       Tulip Siddiq
Martin Whitfield    Geraint Davies       Albert Owen
Vernon Coaker       Paul Farrelly          Mike Gapes

Not selected 305

Clause 1, page 1, line 3, at end insert “subject to a Minister having set out a strategy for seeking to remain a member of (or maintain equivalent participatory relations with) European Agencies and programmes including (but not limited to) Euratom, the Internal Energy Market, the European Medicines Agency, Europol, Eurojust, Erasmus+, and REACH Horizon 2020 and its successor programme.”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas
Joanna Cherry

Jamie Stone       Wera Hobhouse       Martyn Day
Ann Coffey        Mike Gapes           Douglas Chapman

Not selected 78

Clause 1, page 1, line 3, at end insert—
“(2) Regulations under section 19(2) bringing into force subsection (1) may not be made until the Prime Minister is satisfied that an agreement has been reached for the United Kingdom to remain a member of the EEA and of the Customs Union.”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas
Joanna Cherry

Jamie Stone       Jo Swinson       Peter Grant
Wera Hobhouse     Martyn Day       Ann Coffey
Douglas Chapman

Negatived on division 79

Clause 1, page 1, line 3, at end insert—
“(2) Regulations under section 19(2) bringing into force subsection (1) may not be made until the Prime Minister is satisfied that resolutions have been passed by the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly signifying consent to the commencement of subsection (1).”
Clause 1, page 1, line 3, at end insert—
“(2) Regulations under section 19(2) bringing into force subsection (1) may not be
made until the Secretary of State lays a report before—
(a) Parliament, and
(b) the National Assembly for Wales
outlining the effect of the United Kingdom’s withdrawal from the EU on the
National Assembly for Wales’s block grant.”

Clause agreed to on division.

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 6, CLAUSE 6

To move the following Clause—

“Interpretation of retained EU law during transitional period

Within one month of Royal Assent of this Act the Secretary of State shall lay a
report before Parliament setting out how the interpretation of retained EU law
provisions in section 6 shall operate in the event of a transitional period being
agreed between the United Kingdom and the European Union ahead of the
implementation of a withdrawal agreement.”

Clause 6, page 3, line 29, at end insert—

Not selected 80

Negatived on division NC14

Not called 357
“(A1) Retained EU law is to be interpreted in accordance with subsections (A3) to (A7), unless otherwise provided for by regulations under this Act.

(A2) Subsections (A3) to (A7) do not affect the application of section 7 to retained EU law where, but for the operation of those subsections, the retained EU law would fall within that section.

(A3) Retained EU law does not allow, prevent, require or otherwise apply to acts or omissions outside the United Kingdom.

(A4) An EU reference is not to be treated, by reason of the UK having ceased to be a member State, as preventing or restricting the application of retained EU law within the United Kingdom or to persons or things associated with the United Kingdom.

(A5) Functions conferred on the EU or an EU entity are to be treated as functions of the Secretary of State.

(A6) Any provision which requires or would, apart from subsection (A5), require a UK body to—
   (a) consult, notify, co-operate with, or perform any other act in relation to an EU body, or
   (b) take account of an EU interest,
is to be treated as empowering the UK body to do so in such manner and to such extent as it considers appropriate.

(A7) In subsection (A6)—
   “a UK body” means the United Kingdom or a public authority in the United Kingdom;
   “an EU body” means the EU, an EU entity (other than the European Court), a member State or a public authority in a member State;
   “an EU interest” means an interest of an EU body or any other interest principally arising in or connected with the EU (including that of consistency between the United Kingdom and the EU);
   “requires” includes reference to a pre-condition to the exercise of any power, right or function.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Ian Murray
Martin Whitfield
Mike Gapes

Mr David Lammy
Vernon Coaker
Wera Hobhouse
Ann Coffey

Clause 6, page 3, line 32, after “exit day” insert “as appointed in accordance with subsection (6A)”

Mrs Cheryl Gillan

Clause 6, page 3, line 32, after “Court” insert—
   “except in relation to anything that happened before that day”.

Not called 279

Not called 303
European Union (Withdrawal) Bill, continued

Clause 6, page 3, line 33, after “matter” insert “(other than a pending matter)”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Not called 202

Clause 6, page 3, line 33, after “exit day” insert “as appointed in accordance with subsection (6A)”

Mrs Cheryl Gillan
Ann Coffey

Not called 304

Clause 6, page 3, line 33, at end insert—
“except in relation to anything that happened before that day."

Joanna Cherry
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey
Wera Hobhouse

Negatived on division 137

Clause 6, page 3, line 34, leave out subsection (2) and insert—
“(2) When interpreting retained EU law after exit day a court or tribunal shall pay due regard to any relevant decision of the European Court.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Not called 281
European Union (Withdrawal) Bill, continued

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Not called 306

Clause 6, page 3, line 35, leave out from “but” to end of line 36 and insert “a court or tribunal has a duty to take account of anything done by the European Court in relation to—

(a) employment entitlement, rights and protections;
(b) equality entitlements, rights and protections;
(c) health and safety entitlement, rights and protections.”

Robert Neill
Ann Coffey
Stephen Hammond

Not called 358

Clause 6, page 3, line 36, at end insert—

“( ) In addressing any question as to the meaning or effect of retained EU law, a court or tribunal must have regard to—

(a) any material produced in the preparation of that law, or
(b) any action taken or material produced in relation to that law before exit day by an EU entity or the EU, to the same extent as it would have had regard to such material or action immediately before exit day.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Negatived on division 278

Clause 6, page 4, line 19, at end insert—

“(6A) The exit day appointed (in accordance with section 14 and paragraph 13 of Schedule 7) for the purposes of subsections (1) and (2) must not be before the end of any transitional period agreed under Article 50 of the Treaty on the Functioning of the European Union.”
European Union (Withdrawal) Bill, continued

Clause 6, page 4, line 20, leave out subsection (7)

Clause 6, page 4, line 26, after “exit day” insert “as appointed in accordance with

Clause 6, page 4, line 33, after “exit day” insert “as appointed in accordance with

Clause 6, page 4, line 44, after “exit day” insert “as appointed in accordance with

Clause agreed to.
SECOND DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 2, CLAUSE 2, NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 3, CLAUSE 3, NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 4, CLAUSE 4

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 2, CLAUSE 2

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Kerry McCarthy
Helan Hayes
Susan Elan Jones
Chris Bryant
Hugh Gaffney
Mr George Howarth
Mike Gapes

Caroline Lucas
Ms Harriet Harman
Catherine McKinnell
Stephen Kinnock
Seema Malhotra
Angela Smith
Martin Whitfield
Vernon Coaker
Stephen Timms

Paul Farrelly
Ian Murray
Stephen Doughty
Stella Creasy
Catherine West
Tulip Siddiq
Geraint Davies
Ann Coffey

 Withdrawn after debate  NC2

To move the following Clause—

“Retaining Enhanced Protection

Regulations provided for by Acts of Parliament other than this Act may not be used by Ministers of the Crown to amend or modify retained EU law in the following areas—

(a) employment entitlement, rights and protections;
(b) equality entitlements, rights and protections;
(c) health and safety entitlement, rights and protections;
(d) fundamental rights as defined in the EU Charter of Fundamental Rights.”

Mr Chris Leslie
Mr David Lammy
Ian Murray
Mike Gapes
Helen Hayes
Mr Ben Bradshaw

Stephen Kinnock
Dr Philippa Whitford
Martyn Day
Ann Coffey

Chris Bryant
Tulip Siddiq
Paul Farrelly

Angela Smith
Martin Whitfield
Neil Coyle

 Not called  NC15
European Union (Withdrawal) Bill, continued

“Provisions relating to the EU or the EEA in respect of EU-derived domestic legislation

HM Government shall make arrangements to report to both Houses of Parliament whenever circumstances arising in section 2(2)(d) would otherwise have amended provisions or definitions in UK law had the UK remained a member of the EU or EEA beyond exit day.”

Kerry McCarthy
Caroline Lucas
Mike Gapes
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury
Ms Karen Buck
Stephen Doughty
Mr Kenneth Clarke
Stephen Kinnock
Chris Bryant
Paul Farrelly
Wera Hobhouse
Catherine McKinnell
Ms Angela Eagle
Mrs Madeleine Moon
Rushanara Ali
Ann Coffey
Susan Elan Jones
Patrick Grady
Tim Farron
Stella Creasy
Ian Murray
Helen Hayes
Mr David Lammy
Seema Malhotra
Martin Whitfield
Tom Brake
Stephen Timms

Negatived on division NC25

To move the following Clause—

“Treatment of retained law

(1) Following the commencement of this Act, no modification may be made to retained EU law save by primary legislation, or by subordinate legislation made under this Act.

(2) By regulation, the Minister may establish a Schedule listing technical provisions of retained EU law that may be amended by subordinate legislation.

(3) Regulations made under subsection (2) will be subject to an enhanced scrutiny procedure including consultation with the public and relevant stakeholders.

(4) Regulations may only be made under subsection (2) to the extent that they will have no detrimental impact on the UK environment.

(5) Delegated powers may only be used to modify provisions of retained EU law listed in any Schedule made under subsection (2) to the extent that such modification will not limit the scope or weaken standards of environmental protection.”
To move the following Clause—

“Continuing validity in the United Kingdom of European Union law

(1) The European Communities Act 1972 shall continue to have effect in the United Kingdom after the date on which the United Kingdom leaves the European Union as if the United Kingdom continued to be bound by the Treaties.

(2) Accordingly all such rights, powers, liabilities, obligations and restrictions created or arising by or under the Treaties, and all such remedies as provided for by or under the Treaties, as in accordance with the Treaties are without further enactment given legal effect or used in the United Kingdom shall continue to be recognised and available in law, and be enforced, allowed and followed accordingly.

(3) Subsections (1) and (2) do not apply to any primary legislation passed by Parliament coming into force after the date of exit from the European Union which includes a provision to the effect that that Act, or specified provisions of that Act, have effect notwithstanding the provisions of section (Continuing validity in the United Kingdom of European Union law)(1) and (2) of the European Union (Withdrawal) Act 2017.”

To move the following Clause—

“Duty of review of European Union law

(1) The Prime Minister must lay before Parliament within six months of the date of the United Kingdom leaving the European Union, and at least once a year thereafter, a review of all European Union legislation and decisions still applicable to the United Kingdom, with proposals for re-enactment, replacement or repeal by the United Kingdom Parliament of any provisions of European Union law, with or without modification, as United Kingdom legislation.

(2) The House of Commons may appoint or designate one or more select committees to consider any report under subsection (1).”
“Treatment of retained law (No. 2)"

(1) Following the day on which this Act is passed, no modification may be made to retained EU law except by primary legislation, or by subordinate legislation made under this Act.

(2) The Secretary of State must by regulations establish a schedule listing technical provisions of retained EU law that may be amended by subordinate legislation.

(3) Subordinate legislation to which subsection (2) applies must be subject to an enhanced scrutiny procedure, to be established by regulations made by the Secretary of State after approval in draft by both Houses of Parliament, which must include consultation with the public and relevant stakeholders.

(4) Delegated powers may be used only to modify provisions of retained EU law listed in any Schedule made under subsection (2) to the extent that such modification will not limit the scope or weaken standards of equalities, environmental and employment protection, and consumer standards.”
European Union (Withdrawal) Bill, continued

(d) consumer standards; and
(e) environmental standards and protection.”

[Signatures]

Clause 2, page 1, line 12, after “passed” insert “and commenced,”

Clause 2, page 1, line 19, at end insert—

“(2A) This subsection applies to any enactment of the United Kingdom Parliament which—

(a) applies to Wales and does not relate to matters specified in Schedule 7A to the Government of Wales Act 2006,
(b) applies to Scotland and does not relate to matters specified in Schedule 5 to the Scotland Act 1998,
(c) applies to Northern Ireland and does not relate to matters specified in Schedules 2 or 3 to the Northern Ireland Act 1998.”

Clause 2, page 1, line 19, at end insert—

“(2A) For the purposes of this Act, any EU-derived domestic legislation has effect in domestic law immediately before exit day if—

(a) in the case of anything which shall apply or be operative from a particular date, applies or is operative before exit day, or
(b) in any other case, it has been commenced and is in force immediately before exit day.”

Clause agreed to.
NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 3, CLAUSE 3

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Martyn Day
Douglas Chapman

Clause 3, page 2, leave out lines 13 to 22

Robert Neill
Stephen Hammond
Wes Streeting

Clause 3, page 2, line 22, at end insert—
“(2A) A Minister of the Crown may by regulations provide for prospective EU legislation to form part of domestic law as it has effect in EU law, from the time at which it begins to apply or from some later time. (2B) In subsection (2A) “prospective EU legislation” means—
(a) an EU regulation which is adopted, notified or in force immediately before exit day, or
(b) EU tertiary legislation made under retained EU law, so far as it is not operative immediately before exit day.
(2C) A statutory instrument containing regulations under subsection (2A) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

Clause agreed to.

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 4, CLAUSE 4

Caroline Lucas
Kerry McCarthy
Tom Brake
Liz Saville Roberts
Jim Fitzpatrick
Helen Hayes

Angela Smith
Stephen Gethins
Jo Swinson
Mike Gapes
Martyn Day
Darren Jones
Jamie Stone
Mary Creagh

Patrick Grady
Daniel Zeichner
Sir Edward Davey
Layla Moran
Paul Farrelly
Catherine McKinnell
Norman Lamb
Stephen Timms

Peter Grant
Sir Vince Cable
Seema Malhotra
Dr Philippa Whitford
Ann Coffey
Angus Brendan MacNeil
Tulip Siddiq

To move the following Clause—

Negatived on division NC30
“EU Protocol on animal sentience

Obligations and rights contained within the EU Protocol on animal sentience set out in Article 13 of Title II of the Lisbon Treaty shall be recognised and available in domestic law on and after exit day, and shall be enforced and followed accordingly.”

Mary Creagh
Ann Coffey
Mike Gapes
Caroline Lucas

To move the following Clause—

“Retention of principles of EU environmental law

(1) On and after exit day the environmental principles of European Union law become principles of United Kingdom law in accordance with this section.

(2) The “environmental principles of EU law” are the principles set out in Article 191 of the Treaty on the Functioning of the European Union (the precautionary principle; the principle that preventive action should be taken; the principle that environmental damage should as a priority be rectified at source and that the polluter should pay).

(3) A court or tribunal interpreting or applying an enactment must, so far as it is possible to do so, construe or apply the enactment in a manner that is compatible with the environmental principles of EU law.

(4) A public authority must, in the exercise of its functions, have regard to the environmental principles of EU law.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Martin Whitfield
Geraint Davies
Vernon Coaker
Stephen Timms

To move the following Clause—

“Environmental protection: principles under Article 191 of TFEU

(1) Principles contained in Article 191 of TFEU in relation to environmental protection and listed in subsection (2) shall continue to be recognised and applied on and after exit day.

(2) The principles are—

(a) the precautionary principle as it relates to the environment,
European Union (Withdrawal) Bill, continued

(b) the principle that preventive action should be taken to avert environmental damage,
(c) the principle that environmental damage should as a priority be rectified at source, and
(d) the principle that the polluter should pay.”

Kerry McCarthy
Caroline Lucas
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury

Catherine McKinnell
Ms Angela Eagle
Mrs Madeleine Moon
Mr David Lammy
Mike Gapes
Paul Farrelly
Angus Brendan MacNeil

Stella Creasy
Ian Murray
Helen Hayes
Ann Coffey
Tulip Siddiq
Patrick Grady
Wera Hobhouse

Ms Karen Buck
Stephen Doughty
Angela Smith
Seema Malhotra
Martin Whitfield
Ann Coffey
Tim Farron

Clause 4, page 2, line 45, leave out sub-paragraph (b)

Ian Blackford
Joanna Cherry
Patrick Grady
Stephen Gethins
Kirsty Blackman
Peter Grant

Jamie Stone
Douglas Chapman
Wera Hobhouse
Martyn Day

Clause 4, page 2, line 47, at end insert—
“(1A) Rights, powers, liabilities, obligations, restrictions, remedies and procedures under subsection (1) shall include directly effective rights contained in the following Articles of, and Protocols to, the Treaty on the Functioning of the European Union—

<p>| Non-discrimination on ground of nationality | Article 18 |
| Citizenship rights | Article 20 (except article 20(2)(c)) |
| Rights of movement and residence deriving from EU citizenship | Article 21(1) |
| Establishes customs union, prohibition of customs duties, common external tariff | Article 28 |
| Prohibition on customs duties | Article 30 |</p>
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<td>Privileges and immunities of the EIB</td>
<td>Protocol 7 - Article 21”</td>
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</table>
Clause 4, page 2, line 47, at end insert—
“(1A) Rights, powers, liabilities, obligations, restrictions, remedies and procedures under subsection (1) shall include directly effective rights and obligations contained in the United Nations Convention on the Rights of the Child.”

Clause 4, page 3, line 4, leave out paragraph (b)
Clause 4, page 3, line 9, at end insert—

“(4) Where, following the United Kingdom’s exit from the EU, no specific provision has been made in respect of an aspect of EU law applying to the UK or any part of the United Kingdom immediately prior to the United Kingdom’s exit from the EU, that aspect of EU law shall continue to be effective and enforceable in the United Kingdom with equivalent scope, purpose and effect as immediately before exit day.

(5) Where, following the United Kingdom’s exit from the EU, retained EU law is found to incorrectly or incompletely transpose the requirements of EU legislation in force on exit day, a Minister of the Crown shall make regulations made subject to an enhanced scrutiny procedure so as to ensure full transposition of the EU legislation.”

Clause agreed to.

THIRD DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 5 OR SCHEDULE 1, CLAUSE 5, SCHEDULE 1

Mr Chris Leslie
Mr Pat McFadden
Chuka Umunna
Paul Farrelly
Mr David Lammy
Ian Murray

Stephen Doughty Catherine McKinnell Stella Creasy
Ms Karen Buck Ms Angela Eagle Stephen Doughty
Mrs Madeleine Moon Helen Hayes Mr David Lammy
Ann Coffey Jamie Stone Chris Bryant
Mike Gapes Wera Hobhouse Tulip Siddiq
Martin Whitfield Paul Farrelly Patrick Grady
Norman Lamb Angus Brendan MacNeil Tim Farron
Stephen Timms

Not called 95

Withdrawn after debate NC16
European Union (Withdrawal) Bill, continued

“Charter of Fundamental Rights – Government Report

(1) Within one month of Royal Assent of this Act, HM Government shall lay a report before both Houses of Parliament reviewing the implications of removing the Charter of Fundamental Rights from domestic law after exit day as set out in section 5(4) of this Act.

(2) The report under subsection (1) shall set out the policy of Her Majesty’s Government specifically in relation to the fundamental rights of—

(a) dignity, the right to life, to freedom from torture, slavery, the death penalty, eugenic practices and human cloning,

(b) freedoms, the right to liberty, personal integrity, privacy, protection of personal data, marriage, thought, religion, expression, assembly, education, work, property and asylum,

(c) equality, the right to equality before the law, prohibition of all discrimination including on basis of disability, age and sexual orientation, cultural, religious and linguistic diversity, the rights of children and the elderly,

(d) solidarity, the right to fair working conditions, protection against unjustified dismissal, and access to health care, social and housing assistance,

(e) citizens’ rights, the rights of citizens such as the right to vote in elections and to move freely, the right to good administration, to access documents and to petition Parliament, and

(f) justice, the right to an effective remedy, a fair trial, to the presumption of innocence, the principle of legality, non-retrospectivity and double jeopardy.”

To move the following Clause—

“Consequences of leaving the European Union: equality

(1) This section comes into force when the power under section 14 to appoint exit day for the purposes of this Act is first exercised.

(2) The purpose of this section is to ensure that the withdrawal of the United Kingdom from the European Union does not diminish protection for equality in the law of the United Kingdom.

(3) All individuals are equal before the law and have the right to the equal protection and benefit of the law.

(4) All individuals have a right not to be discriminated against by any public authority on any grounds including sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

(5) The following provisions of the Human Rights Act 1998 apply in relation to the rights conferred by subsections (3) and (4) as they apply in relation to Convention rights within the meaning of that Act—

(a) section 3 (interpretation of legislation);
European Union (Withdrawal) Bill, continued

(b) section 4 (declaration of incompatibility);
(c) section 5 (right of Crown to intervene);
(d) section 6 (acts of public authorities);
(e) section 7 (proceedings);
(f) section 8 (judicial remedies);
(g) section 9 (judicial acts);
(h) section 10 (power to take remedial action);
(i) section 11 (safeguard for existing human rights); and
(j) section 19 (statements of compatibility).

(6) A court or tribunal must have regard to any relevant decisions of the European Court of Human Rights in considering—
(a) the application of this section generally, and
(b) in particular, the meaning of discrimination for the purposes of this section.”

Ellie Reeves
Tonia Antoniazzi
Seema Malhotra
Julie Elliott
Ian Murray
Catherine West

Mike Amesbury    Thelma Walker    Mr David Lammy
Jess Phillips    Jo Swinson    Caroline Lucas
Chris Stephens    Liz Kendall    Alison McGovern
Rushanara Ali    Martin Whitfield    Mr Paul Sweeney
Jo Platt    Gerard Killen    Sarah Jones
Laura Smith    Helen Hayes    Kerry McCarthy
Daniel Zeichner    Gareth Snell    Tracy Brabin
Preet Kaur Gill    Kate Green    Stella Creasy
Sarah Champion    Ms Harriet Harman    Mrs Angela Eagle
Lucy Powell    Maria Eagle    Rosie Cooper
Hugh Gaffney    Ruth George    James Frith
Mrs Madeline Moon    Bambos Charalambous    George Howarth
Stephen Gethins    Rosie Duffield    Anna McMorrin
Rupa Huq    Ruth Cadbury    Darren Jones
Mr Roger Godsiff

Negatived on division NC79

To move the following Clause—

“Provisions relating to the EU or the EEA in respect of EU-derived domestic legislation

(1) Notwithstanding the provisions of section 5(1), HM Government shall make arrangements to report to both Houses of Parliament whenever circumstances arising in section 2(2)(d) would otherwise have amended provisions or definitions in UK law had the UK remained a member of the EU or EEA beyond exit day.

(2) Notwithstanding the provisions of section 5(1) and having reported to both Houses of Parliament, HM Government is bound to consider whether it should incorporate amended provisions or definitions into UK law, in order to ensure that
the rights of workers and employees in the UK are no less favourable than they
would have been had the UK remained a member of the EU or EEA beyond exit
day.

(3) Such circumstances arising in section 2(2)(d) include but are not limited to—
   (a) any future EU Directives relating to family-friendly employment rights;
       including but not limited to rights for pregnant workers and employees,
       and those returning from maternity leave,
   (b) any future EU Directives relating to gender equality,
   (c) the proposed Directive of the European Parliament and of the Council on
       work-life balance for parents and carers.

(4) Reports presented under subsection (1) must include—
   (i) an assessment of how such amendments to UK law would have
       impacted sex equality in the UK had the UK remained a member
       of the EU or EEA beyond exit day and
   (ii) an assessment of how a failure to implement amended provisions
       or definitions in UK law will impact the ability of families to
       combine work and care in the UK and gender equality in the
       UK.”

Clause 5, page 3, line 11, leave out “or rule of law”

Clause 5, page 3, line 12, after “exit day” insert “as appointed for the purposes of
this section (see subsection (5A)”
European Union (Withdrawal) Bill, continued

Clause 5, page 3, line 15, leave out “or rule of law”

Clause 5, page 3, line 17, leave out “or rule of law”

Clause 5, page 3, line 20, leave out subsections (4) and (5).
European Union (Withdrawal) Bill, continued

Clause 5, page 3, line 20, leave out subsection (4)

Clause 5, page 3, line 26, at end insert—
"(5A) Within three months of the commencement of this section, the Secretary of State must lay before Parliament regulations to create a fundamental right to the protection of personal data.

(5B) A statutory instrument containing regulations under subsection (5A) may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament."

Clause 5, page 3, line 26, at end insert—
“(5A) The exit day appointed (in accordance with section 14 and paragraph 13 of Schedule 7) for the purposes of this section must not be before the end of any transitional period agreed under Article 50 of the Treaty on the Functioning of the European Union.”

Clause agreed to.

Mr Dominic Grieve
Mr Kenneth Clarke
Nicky Morgan
Anna Soubry
Antoinette Sandbach
Stephen Hammond

Dr Sarah Wollaston Jeremy Lefroy Robert Neill
Chuka Umunna Caroline Lucas Paul Farrelly
Joanna Cherry Ms Harriet Harman Ian Murray
Liz Kendall Stephen Doughty Mike Gapes
Kerry McCarthy Catherine McKinnell Helen Hayes
Mr Ben Bradshaw Angela Smith Stephen Kinnock
Mr David Lammy Stella Creasy Mr George Howarth
Tom Brake Sir Vince Cable Jo Swinson
Sir Edward Davey Ann Coffey Susan Elan Jones
Seema Malhotra Jamie Stone Chris Bryant
Layla Moran Lady Hermon Mr Gavin Shuker
Kate Green Wera Hobhouse Tulip Siddiq
Hywel Williams Martin Whitfield Stephen Timms

Schedule 1, page 15, line 5, leave out paragraphs 1 to 3

Kerry McCarthy
Caroline Lucas
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury

Catherine McKinnell Stella Creasy Ms Karen Buck
Ms Angela Eagle Ian Murray Stephen Doughty
Mrs Madeleine Moon Helen Hayes Angela Smith
Mr David Lammy Stephen Kinnock Ann Coffey
Susan Elan Jones Seema Malhotra Chris Bryant
Mike Gapes Wera Hobhouse Tulip Siddiq
Martin Whitfield Paul Farrelly Patrick Grady
Norman Lamb Angus Brendan MacNeil Tom Brake
Tim Farron Stephen Timms Layla Moran

Schedule 1, page 15, line 17, leave out paragraph 2 and insert—

“2 (1) Any general principle of EU law will remain part of domestic law on or after exit day if—

(a) it was recognised as a general principle of EU law by the European Court in a case decided before exit day (whether or not as an essential part of the decision in the case);
European Union (Withdrawal) Bill, continued

(b) it was recognised as a general principle of EU law in the EU Treaties immediately before exit day;

c) it was recognised as a general principle of EU law by any direct EU legislation (as defined in section 3(2) of this Act) operative immediately before exit day; or

d) it was recognised as a general principle of EU law by an EU directive that was in force immediately before exit day.

(2) Without prejudice to the generality of sub-paragraph (1), the principles set out in Article 191 of the Treaty on the Functioning of the European Union shall be considered to be general principles for the purposes of that sub-paragraph.”

Schedule 1, page 15, line 17, leave out paragraphs 2 and 3 and insert—

“2A (1) Any general principle of EU law will remain part of domestic law on or after exit day if—

(a) it was recognised as a general principle of EU law by the European Court in a case decided before exit day (whether or not as an essential part of the decision in the case);

(b) it was recognised as a general principle of EU law in the EU Treaties immediately before exit day;

(c) it was recognised as a general principle of EU law by any direct EU legislation (as defined in section 3(2) of this Act) operative immediately before exit day; or

(d) it was recognised as a general principle of EU law by an EU directive that was in force immediately before exit day.

2B Without prejudice to the generality of paragraph 2A, the principles set out in Article 191 of the Treaty on the Functioning of the European Union shall be considered to be general principles for the purposes of that paragraph.

2C For the purposes of paragraphs 1A and 1B the exit day appointed must be the same day as is appointed for section 5(1) of this Act and must not be before the end of any transitional period agreed under Article 50 of the Treaty on the Functioning of the European Union.”
European Union (Withdrawal) Bill, continued

Kerry McCarthy
Caroline Lucas
Ian Murray
Mary Creagh
Mr Ben Bradshaw
Darren Jones

Ruth Cadbury
Ms Karen Buck
Mrs Madeleine Moon
Stephen Kinnock
Chris Bryant
Wera Hobhouse
Patrick Grady
Stephen Timms

Catherine McKinnell
Ms Angela Eagle
Helen Hayes
Ann Coffey
Martin Whitfield
Angus Brendan MacNeil

Stella Creasy
Stephen Doughty
Mr David Lammy
Jamie Stone
Angela Smith
Paul Farrelly
Tim Farron

Not called 105

Schedule 1, page 15, line 21, leave out paragraph 3

Mr Chris Leslie
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty
Tom Brake

Sir Vince Cable
Paul Farrelly
Mike Gapes
Helen Hayes
Stephen Kinnock
Chris Bryant
Catherine McKinnell
Wera Hobhouse
Lady Hermon

Mr Alistair Carmichael
Mr David Lammy
Caroline Lucas
Angela Smith
Ann Coffey
Martin Whitfield
Norman Lamb
Tim Farron

Kerry McCarthy
Ian Murray
Layla Moran
Stella Creasy
Jamie Stone
Patrick Grady
Angus Brendan MacNeil
Stephen Timms

Not called 62

Schedule 1, page 15, line 28, leave out paragraph 4

Mary Creagh
Mike Gapes
Neil Coyle
Maria Eagle
Helen Hayes
Mr David Lammy

Ian Murray
Angela Smith
Kerry McCarthy
Seema Malhotra
Martin Whitfield

Chris Bryant
Paul Farrelly

Negatived on division 139

Schedule 1, page 15, line 29, at end insert “except in relation to anything occurring before that day”.

Mrs Cheryl Gillan

Not called 302

Schedule 1, page 15, line 29, at end insert—
“except in relation to anything occurring before that day.”
European Union (Withdrawal) Bill, continued

(2) “Anything occurring before that day” in sub-paragraph (1) shall be taken to mean any action commenced before or after exit day in relation to any act before exit day.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Schedule 1, page 15, line 29, at end insert—
“except in cases whereby the breach of Community law took place on or before exit day.

4A For the purposes of paragraph 4 the exit day appointed must not be before the end of any transitional period agreed under Article 50 of the Treaty on the Functioning of the European Union.”

Jo Swinson
Jamie Stone

Schedule 1, page 15, line 32, after “Rights” insert “or”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran

Jo Swinson
Jamie Stone

Schedule 1, page 15, line 33, leave out “or the rule in Francovich”
Page 15, line 2, leave out Schedule 1

Schedule agreed to on division.

FOURTH DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 11 OR SCHEDULE 3,
CLAUSE 11, SCHEDULE 3

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Owen Smith
Lesley Laird
Christina Rees

To move the following Clause—

“Creation of UK-wide frameworks

(1) The Secretary of State must lay before each House of Parliament proposals for replacing European frameworks with UK ones.

(2) UK-wide frameworks shall be proposed if and only if they are necessary to—
   (a) enable the functioning of the UK internal market;
   (b) ensure compliance with international obligations;
European Union (Withdrawal) Bill, continued

(c) ensure the UK can negotiate, enter into and implement new trade agreements and international treaties;
(d) enable the management of common resources;
(e) administer and provide access to justice in cases with a cross-border element;
(f) safeguard the security of the UK.

(3) Ministers of the Crown shall only create UK-wide frameworks if they have consulted with, and secured the agreement of, the affected devolved administrations.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Owen Smith
Lesley Laird
Christina Rees
Jenny Chapman Matthew Pennycook Paul Blomfield
Ian Murray Hugh Gaffney Martin Whitfield
Vernon Coaker Mike Gapes Stephen Timms
Lady Hermon Ms Harriet Harman Mr David Lammy
Stephen Doughty Danielle Rowley Mr Paul Sweeney

To move the following Clause—

“Role of Joint Ministerial Committee

(1) The Joint Ministerial Committee is to be a forum—
   (a) for discussing—
      (i) the terms upon which the United Kingdom is to withdraw from the European Union and the United Kingdom’s future relationship with the European Union;
      (ii) proposals to amend retained EU law;
      (iii) agreed legal and policy frameworks in relation to the subject matter of devolved retained EU law that are to operate throughout the United Kingdom;
      (iv) a concordat setting out the process for concluding the legal and policy frameworks mentioned in sub-paragraph (iii); and
   (b) for seeking a consensus on those matters between Her Majesty’s Government and the other members of the Joint Ministerial Committee.

(2) Before Her Majesty’s Government concludes a withdrawal agreement, the Secretary of State must produce a document for consideration by the Joint Ministerial Committee setting out—
   (a) Her Majesty’s Government’s objectives and strategy in negotiating and concluding a withdrawal agreement;
   (b) Her Majesty’s Government’s objectives and strategy in relation to establishing a framework for the United Kingdom’s future relationship with the European Union;
   (c) the steps Her Majesty’s Government intends to take to keep the Joint Ministerial Committee informed of progress in reaching a withdrawal agreement;
European Union (Withdrawal) Bill, continued

(d) the steps Her Majesty’s Government intends to take to consult each member of the Joint Ministerial Committee before entering into a withdrawal agreement and for taking the views of each member into account;

(e) the steps Her Majesty’s Government intends to take to seek the approval of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly before entering into a withdrawal agreement.

(3) Until a withdrawal agreement is concluded, the Secretary of State must produce a report every three months for consideration by the Joint Ministerial Committee setting out—

(a) Her Majesty’s Government’s assessment of the progress made against Her Majesty’s Government’s objectives—

(i) in negotiating and concluding the withdrawal agreement;

(ii) in relation to establishing a framework for the United Kingdom’s future relationship with the European Union;

(b) any change to the matters listed in paragraphs (a) to (e) of subsection (2).

(4) Before concluding a withdrawal agreement the Prime Minister must produce a document setting out the terms of the proposed agreement for consideration by the Joint Ministerial Committee.

(5) Meetings of the Joint Ministerial Committee must, until Her Majesty’s Government concludes a withdrawal agreement, be chaired by—

(a) the Prime Minister, or

(b) the Secretary of State for Exiting the European Union.

(6) In this section, “the Joint Ministerial Committee” means the body set up in accordance with Supplementary Agreement A of the Memorandum of Understanding on Devolution, between Her Majesty’s Government, the Scottish Government, the Welsh Government and the Northern Ireland Executive Committee.”

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Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz   Mr David Lammy   Ms Harriet Harman
Ian Murray    Mike Gapes    Catherine McKinnell
Stephen Doughty Helen Hayes    Stephen Kinnock
Stella Creasy Ann Coffey    Susan Elan Jones
Seema Malhotra Jamie Stone    Wera Hobhouse
Hugh Gaffney    Martin Whitfield    Albert Owen
Vernon Coaker    Paul Farrelly    Danielle Rowley
Mr Paul Sweeney

Clause 11, page 7, line 16, leave out subsections (1) to (3) and insert—

“(1) In section 29(2)(d) of the Scotland Act 1998 (no competence for Scottish Parliament to legislate incompatibly with EU law), omit “or with EU law”.

(2) In section 108A(2)(c) of the Government of Wales Act 2006 (no competence for National Assembly for Wales to legislate incompatibly with EU law), omit “or with EU law”.

Negatived on division 42
(3) In section 6(2)(d) of the Northern Ireland Act (no competency for the Assembly to legislate incompatibly with EU law, omit “is incompatible with EU law”.

Ian Murray
Stephen Gethins
Stephen Doughty
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford  Mr Alistair Carmichael  Tom Brake
Stella Creasy  Stephen Kinnock  Ann Coffey
Jamie Stone  Chris Bryant  Mike Gapes
Mr David Lammy  Mrs Madeleine Moon  Dr Philippa Whitford
Wera Hobhouse  Martin Whitfield  Martyn Day
Paul Farrelly

Clause 11, page 7, line 16, leave out subsections (1) and (2) and insert—
(1) In section 29(2)(d) of the Scotland Act 1998 (no competence for Scottish Parliament to legislate incompatibly with EU law), omit “or with EU law”.
(2) In section 108A(2)(e) of the Government of Wales Act 2006 (no competence for National Assembly for Wales to legislate incompatibly with EU law), omit “or with EU law”.

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran

Jo Swinson  Jamie Stone

Clause 11, page 7, line 19, leave out from “law)” to end of line 29 and insert “omit “or with EU law”.”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas
Jamie Stone

Clause 11, page 7, leave out lines 22 to 29 and insert—
“(4A) An Act of the Scottish Parliament cannot modify, or confer power by subordinate legislation to modify, retained EU law which relates to matters specified in Schedule 5 to the Scotland Act 1998.”
European Union (Withdrawal) Bill, continued

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran

Jo Swinson
Jamie Stone

Not called 133

Clause 11, page 7, line 33, leave out from “law)” to end of line 7 on page 8 and insert “omit “or with EU law””

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas
Wera Hobhouse

Not called 91

Clause 11, page 7, leave out from beginning of line 36 to the end of line 7 on page 8 and insert—

““(8) An Act of the Assembly cannot modify, or confer power by subordinate legislation to modify, retained EU law which relates to matters specified in Schedule 7A to the Government of Wales Act 2006.””

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran

Jo Swinson
Jamie Stone

Not called 134

Clause 11, page 8, line 9, leave out from “Assembly)” to end of line 28 and insert “omit subsection 2(d)”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas

Not called 92

Clause 11, page 8, leave out lines 14 to 28 and insert—

““(6) An Act of the Assembly cannot modify, or confer power by subordinate legislation to modify, retained EU law which relates to matters specified in Schedules 2 or 3 to the Northern Ireland Act 1998.””
Clause 11, page 8, line 28, at end insert—

“(3A) This section shall not come into effect until—

(a) the Scottish Parliament has passed a resolution approving the provisions in subsection (1);

(b) the National Assembly for Wales has passed a resolution approving the provisions in subsection (2); and

(c) the Northern Ireland Assembly has passed a resolution approving the provisions in subsection (3).”

Clause 11, page 8, line 33, at end insert—

“(6) Subsections (1), (2) and (3) shall not come into force until the exit day appointed for the purpose of this section, which must not be before the end of any transitional period agreed under Article 50 of the Treaty on the Functioning of the European Union.”
European Union (Withdrawal) Bill, continued

“1 In section 57(2) of the Scotland Act 1998 (no power for members of the Scottish Government to make subordinate legislation, or otherwise act, incompatibly with EU law or Convention rights), omit “or with EU law”.

2 In the Government of Wales Act 2006, omit section 80 (EU law).”

Stephen Doughty
Stephen Gethins
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

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<td>Mr David Lammy</td>
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Schedule 3, page 28, line 2, leave out from first “and” to end of line 3

Not called 183

Stephen Gethins
Stephen Doughty
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

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<th>Ian Blackford</th>
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<td>Mr David Lammy</td>
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Schedule 3, page 28, line 38, leave out from “(d)” to end of line 39 and insert “omit “or with EU law”.”

Not called 184

Schedule 3, page 29, line 5, leave out paragraph 21

Not called 185
European Union (Withdrawal) Bill, continued

Schedule 3, page 29, line 28, leave out from “subsection” to end of line 29 and insert “(4), omit paragraph (d)”

Schedule 3, page 30, line 4, leave out “before “EU” insert “Retained”” and insert “omit “EU law””

Schedule 3, page 30, line 5, leave out paragraph 31

Clause 11 and Schedule 3 agreed to on division.
To move the following Clause—

“Northern Ireland: the Belfast principles

(1) The Belfast Agreement implemented in the Northern Ireland Act 1998 (which made new provision for the government of Northern Ireland for the purpose of implementing the agreement reached at multi-party talks on Northern Ireland) remains a fundamental principle of public policy after exit day.

(2) Accordingly, in the exercise by a Minister of the Crown or any devolved authority of any powers under this Act to make any provision affecting Northern Ireland the Minister or authority must have regard to the requirement to preserve and abide by the Belfast Agreement and the principles implemented in Northern Ireland Act 1998 (“the Belfast principles”).

(3) The Belfast principles include (but are not limited to) partnership, equality and mutual respect as the basis of relationships within Northern Ireland, between the North and South of Ireland, and between the islands of Ireland and Great Britain.

(4) In particular, in relation to this Act—

(a) the Secretary of State must not give consent under paragraph 6 of Schedule 2 to this Act (requirement for consent where it would otherwise be required in dealing with deficiencies arising from withdrawal) before any provision is made by a Northern Ireland department except where the Secretary State has considered the requirement to preserve and abide by the Belfast principles and considers the provision is necessary only as a direct consequence of the withdrawal of the United Kingdom from the EU, and

(b) the powers under paragraph 13(b) of Schedule 7 to this Act to make supplementary, incidental, consequential, transitional, transitory or saving provision (including provision restating any retained EU law in a clearer or more accessible way) may not be exercised to do anything
European Union (Withdrawal) Bill, continued

beyond the minimum changes strictly required only as a direct consequence of the withdrawal of the United Kingdom from the EU.

(5) Section 11(3) (legislative competence of the Northern Ireland Assembly) of this Act does not permit the Northern Ireland Assembly to do anything which is not in accordance with the Belfast principles.”

Clause 10, page 7, line 14, at end insert—

“(2) But regulations made under Schedule 2 must not be incompatible with the full provisions of the British – Irish Agreement 1998 and the Multi-party agreement (the Belfast/Good Friday Agreement) to which it gives effect, including—

(a) the preservation of institutions set up relating to strands 1, 2 and 3 of the Good Friday Agreement,
(b) human rights and equality,
(c) the principle of consent, and
(d) citizenship rights.”

Clause agreed to.

Schedule 2, page 16, line 12, leave out “the devolved authority considers appropriate” and insert “is essential”.

Schedule 2, page 16, line 13, leave out “appropriate” and insert “necessary”
European Union (Withdrawal) Bill, continued

Schedule 2, page 16, line 18, leave out “they consider appropriate” and insert “is essential”.

Not called 308

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day
Douglas Chapman

Schedule 2, page 16, line 18, leave out “appropriate” and insert “necessary”

Not called 210

Stephen Gethins
Stephen Doughty
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Not called 166

Schedule 2, page 16, line 33, at end insert—
“(6) Sub-paragraph (4)(b) does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Not called 211

Schedule 2, page 17, line 1, leave out paragraph 3

Negatived on division 167

Stephen Gethins
Stephen Doughty
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Schedule 2, page 17, line 9, at end insert—
European Union (Withdrawal) Bill, continued

“(3) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Stephen Doughty
Stephen Gethins
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Schedule 2, page 17, line 13, at end insert—

“(2) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Stephen Doughty
Stephen Gethins
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Schedule 2, page 17, line 20, at end insert—

“(2) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

5A No regulations may be made under this Part by the Scottish Ministers or the Welsh Ministers acting alone so far as the regulations—

(a) are to come into effect before exit day, or

(b) remove (whether wholly or partly) reciprocal arrangements of the kind mentioned in section 7(2)(c) or (e),

unless the regulations are, to that extent, made after consulting with a Minister of the Crown.”
European Union (Withdrawal) Bill, continued

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford  Tom Brake  Mr Alistair Carmichael
Stephen Kinnock  Ann Coffey  Susan Elan Jones
Mike Gapes  Mrs Madeleine Moon  Wera Hobhouse
Albert Owen  Martyn Day

Not called  177

Schedule 2, page 19, line 47, leave out “and retained EU law”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Caroline Lucas

Layla Moran  Jo Swinson  Jamie Stone

Not called  135

Schedule 2, page 20, line 18, leave out paragraph 10

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford  Tom Brake  Mr Alistair Carmichael
Stephen Kinnock  Ann Coffey  Mike Gapes
Mrs Madeleine Moon  Wera Hobhouse  Martin Whitfield
Albert Owen  Martyn Day

Not called  178

Schedule 2, page 20, line 23, leave out “and retained EU law”

Stephen Kinnock
Hywel Williams

Not called  322

Schedule 2, page 20, line 25, after “Crown”, insert “and excluding any provision that could be made under paragraph 7(2) of Schedule 7B to the Government of Wales Act 2006”.

Stephen Kinnock
Ann Coffey
Hywel Williams

Not called  323

Schedule 2, page 20, line 41, after “5”, insert “or”.

European Union (Withdrawal) Bill, continued

Stephen Kinnock
Ann Coffey
Hywel Williams

Schedule 2, page 20, line 41, leave out “or 7”.

Not called 324

Stephen Kinnock
Hywel Williams

Schedule 2, page 20, line 43, at end insert—
“(f) the provision does not modify the Government of Wales Act 2006.”

Not called 325

Stephen Kinnock
Ann Coffey
Hywel Williams

Schedule 2, page 21, line 38, leave out “the devolved authority consider appropriate” and insert “is essential”.

Not called 309

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day

Schedule 2, page 21, line 39, leave out “appropriate” and insert “necessary”

Not called 212

Stephen Kinnock
Hywel Williams

Schedule 2, page 21, line 43, leave out “they consider appropriate” and insert “is essential”.

Not called 310

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day
Douglas Chapman

Schedule 2, page 21, line 43, leave out “appropriate” and insert “necessary”

Not called 213

Peter Grant
Hywel Williams
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey

Martyn Day
Stephen Kinnock
Douglas Chapman
Deidre Brock
Dr Philippa Whitford
Caroline Lucas

Schedule 2, page 22, line 9, after “or revoke”, insert “, or otherwise modify the effect of,”

Not called 287
European Union (Withdrawal) Bill, continued

Schedule 2, page 22, line 10, at end insert “(f) amend, repeal or revoke, or otherwise modify the effect of, any other law relating to equality or human rights.”

Schedule 2, page 22, line 10, at end insert—
“(f) amend, repeal or revoke the Government of Wales Act 2006.”

Schedule 2, page 22, line 10, at end insert—
“(4A) Sub-paragraph (4)(d) does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Schedule 2, page 22, line 25, leave out paragraph 15
European Union (Withdrawal) Bill, continued

Schedule 2, page 22, line 32, at end insert—

“(3) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Schedule 2, page 23, line 11, at end insert—

“(4) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

16A (1) No regulations may be made under this Part by the Scottish Ministers or the Welsh Ministers acting alone so far as the regulations—

(a) are to come into effect before exit day, or

(b) are for the purpose of preventing or remedying any breach of the WTO Agreement, or

(c) make provision about any quota arrangements or are incompatible with any such arrangements,

unless the regulations are, to that extent, made after consulting with a Minister of the Crown.

(2) In sub-paragraph (1)—

“the WTO Agreement” has the meaning given in paragraph 16(2),

“quota arrangements” has the meaning given in paragraph 16(3).”
European Union (Withdrawal) Bill, continued

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

| Ian Blackford | Tom Brake | Mr Alistair Carmichael |
| Stephen Kinnock | Ann Coffey | Susan Elan Jones |
| Mike Gapes | Mrs Madeleine Moon | Wera Hobhouse |
| Martin Whitfield | Albert Owen | Martyn Day |

Not called 179

Schedule 2, page 23, line 21, leave out “and retained EU law”

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

| Ian Blackford | Tom Brake | Mr Alistair Carmichael |
| Stephen Kinnock | Ann Coffey | Susan Elan Jones |
| Mike Gapes | Mrs Madeleine Moon | Wera Hobhouse |
| Martin Whitfield | Albert Owen | Martyn Day |

Not called 180

Schedule 2, page 23, line 25, leave out “and section 57(4) and (5) of that Act”

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

| Ian Blackford | Tom Brake | Mr Alistair Carmichael |
| Stephen Kinnock | Ann Coffey | Susan Elan Jones |
| Mike Gapes | Mrs Madeleine Moon | Wera Hobhouse |
| Martin Whitfield | Albert Owen | Martyn Day |

Not called 181

Schedule 2, page 23, line 31, leave out “and retained EU law”

Stephen Doughty
Stephen Gethins
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

| Ian Blackford | Tom Brake | Mr Alistair Carmichael |
| Stephen Kinnock | Ann Coffey | Susan Elan Jones |
| Mike Gapes | Mr David Lammy | Mrs Madeleine Moon |
| Wera Hobhouse | Martin Whitfield | Albert Owen |
| Martyn Day |

Not called 182

Schedule 2, page 23, line 35, leave out “80(8)” and insert “80”
European Union (Withdrawal) Bill, continued

Stephen Kinnock
Ann Coffey
Hywel Williams

Schedule 2, page 24, line 11, leave out “the devolved authority considers appropriate” and insert “is essential”.

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day
Ann Coffey

Douglas Chapman

Schedule 2, page 24, line 12, leave out “appropriate” and insert “necessary”

Stephen Kinnock
Hywel Williams

Schedule 2, page 24, line 16, leave out “they consider appropriate” and insert “is essential”.

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day
Ann Coffey

Douglas Chapman

Schedule 2, page 24, line 16, leave out “appropriate” and insert “necessary”

Peter Grant
Hywel Williams
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey

Martyn Day
Douglas Chapman
Deidre Brock

Tom Brake
Dr Philippa Whitford
Caroline Lucas
Ann Coffey
Stephen Kinnock

Schedule 2, page 24, line 32, after “or revoke”, insert “, or otherwise modify the effect of,”
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Peter Grant
Hywel Williams
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey

Catherine West  Martyn Day  Tom Brake
Ann Coffey  Douglas Chapman  Dr Philippa Whitford
Stephen Kinnock  Deidre Brock  Caroline Lucas

Schedule 2, page 24, line 33, at end insert “, or
(h) amend, repeal or revoke, or otherwise modify the effect of, any other law
relating to equality or human rights.”

Stephen Kinnock
Ann Coffey
Hywel Williams

Schedule 2, page 24, line 33, at end insert—
“(h) amend, repeal or revoke the Government of Wales Act 2006.”

Stephen Doughty
Stephen Gethins
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford  Mr Alistair Carmichael  Tom Brake
Stephen Kinnock  Ann Coffey  Susan Elan Jones
Mike Gapes  Mr David Lammy  Mrs Madeleine Moon
Wera Hobhouse  Martin Whitfield  Albert Owen
Martyn Day

Schedule 2, page 24, line 33, at end insert—
“(4A) Sub-paragraph (4)(d) does not apply to regulations made under this Part by the
Scottish Ministers or the Welsh Ministers.”

Stephen Gethins
Stephen Doughty
Ian Murray
Hywel Williams
Caroline Lucas
Jo Swinson

Ian Blackford  Mr Alistair Carmichael  Tom Brake
Stephen Kinnock  Ann Coffey  Susan Elan Jones
Mike Gapes  Mrs Madeleine Moon  Wera Hobhouse
Martin Whitfield  Albert Owen  Martyn Day
Douglas Chapman

Schedule 2, page 25, line 11, at end insert—
“(3) This paragraph does not apply to regulations made under this Part by the Scottish
Ministers or the Welsh Ministers.”
Schedule 2, page 25, line 15, at end insert—

“(2) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Schedule 2, page 25, line 28, at end insert—

“(3) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

25A (1) No regulations may be made under this Part by the Scottish Ministers or the Welsh Ministers acting alone so far as the regulations make provision about any quota arrangements or are incompatible with any such arrangements unless the regulations are, to that extent, made after consulting with a Minister of the Crown.

(2) In sub-paragraph (1), “quota arrangements” has the meaning given in paragraph 25(2).”

Schedule 2, page 25, line 31, at end insert—

“PART [ ]

WELSH MINISTERS—POWER TO MAKE CONSEQUENTIAL AND TRANSITIONAL PROVISION

[ ] (1) The Welsh Ministers may by regulations make such provision as is essential in consequence of this Act.
European Union (Withdrawal) Bill, continued

(2) The power to make regulations under sub-paragraph (1) may (among other things) be exercised by modifying any provision made by or under an enactment.

(3) In sub-paragraph (2), “enactment” does not include—
   (a) primary legislation passed or made after the end of the Session in which this Act is passed, or
   (b) any provision of the Government of Wales Act 2006.

(4) The Welsh Ministers may by regulations make such transitional, transitory or saving provision as is essential in connection with the coming into force of any provision of this Act or the appointment of exit day.

(5) No regulations may be made under this Part unless every provision of them is within the devolved competence of the Welsh Ministers for the purposes of Part 2.”

Schedule agreed to.

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 12 OR SCHEDULE 4,
CLAUSE 12, SCHEDULE 4

Mr Chris Leslie
Mr Pat McFadden
Paul Farrelly
Mr David Lammy
Ian Murray
Liz Kendall
Mike Gapes  Catherine McKinnell  Stephen Doughty
Helen Hayes  Mr Ben Bradshaw  Angela Smith
Stella Creasy  Tom Brake  Sir Vince Cable
Jo Swinson  Sir Edward Davey  Stephen Kinnock
Ann Coffey  Seema Malhotra  Catherine West
Chris Bryant  Layla Moran  Tulip Siddiq
Martin Whitfield  Stephen Timms  Lady Hermon

To move the following Clause—

“Withdrawal Agreement Payment to the European Union

Nothing in section 12 of this Act shall be taken to permit a Minister of the Crown, government department or devolved authority to pay out of money provided by Parliament expenditure in relation to a settlement in respect of the making of a withdrawal agreement with the European Union unless a draft of the instrument authorising that payment has been laid before, and approved by a resolution of the House of Commons.”
European Union (Withdrawal) Bill, continued

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Mr David Lammy

Negatived on division  NC80

To move the following Clause—

“Transparency of the financial settlement

(1) Financial provision may be made for a financial settlement agreed as part of any withdrawal agreement under Article 50 of the Treaty of the European Union.

(2) Subsection 1 applies only if the financial settlement honours obligations incurred by the United Kingdom during the period of its membership of the EU.

(3) The Treasury must lay before both Houses of Parliament an estimate of the financial obligations incurred by the United Kingdom during the period of its membership of the EU, together with reports from the Office of Budget Responsibility, the National Audit Office and the Government Actuary each giving its independent assessment of the Treasury’s estimate.

(4) Any financial settlement payment to the European Commission or any other EU entity may be made only in accordance with regulations made by a Minister of the Crown.

(5) Regulations under subsection (4) may be made only if a draft of the regulations has been laid before, and approved by resolution of, the House of Commons.”

Mr Chris Leslie
Mike Gapes
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Liz Kendall

Stephen Doughty  Mr Pat McFadden  Paul Farrelly
Mr David Lammy  Ian Murray  Catherine McKinnell
Helen Hayes  Angela Smith  Stella Creasy
Tom Brake  Sir Vince Cable  Jo Swinson
Sir Edward Davey  Stephen Kinnock  Ann Coffey
Seema Malhotra  Jamie Stone  Chris Bryant
Layla Moran  Wera Hobhouse  Martin Whitfield
Stephen Timms

Clause 12, page 9, line 4, at end insert—

“(5) No payment shall be made to the European Union or its member states in respect of the making of a withdrawal agreement or a new Treaty with the European Union or any new settlement relating to arrangements that are to be made after exit day unless a draft of the instrument authorising the payment has been laid before, and approved by a resolution of the House of Commons.”
Clause agreed to.

Schedule 4, page 32, line 35, leave out “(among other things)”

Schedule 4, page 33, leave out lines 1 to 3

“(3A) Regulations under this paragraph may not be used to prescribe fees or charges that go beyond that which is necessary for recovering the direct cost of the provision of a service to the specific person (including any firm or individual) who is required to pay the relevant fee or charge.”
European Union (Withdrawal) Bill, continued

Schedule 4, page 35, line 8, at end insert—

“(3) Modification of subordinate legislation under sub-paragraph (2) may not be made for the purposes of—

(a) creating a fee or charge that does not replicate a fee or charge levied by an EU entity on exit day, or

(b) increasing a fee or charge to an amount larger than an amount charged by an EU entity for the performance of the relevant function on exit day.”

Schedule agreed to.

SIXTH DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 7, CLAUSE 7

To move the following Clause—

“Regulations to deal with deficiencies arising from withdrawal – Independent Report

Within one month of Royal Assent of this Act HM Government shall commission the publication of an Independent Report into the constitutional implications of the powers delegated to Ministers in section 7 of this Act and the implications these powers will have on the relationship between Parliament and the executive, the rule of law and legal certainty, and the stability of the UK’s territorial constitution.”
European Union (Withdrawal) Bill, continued

Kerry McCarthy
Caroline Lucas
Mike Gapes
Mary Creagh
Mr Ben Bradshaw
Darren Jones

Ruth Cadbury  Catherine McKinnell  Stella Creasy
Ms Karen Buck  Ms Angela Eagle  Ian Murray
Stephen Doughty  Mrs Madeleine Moon  Helen Hayes
Mr Kenneth Clarke  Mr David Lammy  Stephen Kinnock
Ann Coffey  Seema Malhotra  Chris Bryant
Susan Elan Jones  Angela Smith  Tulip Siddiq
Martin Whitfield  Paul Farrell  Tom Brake
Lady Hermon  Tim Farron

To move the following Clause—

“Scope of delegated powers

Subject to sections 8 and 9 and paragraphs 13 and 21 of Schedule 2, any power to make, confirm or approve subordinate legislation conferred or modified under this Act and its Schedules must be used, and may only be used, insofar as is necessary to ensure that retained EU law continues to operate with equivalent scope, purpose and effect following the United Kingdom’s exit from the EU.”

Caroline Lucas
Kerry McCarthy
Mike Gapes
Mary Creagh
Mr Ben Bradshaw
Darren Jones

Ruth Cadbury  Catherine McKinnell  Stella Creasy
Ms Karen Buck  Ms Angela Eagle  Ian Murray
Stephen Doughty  Mrs Madeleine Moon  Helen Hayes
Mr Kenneth Clarke  Ian Blackford  Patrick Grady
Stephen Gethins  Mr David Lammy  Ann Coffey
Seema Malhotra  Chris Bryant  Susan Elan Jones
Angela Smith  Martin Whitfield  Paul Farrelly
Norman Lamb  Angus Brendan MacNeil  Tom Brake
Tim Farron  Layla Moran  Wera Hobhouse

To move the following Clause—

“Institutional arrangements

(1) Before exit day a Minister of the Crown must make provision that all powers and functions relating to the environment or environmental protection that were exercisable by EU entities or other public authorities anywhere in the United Kingdom before exit day which do not cease to have effect as a result of the withdrawal agreement (“relevant powers and functions“) will—

(a) continue to be carried out by an EU entity or public authority;
European Union (Withdrawal) Bill, continued

(b) be carried out by an appropriate existing or newly established entity or public authority in the United Kingdom; or
(c) be carried out by an appropriate international entity or public authority.

(2) For the purposes of this section, relevant powers and functions relating to the UK exercisable by an EU entity or public authority include, but are not limited to—
(a) monitoring and measuring compliance with legal requirements,
(b) reviewing and reporting on compliance with legal requirements,
(c) enforcement of legal requirements,
(d) setting standards or targets,
(e) co-ordinating action,
(f) publicising information including regarding compliance with environmental standards.

(3) Within 12 months of exit day, the Government shall consult on and bring forward proposals for the creation by primary legislation of—
(a) a new independent body or bodies with powers and functions at least equivalent to those of EU entities and public authorities in Member States in relation to environment; and
(b) a new domestic framework for environmental protection and improvement.

(4) Responsibility for any functions or obligations arising from retained EU law for which no specific provision has been made immediately after commencement of this Act will belong to the relevant Minister until such a time as specific provision for those functions or obligations has been made.”

__________________________

Stephen Timms
Mr David Lammy
Daniel Zeichner
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey Ann Coffey Mike Gapes
Layla Moran Norman Lamb Paul Farrelly

Not called NC35

To move the following Clause—

“Regulations (publication of list)

(1) Within 1 month of this Act receiving Royal Assent, the Secretary of State must publish a draft list of regulations that the Government intends to make under section 7.

(2) A list under subsection (1) must include—
(a) the proposed title of the regulation,
(b) the area of retained EU law it is required to correct,
(c) the Government Department who has responsibility for the regulation, and
(d) the proposed month in which the regulation will be tabled.

(3) The Secretary of State must ensure that a list published under subsection (1) is updated within one month from the day it was published, and within one month
of every subsequent update, to include any regulations that the Government has since determined it intends to make.”

Stephen Kinnock
Stephen Timms
Heidi Alexander
Chuka Umunna
Mr Chris Leslie
Alison McGovern

Neil Coyle  Mike Gapes  Ann Coffey
Maria Eagle  Rushanara Ali  Mrs Madeleine Moon
Helen Goodman  Stephen Doughty  Stella Creasy
John Woodcock  Kate Green  Peter Kyle
Ian Murray  Wes Streeting  Daniel Zeichner
Ruth Cadbury  Mr Ben Bradshaw  Emma Reynolds
Catherine McKinnell  Ms Karen Buck  Dame Margaret Hodge
Mr David Lammy  Seema Malhotra  Catherine West
Susan Elan Jones  Angela Smith  Tulip Siddiq
Geraint Davies  Paul Farrelly  Helen Hayes

Not called  NC37

To move the following Clause—

“Governance and institutional arrangements

(1) Before exit day a Minister of the Crown must seek to make provision that all powers and functions relating to any right, freedom, or protection, that any person might reasonably expect to exercise, that were exercisable by EU entities or other public authorities anywhere in the United Kingdom before exit day, and which do not cease to have effect as a result of the withdrawal agreement (“relevant powers and functions”) will—

(a) continue to be carried out by an EU entity or public authority;
(b) be carried out by an appropriate existing or newly established entity or public authority in the United Kingdom; or
(c) be carried out by an appropriate international entity or public authority.

(2) For the purposes of this section, relevant powers and functions relating to the UK exercisable by an EU entity or public authority include, but are not limited to—

(a) monitoring and measuring compliance with legal requirements,
(b) reviewing and reporting on compliance with legal requirements,
(c) enforcement of legal requirements,
(d) setting standards or targets,
(e) co-ordinating action,
(f) publicising information.

(3) Responsibility for any functions or obligations arising from retained EU law for which no specific provision has been made immediately after commencement of this Act will belong to the relevant Minister until such a time as specific provision for those functions or obligations has been made.”
To move the following Clause—

“Dealing with deficiencies arising from withdrawal in relation to child refugee family reunion

(1) In the exercise of powers under section 7 (Dealing with deficiencies arising from withdrawal) the Secretary of State must in particular make regulations amending the Immigration Rules in order to preserve the effect in the United Kingdom of Commission Regulation (EU) No. 604/2013 (establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person).

(2) In particular, the regulations made under subsection (1) must provide for an unaccompanied minor who has a family member in the United Kingdom who is a refugee or has been granted humanitarian protection to have the same family reunion rights to be reunited in the United Kingdom with that family member as they would have had under Commission Regulation (EU) No. 604/2013.

(3) The regulations under subsection (1) must require an assessment of the best interests of the minor, taking into account possibilities for family reunification, the minor’s well-being and social development, safety and security considerations, and the view of the minor.

(4) Regulations under this section must be made within six months of this Act receiving Royal Assent.

(5) For the purpose of this section “family member” in relation to the unaccompanied minor, means—

(a) their parents;
(b) their adult siblings;
(c) their aunts and uncles;
(d) their grandparents.”
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Mary Creagh
Ann Coffey
Mike Gapes
Kerry McCarthy
Helen Hayes
Mr David Lammy

Not called NC62

To move the following Clause—

“Enforcement of retained environmental law
(1) The Secretary of State must make regulations under section 7 of this Act for the purpose of ensuring that retained EU legislation relating to environmental protection continues to be monitored and enforced effectively after exit day.
(2) The regulations must, in particular—
(a) create a statutory corporation (to be called “the Environmental Protection Agency”) with operational independence from Ministers of the Crown to monitor environmental targets set by retained EU law relating to environmental protection;
(b) require the statutory corporation to report to Parliament every year on progress in meeting those targets and to make recommendations for remedial action where appropriate;
(c) allow the statutory corporation to publish additional reports identifying action or omissions on the part of Ministers of the Crown that is likely to result in targets not being met.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield
Vernon Coaker Mike Gapes Ms Harriet Harman
Mr David Lammy

Negatived on division NC63

To move the following Clause—

“Environmental standards and protections: enforcement
(1) Before exit day a Minister of the Crown must make provision that all powers and functions relating to environmental standards and protections that were exercisable by EU entities or other public authorities anywhere in the United Kingdom before exit day and which do not cease to have effect as a result of the withdrawal agreement (“relevant powers and functions”) will be carried out by an appropriate existing or newly established entity or public authority in the United Kingdom.
(2) For the purposes of this section, relevant powers and functions include, but are not limited to—
(a) reviewing and reporting on the implementation of environmental standards in practice,
(b) monitoring and measuring compliance with legal requirements,
(c) publicising information including regarding compliance with environmental standards,
(d) facilitating the submission of complaints from persons with regard to possible infringements of legal requirements, and
(e) enforcing legal commitments.

(3) For the purposes of this section, relevant powers and functions carried out by an appropriate existing or newly established entity or public authority in the United Kingdom on any day after exit day must be at least equivalent to all those exercisable by EU entities or other public authorities anywhere in the United Kingdom before exit day which do not cease to have effect as a result of the withdrawal agreement.

(4) Any newly established entity or public authority in the United Kingdom charged with exercising any relevant powers and functions on any day after exit day shall not be established other than by an Act of Parliament.

(5) Before making provision under subsection (1), a Minister of the Crown shall hold a public consultation on—
(a) the precise scope of the relevant powers and functions to be carried out by an appropriate existing or newly established entity or public authority in the United Kingdom, and
(b) the institutional design of any entity or public authority in the United Kingdom to be newly established in order to exercise relevant powers and functions.

(6) A Minister of the Crown may by regulations make time-limited transitional arrangements for the exercise of relevant powers and functions until such time as an appropriate existing or newly established entity or public authority in the United Kingdom is able to carry them out.”

Mr Dominic Grieve
Antoinette Sandbach
Anna Soubry
Mr Kenneth Clarke
Stephen Hammond

To move the following Clause—

“Tertiary legislation

The powers conferred by this Act do not include power to confer any power to legislate by means of orders, rules or other subordinate instrument, other than rules of procedure for any court or tribunal.”
Mr Chris Leslie
Paul Farrelly
Mr David Lammy
Joanna Cherry
Ian Murray
Mike Gapes

Catherine McKinnell
Helen Hayes
Mary Creagh
Jo Swinson
Jamie Stone
Martin Whitfield
Tulip Siddiq

Stephen Doughty
Mr Ben Bradshaw
Tom Brake
Sir Edward Davey
Layla Moran
Martyn Day
Stephen Timms

Caroline Lucas
Angela Smith
Sir Vince Cable
Ann Coffey
Wera Hobhouse
Neil Coyle
Lady Hermon

Clause 7, page 5, line 4, leave out “appropriate” and insert “necessary”

Mr Dominic Grieve
John Penrose
Paul Farrelly
Joanna Cherry
Mike Gapes
Mr Edward Vaizey

Stephen Doughty
Tom Brake
Sir Edward Davey
Steve McCabe
Mr David Lammy
Antoinette Sandbach
Tim Farron

Helen Hayes
Sir Vince Cable
Stephen Kinnock
Jamie Stone
Layla Moran
Kate Green
Tulip Siddiq

Mr George Howarth
Jo Swinson
Ann Coffey
Susan Elan Jones
Lady Hermon
Wera Hobhouse

Clause 7, page 5, line 5, leave out from “effectively” to end of line 6 on page 6.

Yvette Cooper
Hilary Benn
Ms Harriet Harman
Nicky Morgan
Robert Neill
Mary Creagh

Rachel Reeves
Ian Murray
Stephen Doughty
Angela Smith
Stella Creasy
Ian Murray
Jamie Stone
Wera Hobhouse
Paul Farrelly
Kerry McCarthy

Norman Lamb
Mike Gapes
Helen Hayes
Stephen Kinnock
Mr George Howarth
Steve McCabe
Chris Bryant
Martin Whitfield
Tulip Siddiq
Diana Johnson

Mr David Lammy
Catherine McKinnell
Mr Ben Bradshaw
Rushanara Ali
Ann Coffey
Seema Malhotra
Susan Elan Jones
Vernon Coaker
Stephan Timms

Clause 7, page 5, line 7, at end insert—

“(1A) Regulations under subsection (1) may be made so far as necessary to adapt the body of EU law to fit the UK’s domestic legal framework.”

Negatived on division 49
Clause 7, page 5, line 7, at end insert—
“(1A) A Minister of the Crown must by regulations make provision to maintain, preserve and protect the rights of any citizen of an EU member state who was lawfully resident in the UK immediately before exit day, and in particular to continue their right to be lawfully resident in the UK.”

Clause 7, page 5, line 7, at end insert—
“(1A) The Secretary of State shall make regulations to define “failure to operate efficiently” for the purposes of this section.”

Clause 7, page 5, line 7, at end insert—
“( ) But the power in subsection (1) may not be exercised to make provision for Wales to the extent that that provision would be within the devolved competence of the Welsh Ministers for the purposes of Part 1 of Schedule 2.”
Clause 7, page 5, line 8, leave out “(but are not limited to)” and insert “and are limited to”

Mr Chris Leslie
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty

Clause 7, page 5, line 8, leave out “(but are not limited to)”
Clause 7, page 5, line 41, at end insert—

“(3A) Regulations under this section may not be made unless a Minister of the Crown has laid before each House of Parliament a report setting out how any functions, regulation-making powers or instruments of a legislative character undertaken by EU entities prior to exit day and instead to be exercisable by a public authority in the United Kingdom shall also be subject to the level of legislative scrutiny by the UK Parliament equivalent to that available to the European Parliament prior to exit day.”

Clause 7, page 5, line 41, at end insert—

“( ) Retained EU law is not deficient only because it enables rights to be exercised in the United Kingdom by persons having a connection with the EU, which other persons having a corresponding connection with the United Kingdom may not be able to exercise in the EU as a consequence of the United Kingdom’s withdrawal from the EU.”
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Stephen Doughty
Mary Creagh
Jo Swinson
Steve McCabe
Chris Bryant
Tulip Siddiq
Stephen Timms
Melanie Onn

Caroline Lucas
Ian Murray
Helen Hayes
Tom Brake
Sir Edward Davey
Seema Malhotra
Mike Gapes
Martin Whitfield
Ms Harriet Harman

Paul Farrelly
Catherine McKinnell
Stephen Kinnock
Sir Vince Cable
Ann Coffey
Jamie Stone
Wera Hobhouse
Vernon Coaker
Helen Goodman

Not called 32

Clause 7, page 5, line 43, at end insert “, apart from amending or modifying this Act”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Caroline Lucas
Tim Farron
Wera Hobhouse

Jo Swinson
Mike Gapes
Martyn Day

Mary Creagh
Layla Moran
Ann Coffey

Jamie Stone
Dr Philippa Whitford

Not called 121

Clause 7, page 5, line 44, leave out subsection (5) and insert—

“(5) No regulations may be made under this section which provide for the establishment of public authorities in the United Kingdom.

(6) Subsection (5) applies to but is not limited to—

(a) Agency for the Cooperation of Energy Regulators (ACER),
(b) Office of the Body of European Regulators for Electronic Communications (BEREC Office),
(c) Community Plant Variety Office (CPVO),
(d) European Border and Coast Guard Agency (Frontex),
(e) European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA),
(f) European Asylum Support Office (EASO),
(g) European Aviation Safety Agency (EASA),
(h) European Banking Authority (EBA),
(i) European Centre for Disease Prevention and Control (ECDC),
(j) European Chemicals Agency (ECHA),
(k) European Environment Agency (EEA),
(l) European Fisheries Control Agency (EFCA),
(m) European Insurance and Occupational Pensions Authority (EIOPA),
(n) European Maritime Safety Agency (EMSA),
(o) European Medicines Agency (EMA),
European Union (Withdrawal) Bill, continued

(p) European Monitoring Centre for Drugs and Drug Addiction (EMCDDA),
(q) European Union Agency for Network and Information Security (ENISA),
(r) European Police Office (Europol),
(s) European Union Agency for Railways (ERA),
(t) European Securities and Markets Authority (ESMA), and
(u) European Union Intellectual Property Office (EUIPO).”

Mr Dominic Grieve
Antoinette Sandbach
Anna Soubry
Mr Kenneth Clarke
Stephen Hammond

Clause 7, page 5, line 44, leave out subsection (5)

Mr Chris Leslie
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Steph...
Clause 7, page 6, line 3, leave out “abolished”

Clause 7, page 6, line 4, leave out paragraph (b).

Clause 7, page 6, line 6, at end insert—

“(5A) Regulations under this section must be prefaced by a statement by the person making the regulations—

(a) specifying the nature of the failure of retained European Union law to operate effectively or other deficiency arising from the withdrawal of the
European Union (Withdrawal) Bill, continued

United Kingdom from the European Union in respect of which the regulations are made, and
(b) declaring that the person making the regulations—
   (i) is satisfied that the conditions in section 7 are met,
   (ii) is satisfied that the regulations contain only provision which is appropriate for the purpose of preventing, remediying or mitigating any failure to operate effectively or other deficiency in retained European Union law arising from the withdrawal of the United Kingdom from the European Union in respect of which the regulations are made,
   (iii) is satisfied that the effect of the regulations is in due proportion to that failure to operate effectively or other deficiency in European Union retained law arising from the withdrawal of the United Kingdom from the European Union, and
   (iv) is satisfied that the regulations are compatible with the Convention rights (within the meaning of section 1 of the Human Rights Act 1998 (c. 42)).”

Yvette Cooper
Hilary Benn
Ms Harriet Harman
Nicky Morgan
Robert Neill
Mary Creagh
Rachel Reeves
Mr David Lammy
Liz Kendall
Catherine McKinnell
Mr Ben Bradshaw
Mr George Howarth
Ann Coffey
Jamie Stone
Martin Whitfield
Diana Johnson
Norman Lamb
Joanna Cherry
Mike Gapes
Stephen Doughty
Angela Smith
Mary Creagh
Susan Elan Jones
Vera Hobhouse
Vernon Coaker
Paul Farrelly
Ian Murray
Caroline Lucas
Helen Hayes
Stella Creasy
Stephen Kinnock
Seema Malhotra
Tulip Siddiq
Kerry McCarthy

Clause 7, page 6, line 6, at end insert—
“(5A) But a Minister may not make provision under subsection (4), other than provision which merely restates an enactment, unless the Minister considers that the conditions in subsection (5B), where relevant, are satisfied in relation to that provision.

(5B) These conditions are that—
   (a) the effect of the provision is proportionate to the policy objective,
   (b) the provision does not remove any necessary protection, and
   (c) the provision does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.”
Clause 7, page 6, line 6, at end insert—

“(5A) A public authority established under this section will be abolished after two years.”

Clause 7, page 6, line 10, at end insert—

“(ca) weaken, remove or replace any requirement of law in effect in the United Kingdom place immediately before exit day which, in the opinion of the Minister, was a requirement up to exit day of the United Kingdom’s membership of the customs union,”
European Union (Withdrawal) Bill, continued

Clauses 7, page 6, line 10, at end insert—

“(ca) weaken, remove or replace any requirement of law in effect in the United Kingdom place immediately before exit day which, in the opinion of the Minister, was a requirement up to exit day of the United Kingdom’s membership of the single market,’

Clauses 7, page 6, line 11, at end insert—

“(da) apply to Wales unless they relate to matters specified in Schedule 7A to the Government of Wales Act 2006,

(d) apply to Scotland unless they relate to matters specified in Schedule 5 to the Scotland Act 1998,

(dc) apply to Northern Ireland unless they relate to matters specified in Schedules 2 or 3 to the Northern Ireland Act 1998.”

Clauses 7, page 6, line 11, at end insert—

“(da) remove any protections or rights of consumers which are available in the United Kingdom under EU law immediately before exit day.”

Not called
European Union (Withdrawal) Bill, continued

“(da) remove or reduce any rights available to unaccompanied child refugees or asylum seekers (including those who wish to claim asylum) concerning their admission or transfer to the UK under—
   (i) Regulation (EU) No 604/2013 (the ‘Dublin Regulation’); or
   (ii) Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States;

(db) remove any rights or obligations derived from the Treaty on the Functioning of the European Union, the Treaty on the European Union, or the Charter of Fundamental Rights, which can be applied to the treatment of unaccompanied child refugees or asylum seekers (including those who wish to claim asylum) concerning their admission or transfer to the UK,”

Clauses 7, page 6, line 11, at end insert—

“(da) establish a new entity or public authority in the United Kingdom charged with exercising any powers and functions currently exercisable by EU entities or other public authorities anywhere in the United Kingdom before exit day in relation to the environment or environmental protection”.

Not called 333

Not called 52
Clause 7, page 6, line 12, after “revoke”, insert “, or otherwise modify the effect of,”

Clause 7, page 6, line 13, after “it”, insert—
“( ) modify the Scotland Act 1998 or the Government of Wales Act 2006,”

Clause 7, page 6, line 13, after “it”, insert—
“( ) modify the Government of Wales Act 2006.”

Clause 7, page 6, line 13, after “it”, insert—
“(ea) amend, repeal or revoke, or otherwise modify the effect of, any other law relating to equality or human rights,”
Clause 7, page 6, line 14, leave out from “1998” to end of line 18 and insert “or otherwise affect any legislation derived from the Belfast Agreement of 10 April 1998 or the intention of that Agreement.”

Clause 7, page 6, line 18, at end insert—

“(g) make any other provision, unless the Minister considers that the conditions in subsection (6A) where relevant are satisfied in relation to that provision.

(6A) Those conditions are that—

(a) the policy objective intended to be secured by the provision could not be secured by non-legislative means;
(b) the effect of the provision is proportionate to the policy objective;
(c) the provision, taken as a whole, strikes a fair balance between the public interest and the interests of any person adversely affected by it;
(d) the provision does not remove any necessary protection;
(e) the provision does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;
(f) the provision is not of constitutional significance”
European Union (Withdrawal) Bill, continued

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Mike Gapes
Helen Hayes
Mary Creagh
Jo Swinson
Susan Elan Jones
Jamie Stone
Wera Hobhouse
Paul Farrelly
Diana Johnson
Melanie Onn

Caroline Lucas
Ian Murray
Kerry McCarthy
Stephen Kinnock
Tom Brake
Sir Edward Davey
Seema Malhotra
Layla Moran
Martin Whitfield
Tim Farron

Paul Farrelly
Stephen Doughty
Catherine McKinnell
Stella Creasy
Sir Vince Cable
Ann Coffey
Catherine West
Angela Smith
Vernon Coaker
Ms Harriet Harman
Helen Goodman

Negatived on division 25

Clause 7, page 6, line 18, at end insert—
“(g) remove or reduce any protections currently conferred upon individuals, groups or the natural environment,
(h) prevent any person from continuing to exercise a right that they can currently exercise,
(i) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under that Act.”

Ian Blackford
Joanna Cherry
Patrick Grady
Stephen Gethins
Kirsty Blackman
Peter Grant

Jamie Stone
Wera Hobhouse
Martyn Day

Douglas Chapman

Not called 73

Clause 7, page 6, line 18, at end insert—
“(g) make changes to EU-derived domestic legislation concerning the rights of workers in the UK unless the Secretary of State has secured unanimous agreement from the Joint Ministerial Committee.”
European Union (Withdrawal) Bill, continued

<table>
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<tr>
<th>Kerry McCarthy</th>
<th>Caroline Lucas</th>
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Clause 7, page 6, line 18, at end insert—
“(g) limit the scope or weaken standards of environmental protection.”

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Clause 7, page 6, line 18, at end insert—
“(g) amend, repeal or revoke any legal right derived from EU law and operative in UK law immediately before 30 March 2019.”

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<tr>
<th>Kate Green</th>
<th>Ann Coffey</th>
<th>Rushanara Ali</th>
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Clause 7, page 6, line 18, at end insert—
“(g) make any provision which is not compliant with the United Nations Convention on the Rights of the Child.”
European Union (Withdrawal) Bill, continued

Neil Gray
Patrick Grady
Deidre Brock
Martyn Day
Ann Coffey
Douglas Chapman

Clause 7, page 6, line 18, at end insert—
“(g) make changes to EU-derived domestic legislation concerning the co-ordination of social security systems between the UK and EU member states unless the Secretary of State has consulted with the relevant Minister in each of the devolved administrations.”

Not called 233

Ian Blackford
Patrick Grady
Mhairi Black
Drew Hendry
Martyn Day
Douglas Chapman

Clause 7, page 6, line 18, at end insert—
“(g) make changes to EU-derived domestic legislation concerning eligibility for UK pensions unless a public consultation on these changes has taken place.”

Not called 234

Ian Blackford
Patrick Grady
Angus Brendan MacNeil
Martyn Day
Douglas Chapman

Clause 7, page 6, line 18, at end insert—
“(g) make changes to EU-derived domestic legislation concerning agricultural policies in the UK unless the Secretary of State has secured unanimous agreement from the Joint Ministerial Committee to those changes.”

Not called 239

Ian Blackford
Patrick Grady
Peter Grant
Martyn Day
Douglas Chapman

Clause 7, page 6, line 18, at end insert—
“(g) make changes to EU-derived domestic legislation concerning fisheries in the UK unless the Secretary of State has secured unanimous agreement from the Joint Ministerial Committee to those changes.”

Not called 240
European Union (Withdrawal) Bill, continued

Clause 7, page 6, line 18, at end insert—
“(g) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under it.”

Clause 7, page 6, line 18, at end insert—
“(g) remove, reduce or otherwise limit the rights of EU citizens resident in the UK.”

Clause 7, page 6, line 18, at end insert—
“(g) make provision which, in the opinion of the Minister, could pose a threat to national security.”

Clause 7, page 6, line 18, at end insert—
“(g) fail to pay full regard to the welfare requirements of animals as sentient beings.”
European Union (Withdrawal) Bill, continued

Clause 7, page 6, line 18, at end insert—
“(g) confer a power to legislate (other than a power to make rules of procedure for a court or tribunal).”

Clause 7, page 6, line 18, at end insert—
“(6A) Regulations may not be made under this section unless a Minister of the Crown has certified that the regulations do not remove or reduce any environmental protection provided by retained EU law.”

Clause 7, page 6, line 18, at end insert—
“(6A) A Minister of the Crown must as soon as reasonably practicable—
(a) publish a statement of Her Majesty’s Government’s policy as to modifications of retained EU law under this section, so far as they appear to the Minister likely to affect industry and commerce in the United Kingdom, and
(b) consult with representatives of, or participants in, industry and commerce as to the modifications which are necessary or desirable.
(6B) In subsection (6A) “industry and commerce” includes financial and professional services.”
Clause 7, page 6, line 18, at end insert—
“(6A) A Minister of the Crown must by regulations make provision to replicate the protections in relation to ‘protected persons’ as defined in Part 3 of the Criminal Justice (European Protection Order) (England and Wales) Regulations 2014 after exit day.”

Clause 7, page 6, line 21, leave out subsection (8).

Clause 7, page 6, line 25, at end insert—
“(9) Regulations may only be made under subsection (5)(a)(ii) if an impact assessment on the replacement, abolition or modification of the functions of EU entities is laid before each House of Parliament prior to them being made.”
Clause 7, page 6, line 25, at end insert—
“(9) The consent of the Scottish Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Scottish Ministers within the meaning given in paragraph 9 of Schedule 2.

(10) The consent of the Welsh Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Welsh Ministers within the meaning given in paragraph 10 of Schedule 2.”

Clause agreed to.
SEVENTH DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 9, CLAUSE 9, NEW CLAUSES
AND NEW SCHEDULES RELATING TO CLAUSE 16 OR SCHEDULE 7, CLAUSE 16,
SCHEDULE 7, CLAUSE 17

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 9, CLAUSE 9

Yvette Cooper
Ms Harriet Harman
Norman Lamb
Nicky Morgan
Robert Neill
Mary Creagh

Rachel Reeves    Paul Farrelly    Mr David Lammy
Joanna Cherry    Ian Murray     Liz Kendall
Mike Gapes      Catherine McKinnell    Stephen Doughty
Caroline Lucas  Helen Hayes    Mr Ben Bradshaw
Angela Smith    Stella Creasy    Mr George Howarth
Ann Coffey      Chris Bryant    Martin Whitfield
Vernon Coaker   Tulip Siddiq    Stephen Timms
Mr Chris Leslie Diana Johnson

Withdrawn after debate NC3

To move the following Clause—

“Implementing the withdrawal agreement

(1) No powers to make regulations under this Act may be used for the purposes of
implementing the withdrawal agreement.

(2) The Secretary of State must lay a report before Parliament detailing how the
withdrawal agreement will be implemented, including any proposed primary
legislation.”

Mr Chris Leslie
Mike Gapes
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw

Liz Kendall    Stephen Doughty    Caroline Lucas
Paul Farrelly  Mr David Lammy    Ian Murray
Catherine McKinnell Helen Hayes    Tom Brake
Sir Vince Cable  Jo Swinson    Sir Edward Davey
Ann Coffey      Ruth Cadbury    Chris Bryant
Layla Moran    Angela Smith    Martin Whitfield
Tulip Siddiq    Stephen Timms

Not called NC4

To move the following Clause—
European Union (Withdrawal) Bill, continued

“Arrangements for withdrawing from the EU

Notwithstanding any powers granted under this Act, no Minister of the Crown may agree to the arrangements for the withdrawal of the United Kingdom from the European Union referred to in Article 50(2) of the Treaty on European Union until Royal Assent is granted to an Act of Parliament—

(a) authorising the Minister to agree to an exit day to be specified in the Act,
(b) authorising the Minister to agree to those arrangements that will apply after exit day, the arrangements to be specified in the Act.”

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Mr Chris Leslie
Caroline Lucas
Paul Farrelly
Mr David Lammy
Ian Murray
Mike Gapes
Catherine McKinnell
Mr Ben Bradshaw
Ann Coffey
Martin Whitfield
Stephen Timms

To move the following Clause—

“Publication of the Withdrawal Agreement

The powers for Ministers set out in section 9 shall not come into force unless and until a final withdrawal agreement made between the United Kingdom and the European Union has been published and copies placed in the Libraries of the House of Commons and the House of Lords.”

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Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran
Jo Swinson
Jamie Stone

To move the following Clause—

“Parliamentary vote on withdrawal from European Economic Area

The requirement of this section is that each House of Parliament has passed a resolution in the following terms—
European Union (Withdrawal) Bill, continued

That this House supports the United Kingdom’s withdrawal from the European Economic Area.”

Conor McGinn
Mr David Lammy
Seema Malhotra
Mike Gapes
Vernon Coaker
Paul Farrelly
Stephen Timms Helen Hayes

To move the following Clause—

“Status of Irish citizens in the United Kingdom

Before making any regulations under section 9, the Minister shall commit to making available to Irish citizens lawfully resident in the United Kingdom after exit day any status, rights and entitlements available to Irish citizens before exit day, inclusive of and in addition to their status, rights and entitlements as EU citizens.”

Conor McGinn
Mr David Lammy
Mr George Howarth
Ian Murray
Seema Malhotra
Mike Gapes
Dr Philippa Whitford
Vernon Coaker
Paul Farrelly
Stephen Timms
Helen Hayes

To move the following Clause—

“Provisions of the Good Friday Agreement

Before making any regulations under section 9, the Minister shall commit to maintaining the provisions of the Good Friday Agreement and subsequent Agreements agreed between the United Kingdom and Ireland since 1998, including—

(a) the free movement of people, goods and services on the island of Ireland,
(b) citizenship rights,
(c) the preservation of institutions set up relating to strands 1, 2 and 3 of the Good Friday Agreement,
(d) human rights and equality,
(e) the principle of consent,
(f) the status of the Irish language, and
European Union (Withdrawal) Bill, continued

(g) a Bill of Rights.”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Vernon Coaker               Paul Farrelly               Mike Gapes
Tulip Siddiq                Ms Harriet Harman           Helen Hayes
Mr David Lammy              Diana Johnson

Not called  NC66

To move the following Clause—

“Parliamentary approval for the outcome of negotiations with the European Union

No exit day may be appointed under this Act until the terms of the United Kingdom’s withdrawal from the European Union, including leaving the EU without an agreement, have been approved by both Houses of Parliament.”

Geraint Davies
Mohammad Yasin
Preet Kaur Gill
Eleanor Smith
Mr David Lammy
Stephen Kinnock

Stephen Gethins               Paul Farrelly               Helen Hayes  Not called  NC68

To move the following Clause—

“Terms of withdrawal: approval by Parliament

(1) The Government shall not conclude any agreement on terms of withdrawal from the European Union, or on the UK’s future relationship with the European Union, until those terms have been approved by resolution in both Houses of Parliament.

(2) Approval by resolution of both Houses of Parliament must be sought no later than three months before exit day.”

Not called  NC68
European Union (Withdrawal) Bill, continued

Seema Malhotra
Stephen Timms
Ann Coffey
Mike Gapes
Tulip Siddiq
Wes Streeting

Mr Pat McFadden  Mr Chris Leslie  Chuka Umunna
Ian Murray  Shabana Mahmood  Lady Hermon
Caroline Lucas  Hywel Williams  Catherine McKinnell
Mr David Lammy  Chris Bryant  Layla Moran
Mrs Madeleine Moon  Mary Creagh  Mr Ben Bradshaw
Hugh Gaffney  Paul Farrelly  Mrs Louise Ellman
Preet Kaur Gill  Daniel Zeichner  Helen Hayes
Norman Lamb  Vernon Coaker  Ruth Cadbury
Tim Farron  Gareth Thomas  Tom Brake
Mr Alistair Carmichael  Meg Hillier  Joanna Cherry
Liz Kendall

Not called  NC69

To move the following Clause—

“United Kingdom withdrawal from the EU

(1) Subsection (2) applies if either of the conditions in subsection (3) or (4) is met.

(2) The Prime Minister must seek an agreement with the EU on one or more of the following—

(a) extending the negotiations beyond the two-year period specified in Article 50 of the Treaty on European Union; or

(b) agreeing that negotiations over the final terms of the United Kingdom’s withdrawal from the EU may take place during a negotiated transitional arrangement which broadly reflect current arrangements and which begins immediately after the Article 50 notice period expires and the EU treaties cease to apply to the UK; or

(c) any other course of action in relation to the negotiations (with the EU over the withdrawal of the United Kingdom) which has been approved in accordance with this section by a resolution of the House of Commons.

(3) The condition in this subsection is that no Article 50 withdrawal agreement has been reached between the United Kingdom and the EU by 31 October 2018.

(4) The condition in this subsection is that an Article 50 withdrawal agreement has been reached between the United Kingdom and the EU but the proposed terms of withdrawal have not been approved by resolutions of both Houses of Parliament by 28 February 2019.

(5) Nothing in this section may be amended by regulations made under any provision of this Act.”
“Implementing the withdrawal agreement (No. 2)

(1) No powers to make regulations under this Act may be used for the purposes of implementing the withdrawal agreement.

(2) The Secretary of State must lay a report before Parliament detailing how implementing the withdrawal agreement will be achieved through primary legislation.

(3) For the purposes of subsection (1) and (2), “implementing the withdrawal agreement” may include any necessary provision for a transitional period after the exit day appointed for section 1 of this Act.

(4) For the purposes of subsection (1) and (2), “implementing the withdrawal agreement” must include any necessary provision to ensure that any citizens of any EU Member State who are lawfully resident in the UK on any day before exit day can continue to be lawfully resident after exit day on terms no less favorable than they currently enjoy.”
Clause 9, page 6, line 45, at end insert “, subject to the prior enactment of a statute by Parliament approving the final terms of withdrawal of the United Kingdom from the European Union.”

Clause 9, page 6, line 45, at end insert “, subject to—

(a) the prior enactment of a statute by Parliament, and

(b) an affirmative resolution passed by the National Assembly for Wales, the Scottish Parliament and the Northern Ireland Assembly, approving the final terms of withdrawal of the United Kingdom from the European Union.”

Clause 9, page 7, line 1, leave out subsection (2).
European Union (Withdrawal) Bill, continued

Clause 9, page 7, line 2, leave out “(including modifying this Act)” and insert “except modifying this Act, the Parliament Acts 1911 and 1949 and any Act granted Royal Assent in the session of Parliament in which this Act is passed”

Clause 9, page 7, line 2, leave out ‘(including modifying this Act)’ and insert ‘, apart from amending or modifying this Act’

Clause 9, page 7, line 2, leave out “including” and insert “but not”

Clause 9, page 7, line 2, at end insert—
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

“( ) Regulations under this section may, notwithstanding sections 1 and 5(1), make provision to replicate, for such an implementation period as is provided for in the withdrawal agreement, any aspect of the operation of EU law in the United Kingdom.”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Angela Smith
Mary Creagh
Jamie Stone

Mike Gapes
Layla Moran
Wera Hobhouse

Clause 9, page 7, line 5, at end insert—
“(bc) amend or repeal the Northern Ireland Act 1998 (except with the intention of preserving the effects of the Belfast Agreement of 10 April 1998 after exit day).”

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Clause 9, page 7, line 6, leave out “or”

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Clause 9, page 7, line 7, after “revoke”, insert “, or otherwise modify the effect of,”
Clause 9, page 7, line 8, at end insert—

“(e) make any provision, unless the Minister considers that the conditions in subsection (3B) where relevant are satisfied in relation to that provision.

(3A) Those conditions are that—

(a) the policy objective intended to be secured by the provision could not be secured by non-legislative means;
(b) the effect of the provision is proportionate to the policy objective;
(c) the provision, taken as a whole, strikes a fair balance between the public interest and the interests of any person adversely affected by it;
(d) the provision does not remove any necessary protection;
(e) the provision does not prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise;
(f) the provision is not of constitutional significance”
European Union (Withdrawal) Bill, continued

“(e) remove or reduce any protections currently conferred upon individuals, groups or the natural environment,

(f) prevent any person from continuing to exercise a right that they can currently exercise,

(g) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under that Act.”

Kerry McCarthy
Caroline Lucas
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury
Catherine McKinnell
Stella Creasy
Ms Karen Buck
Ms Angela Eagle
Ian Murray
Stephen Doughty
Mrs Madeleine Moon
Helen Hayes
Mr David Lammy
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey
Stephen Kinnock
Ann Coffey
Jamie Stone
Mike Gapes
Layla Moran
Martin Whitfield
Paul Farrelly
Patrick Grady
Tulip Siddiq
Stephen Timms

Not called 98

Clause 9, page 7, line 8, at end insert—
“(e) limit the scope or weaken standards of environmental protection.”

Caroline Lucas
Mr David Lammy
Wera Hobhouse

Not called 115

Clause 9, page 7, line 8, at end insert—
“(e) amend, repeal or revoke any legal right derived from EU law and operative in UK law immediately before 30 March 2019.”

Caroline Lucas
Liz Saville Roberts
Mr David Lammy
Jamie Stone
Wera Hobhouse

Not called 142

Clause 9, page 7, line 8, at end insert—
“(e) remove, reduce or otherwise amend the rights of any citizen of an EU Member State who was lawfully resident in the UK on any day before 30 March 2019.”
Clause 9, page 7, line 8, at end insert—
“(e) make any provision which is not compliant with the United Nations Convention on the Rights of the Child.”

Not called 150

Clause 9, page 7, line 8, at end insert—
“(e) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under it.”

Not called 268

Clause 9, page 7, line 8, at end insert—
“(e) remove, reduce or otherwise limit the rights of EU citizens resident in the UK.”

Not called 271

Clause 9, page 7, line 8, at end insert—
“(e) make provision which, in the opinion of the Minister, could pose a threat to national security.”

Stephen Kinnock
Hywel Williams

Not called 320

Clause 9, page 7, line 8, at end insert “, or
(e) modify the Government of Wales Act 2006.”

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Not called 370

Clause 9, page 7, line 8, at end insert “, or
(e) amend, repeal or revoke, or otherwise modify the effect of, any other law relating to equality or human rights.”.

Hilary Benn
Yvette Cooper
Caroline Lucas
Paul Farrelly
Ms Harriet Harman
Yvette Cooper

Ian Murray Catherine McKinnell Stephen Doughty
Helen Hayes Mr Ben Bradshaw Angela Smith
Mr David Lammy Mary Creagh Stephen Kinnock
Ann Coffey Seema Malhotra Mike Gapes
Martin Whitfield Vernon Coaker Paul Farrelly
Tulip Siddiq Stephen Timms Kerry McCarthy

Not called 47

Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section unless the terms of the withdrawal agreement have been approved by both Houses of Parliament.”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran

Jo Swinson Jamie Stone

Not called 128

Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section until the requirement of section (Parliamentary vote on withdrawal from European Economic Area) have been met.”
European Union (Withdrawal) Bill, continued

Clause 9, page 7, line 8, at end insert—
“(3A) The consent of the Scottish Ministers is required before any provision is made in regulations under this section that modifies the Scotland Act 1998.

(3B) The consent of the Welsh Ministers is required before any provision is made in regulations under this section that modifies the Government of Wales Act 2006.”

Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section until a Minister of the Crown has submitted a formal request to the President of the European Council that the UK should continue to be a member of the European Union’s Political and Security Committee after exit day.”

Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section until a Minister of the Crown has submitted a formal request to the President of the European Council that the UK should continue to be a signatory to all agreements signed through the European Union’s Common Foreign and Security Policy.”

Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section until a Minister of the Crown has submitted a formal request to the President of the European Council that the UK should continue to be a member of the European Union’s Foreign Affairs Council.”
Clause 9, page 7, line 8, at end insert—

“(3A) No regulations may be made under this section until a Minister of the Crown has submitted a formal request to the President of the European Council that the UK should continue to be a member of the European Bank for Reconstruction and Development.”

Clause 9, page 7, line 8, at end insert—

“(3A) No regulations may be made under this section until the Chancellor of the Exchequer has laid before Parliament an assessment of the impact of the UK leaving the EU single market on the forecast to the UK’s public finances.”

Clause 9, page 7, line 8, at end insert—

“(3A) No regulations may be made under this section until the Chancellor of the Exchequer has laid before Parliament an assessment of the impact of exiting the EU single market on levels of GDP growth.

(3B) Any assessment under subsection (3A) shall set out an assessment of the impact of exiting the EU single market on levels of GDP growth in—

(a) Scotland,

(b) Northern Ireland,

(c) England, and

(d) Wales.”

Clause 9, page 7, line 8, at end insert—

“(3A) No regulations may be made under this section until the Chancellor of the Exchequer has laid before Parliament an assessment of the impact of ending freedom of movement on the UK’s public finances.”
Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section until the Chancellor of the Exchequer has laid before Parliament an assessment of the broadened responsibilities of the UK Treasury following the UK’s withdrawal from the EU.”

Mr Edward Vaizey
Rachel Reeves
Layla Moran
Robert Neill
Seema Malhotra
Catherine West

Dr Philippa Whitford
Chuka Umunna
Mrs Madeleine Moon
Darren Jones
Mr Chris Leslie
Stephen Kinnock
Chris Bryant
Gavin Shuker
Ian Murray
Vernon Coaker
Neil Coyle
Mr Ben Bradshaw
Maria Eagle
Angela Smith
Ruth Smeeth
Mr George Howarth
Anna Soubry
Martin Whitfield
Helen Hayes
Helen Jones
Mr Geoffrey Robinson
Yvette Cooper
Paul Flynn
Liz Twist
Alex Cunningham
Stephen Timms
Mr Barry Sheerman
John Grogan
Mhairi Black
Deidre Brock
Douglas Chapman

Drew Hendry
Stella Creasy
Stephen Doughty
Mr David Lammy
Wes Streeting
Emma Reynolds
Ruth Cadbury
Pat McFadden
Rushanara Ali
Alison McGovern
Liz Kendall
Heidi Alexander
Sir Kevin Barron
Mr Adrian Bailey
Shabana Mahmood
Catherine McKinnell
Nicky Morgan
Martyn Day
Mary Glindon
Mr Clive Betts
Lyn Brown
Jess Phillips
Susan Elan Jones
Rosie Cooper
Frank Field
Mr Virendra Sharma
Graham P. Jones
Tim Farron
Ian Blackford
Alan Brown
Joanna Cherry
Albert Owen
Peter Kyle
Mike Gapes
Kate Green
Tulip Siddiq
Kerry McCarthy
Phil Wilson
Ann Coffey
Luciana Berger
John Woodcock
Anna Turley
Gareth Snell
Julie Elliott
Daniel Zeichner
Ms Angela Eagle
Mary Creagh
Carol Monaghan
Paul Farrelly
Preet Kaur Gill
Ian C. Lucas
Lisa Nandy
Mrs Louise Ellman
Lilian Greenwood
Thelma Walker
Gareth Thomas
Caroline Flint
Dame Margaret Hodge
Hannah Bardell
Kirsty Blackman
Dr Lisa Cameron
Ronnie Cowan
European Union (Withdrawal) Bill, continued

Clause 9, page 7, line 8, at end insert—
“(3A) No regulations may be made under this section until—
(a) the Government has laid before Parliament a strategy for maintaining those protections, safeguards, programmes for participation in nuclear research and development, and trading or other arrangements which will lapse as a result of the UK’s withdrawal from membership of, and participation in, the European Atomic Energy Community (Euratom), and
(b) the strategy has been approved by both Houses of Parliament.”

Clause 9, page 7, line 9, at end insert “or until the withdrawal agreement has been published and legislation proposed in the 2017 Gracious Speech in relation to customs, trade, immigration, fisheries, agriculture, nuclear safeguards and international sanctions has been published.”

Clause 9, page 7, line 9, at end insert—
“(5) Regulations under this section will lapse two years after exit day.”
Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has signed an agreement with the EU guaranteeing that the UK will remain a permanent member of the EU Single Market.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has signed an agreement with the EU guaranteeing that the UK will remain a permanent member of the EU Customs Union.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until such time as the terms of the withdrawal agreement have been approved by a Ratification Referendum, giving voters the options of supporting the terms of the withdrawal agreement, or remaining in the EU.”
“(5) No regulations may be made under this section until such time as the Government has signed an agreement with the EU that maintains and guarantees the existing rights of EU citizens living in the UK, and UK citizens living elsewhere in the EU, as of 29 March 2019.”

Conor McGinn
Mike Gapes
Wera Hobhouse
Vernon Coaker
Stephen Timms

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section unless the requirement in section [Status of Irish citizens in the United Kingdom] has been satisfied.”

Conor McGinn
Mike Gapes
Wera Hobhouse
Vernon Coaker
Stephen Timms

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section unless the requirement in section [Provisions of the Good Friday Agreement] has been satisfied.”

Stephen Gethins
Stephen Doughty
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford Mr Alistair Carmichael Tom Brake
Stephen Kinnock Ann Coffey Susan Elan Jones
Jamie Stone Mike Gapes Mrs Madeleine Moon
Wera Hobhouse Martin Whitfield Martyn Day

Clause 9, page 7, line 9, at end insert—
“(5) The consent of the Scottish Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Scottish Ministers within the meaning given in paragraph 18 of Schedule 2.

(6) The consent of the Welsh Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Welsh Ministers within the meaning given in paragraph 19 of Schedule 2.”

Not called 156

Not called 157

Not called 163
European Union (Withdrawal) Bill, continued

Ian Blackford
Patrick Grady
Kirsty Blackman
Alan Brown
Stewart Malcolm McDonald
Martyn Day

Douglas Chapman

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for the UK to retain access to the EU’s Emissions Trading System markets after withdrawal from the EU.”

Ian Blackford
Patrick Grady
Kirsty Blackman
Martyn Day
Douglas Chapman

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for the UK’s continued participation in the North Seas Countries’ Offshore Grid Initiative after withdrawal from the EU.”

Ian Blackford
Patrick Grady
Kirsty Blackman
Martyn Day
Douglas Chapman

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Chancellor of the Exchequer has published a statement setting out a strategy for retaining access to the European Investment Bank.”

Ian Blackford
Patrick Grady
Kirsty Blackman
Martyn Day
Douglas Chapman

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Chancellor of the Exchequer has published a statement setting out a strategy for retaining membership of the European Investment Fund.”
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Ian Blackford
Patrick Grady
Angus Brendan MacNeil
Patricia Gibson
Dr Philippa Whitford
Martyn Day

Douglas Chapman

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking the maintenance of UK membership of the European Food Safety Authority on existing terms after withdrawal from the EU.”

Dr Philippa Whitford
Patrick Grady
Dr Lisa Cameron
Martyn Day
Douglas Chapman

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking the preservation of reciprocal healthcare agreements on existing terms as under social security coordination regulations 883/2004 and 987/2009 after the UK’s withdrawal from the EU.

(6) Any changes to regulations in subsection (5) shall only be made after—

(a) the House of Commons has passed a resolution approving changes to regulations mentioned in subsection (5),
(b) the Scottish Parliament has passed a resolution approving changes to regulations mentioned in subsection (5),
(c) the National Assembly of Wales has passed a resolution approving changes to regulations mentioned in subsection (5), and
(d) the Northern Ireland Assembly has passed a resolution approving changes to regulations mentioned in subsection (5).”

Dr Philippa Whitford
Ian Blackford
Patrick Grady
Deidre Brock
Wera Hobhouse
Martyn Day

Douglas Chapman

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to maintain UK membership of the European Medicines Agency on existing terms after withdrawal from the EU.”

Not called 238

Negatived on division 241

Not called 242
European Union (Withdrawal) Bill, continued

Patrick Grady
Chris Stephens
Deidre Brock
Ronnie Cowan
Dr Philippa Whitford
Wera Hobhouse

Martyn Day  Douglas Chapman
Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to maintain UK membership of the European Agency for Safety and Health at Work after withdrawal from the EU.”

Dr Philippa Whitford
Patrick Grady
Carol Monaghan
Wera Hobhouse
Martyn Day
Douglas Chapman

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to maintain UK membership of the European Chemicals Agency after withdrawal from the EU.”

Alan Brown
Hannah Bardell
Patrick Grady
Deidre Brock
Dr Philippa Whitford
Wera Hobhouse

Martyn Day  Douglas Chapman
Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to maintain UK membership of the European Aviation Safety Agency on existing terms after withdrawal from the EU.”

Alan Brown
Hannah Bardell
Patrick Grady
Deidre Brock
Dr Philippa Whitford
Wera Hobhouse

Martyn Day  Douglas Chapman
Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to maintain UK membership of the European Aviation Safety Agency on existing terms after withdrawal from the EU.”
Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to retain UK membership of the European Maritime Safety Agency on existing terms after withdrawal from the EU.”

Not called 247

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to retain UK membership of ERASMUS on existing terms after withdrawal from the EU.”

Not called 248

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to maintain access for the UK to reciprocal roaming charge agreements on existing terms as under Regulation 2017/920, after withdrawal from the EU.”

Not called 249
Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out a strategy for seeking to retain UK membership of Creative Europe on existing terms after withdrawal from the EU.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has made a formal request to President of the European Council that the UK continues membership of the European Union Agency for Fundamental Rights after withdrawal from the EU.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has published a strategy for reaching an agreement with the EU to enable the UK to have continued access to Passenger Name Records after withdrawal from the EU.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have access to the Schengen Information System after withdrawal from the EU.”
Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have continued access to the European Arrest Warrant.”

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have membership of EUROPOL.”

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have membership of EUROJUST.”

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have access to the European Criminal Records Information system with the EU.”
Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have access to the Prüm Council decisions relating to fingerprint and DNA exchange with the EU.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have access to the False and Authentic Documents Online ("FADO") internet-based image archiving system.”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to participate in the Convention on Mutual Assistance and Cooperation between Customs Administrations of 1997 ("Naples II Convention").”

Clause 9, page 7, line 9, at end insert—

“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for reaching agreement with the EU to enable the UK to continue to have access to the EU Intelligence Analysis Centre.”
European Union (Withdrawal) Bill, continued

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid a report before both Houses of Parliament setting out a strategy for ensuring that lawyers registered to practise in England, Wales, Northern Ireland and Scotland shall not lose their right of audience at the European Court after the UK’s withdrawal from the EU.”

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before both Houses of Parliament an agreement with the Scottish Government for the freedom of movement of EU citizens in Scotland to continue after exit day.”
“(5) No regulations may be made under this section until the Secretary of State has laid a report before both Houses of Parliament setting out a strategy for continued participation by the United Kingdom in the common European Asylum System.”

Jeremy Corbyn  
Mr Nicholas Brown  
Keir Starmer  
Jenny Chapman  
Matthew Pennycook  
Paul Blomfield

Vernon Coaker  
Ms Harriet Harman  
Tulip Siddiq  
Diana Johnson  
Stephen Timms

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid before Parliament a strategy for a food standards framework after withdrawal from the EU.”

Dr Philippa Whitford  
Martyn Day

Clause 9, page 7, line 9, at end insert—
“(5) No regulations may be made under this section until the Secretary of State has laid a report before Parliament setting out plans that seek to secure continued clinical trials agreements as under EU Regulation 536/2014 after the UK’s withdrawal from the EU.”

Jeremy Corbyn  
Mr Nicholas Brown  
Keir Starmer  
Jenny Chapman  
Matthew Pennycook  
Paul Blomfield

Valerie Vaz  
Norman Lamb  
Mary Creagh  
Mr David Lammy  
Stephen Doughty  
Stephen Kinnock  
Seema Malhotra  
Wera Hobhouse  
Paul Farrelly  
Yvette Cooper  
Mr Chris Leslie  
Rachel Reeves  
Ian Murray  
Helen Hayes  
Mr George Howarth  
Jamie Stone  
Martin Whitfield  
Neil Coyle  
Ms Harriet Harman  
Caroline Lucas  
Paul Farrelly  
Catherine McKinnell  
Angela Smith  
Ann Coffey  
Mike Gapes  
Vernon Coaker  
Diana Johnson

Page 6, line 41, leave out Clause 9

Clause, as amended, agreed to.
European Union (Withdrawal) Bill, continued

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 16 OR SCHEDULE 7, CLAUSE 16, SCHEDULE 7, CLAUSE 17

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz  Paul Farrelly  Mr David Lammy
Ian Murray  Catherine McKinnell  Helen Hayes
Stephen Kinnock  Ann Coffey  Seema Malhotra
Chris Bryant  Mike Gapes  Hugh Gaffney
Martin Whitfield  Vernon Coaker  Tulip Siddiq
Stephen Timms  Ms Harriet Harman  Diana Johnson
Helen Goodman  Melanie Onn

To move the following Clause—

“Scrutiny Committee

(1) For the purposes of this Act ‘a scrutiny committee’ refers to either—
(a) the House of Lords Secondary Legislation Scrutiny Committee, or
(b) a Committee of the House of Commons which is established to perform
the specific functions assigned to a scrutiny committee in this Act.

(2) The scrutiny committee referred to in subsection (1)(b) shall be chaired by a
Member who is—
(a) of the same Party as the Official Opposition, and
(b) elected by the whole House.”

Mr Chris Leslie
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty

Mr Pat McFadden  Paul Farrelly  Mr David Lammy
Ian Murray  Catherine McKennell  Helen Hayes
Angela Smith  Tom Brake  Sir Vince Cable
Jo Swinson  Sir Edward Davey  Stephen Kinnock
Ann Coffey  Mike Gapes  Layla Moran
Tulip Siddiq  Martin Whitfield  Stephen Timms

To move the following Clause—

Not called NC6
“Government proposals for Parliamentary scrutiny

Within one month of Royal Assent of this Act the Leader of the House of Commons shall publish proposals for improved scrutiny of delegated legislation and regulations that result from this Act.”

Mr Chris Leslie
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty
Paul Farrelly
Catherine McKinnell
Stella Creasy
Jo Swinson
Ann Coffey
Martin Whitfield
Mr David Lammy
Helen Hayes
Tom Brake
Sir Edward Davey
Mike Gapes
Tulip Siddiq
Ian Murray
Angela Smith
Sir Vince Cable
Stephen Kinnock
Layla Moran
Stephen Timms

To move the following Clause—

“Consultation

The Government shall follow the principles set out in the Cabinet Office Code of Practice in respect of public consultation in advance of regulations being made under powers granted by this Act.”

Mr Chris Leslie
Paul Farrelly
Mr David Lammy
Ian Murray
Mike Gapes
Kerry McCarthy
Catherine McKinnell
Mr Ben Bradshaw
Stella Creasy
Stephen Kinnock
Martin Whitfield
Stephen Doughty
Angela Smith
Mr George Howarth
Ann Coffey
Neil Coyle
Helen Hayes
Rushanara Ali
Daniel Zeichner
Tulip Siddiq
Stephan Timms

To move the following Clause—

“Social, employment and environmental protection

Any rights, protections, liabilities, obligations, powers, remedies and procedures which exist immediately before exit day in the fields of—

(a) social and employment law, and
(b) environmental law
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

will not be amended through any regulations made to deal with deficiencies or withdrawal unless approved by a resolution of each House of Parliament or by Act of Parliament”

Kerry McCarthy
Caroline Lucas
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury
Catherine McKinnell Stella Creasy Ms Karen Buck
Ms Angela Eagle Ian Murray Stephen Doughty
Mrs Madeleine Moon Helen Hayes Angela Smith
Mr David Lammy Tom Brake Sir Vince Cable
Jo Swinson Sir EdwardDavey Steven Kinnock
Ann Coffey Mike Gapes Layla Moran
Tulip Siddiq Martin Whitfield Paul Farrelly
Tim Farron

To move the following Clause—

“Scrutiny of statutory instruments

(1) A Parliamentary Committee shall determine the form and duration of parliamentary and public scrutiny for every statutory instrument proposed to be made under this Act.

(2) Where the relevant Committee decides that the statutory instrument will be subject to enhanced parliamentary scrutiny the Committee shall have the power—

(a) to require a draft of the proposed statutory instrument be laid before Parliament;

(b) to require the relevant Minister to provide further evidence or explanation as to the purpose and necessity of the proposed instrument;

(c) to make recommendations to the relevant Minister in relation to the text of the draft statutory instrument;

(d) to recommend to the House that “no further proceedings be taken” in relation to the draft statutory instrument.

(3) Where an instrument is subject to enhanced scrutiny, the relevant Minister must have regard to any recommendations made by the Parliamentary Committee pursuant to subparagraph (c) above before laying a revised draft instrument before each House of Parliament.

(4) Where an instrument is subject to public consultation, the relevant Minister must have regard to the results of the consultation before laying a revised draft instrument before each House of Parliament or making a Written Statement explaining why no revision is necessary.”

Not called NC26
“Citizens’ Jury on Brexit Negotiations

(1) A citizens’ jury shall be established to enable UK citizens to be consulted on the progress of negotiations between the UK and the EU on the withdrawal of the UK from the EU, and the approach outlined in UK Government White Papers.

(2) The citizens’ jury shall in total be composed of exactly 1501 persons.

(3) Members of the citizens’ jury shall be randomly selected by means of eligibility from UK citizens on the current electoral register as registered on the date of this Act receiving Royal Assent, with allocation across the nine UK Government Regions, Scotland, Wales and Northern Ireland weighted by population, and a stratification plan, with the aim of securing a group of people who are broadly representative demographically of the UK electorate across characteristics including whether they voted Leave or Remain.

(4) The jury will be broken down into individual sittings for each of the nine UK Government Regions in England, as well as Scotland, Wales and Northern Ireland.

(5) The sittings will be for no more than 72 hours at a time, facilitated by independent facilitators, and if required, by electing fore-people from within their number.

(6) Membership of the jury will be subject to the same regulations and exceptions as a regular jury, but membership can be declined without penalty.

(7) The citizens’ jury will be able to require Ministerial and official representatives of the UK Government and the Devolved Administrations to give testimony to them to inform their work, and to have the power to invite other witnesses to give evidence as required.

(8) The citizens’ jury shall publish reports setting out their conclusions on the negotiations and UK Government White Papers.

(9) The first report from the citizens’ jury shall be published within two months of this Act receiving Royal Assent, and subsequent reports shall be published at intervals of no more than two months.

(10) Costs incurred by the citizens’ jury shall be met by the Exchequer.”

Clause agreed to.
European Union (Withdrawal) Bill, continued

Mr Chris Leslie
Ian Murray
Helen Hayes
Mr Ben Bradshaw
Angela Smith
Mr David Lammy

Mr George Howarth Ann Coffey Jamie Stone
Chris Bryant Mike Gapes Wera Hobhouse
Martin Whitfield Paul Farrelly Neil Coyle
Stephen Timms

Schedule 7, page 39, line 13, leave out sub-paragraphs (1) to (3) and insert—

“(1) If a Minister considers it appropriate to proceed with the making of regulations under section 7, the Minister shall lay before Parliament—

(a) draft regulations,
(b) an explanatory document and
(c) a declaration under sub-paragraph (3).

(2) The explanatory document must—

(a) introduce and explain the amendment made to retained EU law by each proposed regulation, and
(b) set out the reason why each such amendment is necessary (or, in the case where the Minister is unable to make a statement of necessity under sub-paragraph (3)(a), the reason why each such amendment is nevertheless considered appropriate).

(3) The declaration required in sub-paragraph (1) must either—

(a) state that, in the Minister’s view, the provisions of the draft regulations do not exceed what is necessary to prevent, remedy or mitigate any deficiency in retained EU law arising from the withdrawal of the United Kingdom from the EU (a “statement of necessity”); or
(b) include a statement to the effect that although the Minister is unable to make a statement of necessity the Government nevertheless proposes to exercise the power to make the regulations in the form of the draft.

(4) Subject as follows, if after the expiry of the 21-day period a joint committee of both Houses of Parliament appointed to consider draft regulations under this Schedule (“the joint committee”) has not reported to both Houses a resolution in respect of the draft regulations laid under sub-paragraph (1), the Minister may proceed to make a statutory instrument in the form of the draft regulations.

(5) A statutory instrument containing regulations under sub-paragraph (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) The procedure in sub-paragraphs (7) to (9) shall apply to the proposal for the draft regulations instead of the procedure in sub-paragraph (4) if—

(a) either House of Parliament so resolves within the 21-day period,
(b) the joint committee so recommends within the 21-day period and neither House by resolution rejects the recommendation within that period, or
(c) the draft regulations contain provision to—

(i) establish a public authority in the United Kingdom,
(ii) provide for any function of an EU entity or public authority in a member State to be exercisable instead by a public authority in the United Kingdom established by regulations under section 7, 8 or 9 or Schedule 2,
(iii) provides for any function of an EU entity or public authority in a member State of making an instrument of a legislative character.
European Union (Withdrawal) Bill, continued

to be exercisable instead by a public authority in the United Kingdom,
(iv) imposes, or otherwise relates to, a fee in respect of a function exercisable by a public authority in the United Kingdom,
(v) creates, or widens the scope of, a criminal offence, or
(vi) creates or amends a power to legislate.

(7) The Minister must have regard to—
(a) any representations,
(b) any resolution of either House of Parliament, and
(c) any recommendations of a committee of either House of Parliament charged with reporting on the proposal for the draft regulations, made during the 60-day period with regard to the draft regulations.

(8) If after the expiry of the 60-day period the draft regulations are approved by a resolution of each House of Parliament, the Minister may make regulations in the form of the draft.

(9) If after the expiry of the 60-day period the Minister wishes to proceed with the draft regulations but with material changes, the Minister may lay before Parliament—
(a) revised draft regulations, and
(b) a statement giving a summary of the changes proposed.

(10) If the revised draft regulations are approved by a resolution of each House of Parliament, the Minister may make regulations in the terms of the revised draft.

(11) For the purposes of sub-paragraphs (1) to (10) regulations are made in the terms of draft regulations or revised draft regulations if they contain no material change to their provisions.

(12) In sub-paragraphs (1) to (10), references to the “21-day” and “60-day” periods in relation to any draft regulations are to the periods of 21 and 60 days beginning with the day on which the draft regulations were laid before Parliament.

(13) For the purposes of sub-paragraph (12), no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than four days.”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Caroline Lucas
Tim Farron
Wera Hobhouse
Jo Swinson
Jamie Stone
Layla Moran

Schedule 7, page 39, line 13, leave out paragraphs 1 to 3 and insert—

“Scrutiny procedure: introductory

1 A statutory instrument containing regulations under section 7 may not be made by a Minister of the Crown unless it complies with the procedures in this Part.

Determination of scrutiny procedure

2 (1) The explanatory document laid with a statutory instrument or draft statutory instrument containing regulations under section 7 must contain a
European Union (Withdrawal) Bill, continued

recommendation by the Minister as to which of the following should apply in relation to the making of an order pursuant to the draft order—

(a) the negative resolution procedure;
(b) the affirmative resolution procedure;
(c) the super-affirmative procedure.

(2) The explanatory document must give reasons for the Minister’s recommendation.

(3) Where the Minister’s recommendation is that the negative resolution procedure should apply, that procedure shall apply unless, within the 30-day period—

(a) either House of Parliament requires that the super-affirmative procedure shall apply, in which case that procedure shall apply; or
(b) in a case not falling within paragraph (a), either House of Parliament requires that the affirmative resolution procedure shall apply, in which case that procedure shall apply.

(4) Where the Minister’s recommendation is that the affirmative resolution should apply, that procedure shall apply unless, within the 30-day period, either House of Parliament requires that the super-affirmative resolution procedure shall apply, in which case the super-affirmative resolution procedure shall apply.

(5) Where the Minister’s recommendation is that the super-affirmative procedure should apply, that procedure shall apply.

(6) For the purposes of this paragraph a House of Parliament shall be taken to have required a procedure within the 30-day period if—

(a) that House resolves within that period that that procedure shall apply; or
(b) in a case not falling within paragraph (a), a committee of that House charged with reporting on the draft order has recommended within that period that that procedure shall apply and the House has not by resolution rejected that recommendation within that period.

Super-affirmative procedure

3 (1) for the purposes of this Part of this Schedule, the “super-affirmative resolution procedure” is as follows.

(2) The Minister must have regard to—

(a) any representations,
(b) any resolution of either House of Parliament, and
(c) any recommendations of a committee of either House of Parliament charged with reporting on the draft order, made during the 60-day period with regard to the draft order.

(3) If, after the expiry of the 60-day period, the Minister wishes to make an order in the terms of the draft, he or she must lay before Parliament a statement—

(a) stating whether any representations were made; and
(b) if any representations were so made, giving details of them.

(4) The Minister may after the laying of such a statement make an order in the terms of the draft if it is approved by a resolution of each House of Parliament.

(5) However, a committee of either House charged with reporting on the draft order may, at any time after the laying of a statement under sub-paragraph (3) and before the draft order is approved by that House under sub-paragraph (4), recommend under this subparagraph that no further proceedings be taken in relation to the draft order.
(6) Where a recommendation is made by a committee of either House under subparagraph (5) in relation to a draft statutory instrument, no proceedings may be taken in relation to the draft statutory instrument in that House unless the recommendation is, in the same Session, rejected by resolution of that House.

(7) If, after the expiry of the 60-day period, the Minister wishes to make an order consisting of a version of the draft statutory instrument with material changes, he or she must lay before Parliament—

(a) a revised draft statutory instrument; and

(b) a statement giving details of—

(i) any representations made; and

(ii) the revisions proposed.

(8) The Minister may after laying a revised draft statutory instrument and statement under sub-paragraph (7) make regulations in the terms of the revised statutory instrument if it is approved by a resolution of each House of Parliament.

(9) However, a committee of either House charged with reporting on the revised draft statutory instrument may, at any time after the revised draft statutory instrument is laid under sub-paragraph (7) and before it is approved by that House under sub-paragraph (8), recommend under this sub-paragraph that no further proceedings be taken in relation to the revised draft statutory instrument.

(10) Where a recommendation is made by a committee of either House under sub-paragraph (9) in relation to a revised draft statutory instrument, no proceedings may be taken in relation to the revised draft statutory instrument in that House under subsection (8) unless the recommendation is, in the same Session, rejected by resolution of that House.

(11) In this Part—

(a) the “30-day period” means the period of 30 days beginning with the day on which the draft statutory instrument was laid before Parliament;

(b) the “60-day period” means the period of 60 days beginning with the day on which the draft statutory instrument was laid before Parliament;

(c) the “affirmative resolution procedure” has the same meaning as in section 17 of the Legislative and Regulatory Reform Act 2006;

(d) the “negative resolution procedure” has the same meaning as in section 16 of the Legislative and Regulatory Reform Act 2006.”
European Union (Withdrawal) Bill, continued

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day
Douglas Chapman

Schedule 7, page 39, line 14, after “unless” insert—
“(a) the Minister laying the instrument has made a declaration that the instrument does no more than necessary to prevent, remedy or mitigate—
(i) any failure of retained EU law to operate effectively, or
(ii) any other deficiency in retained EU law arising from the withdrawal of the United Kingdom from the EU, and

(b) ”.

Chris Bryant
Ian Murray
Helen Hayes
Mr Ben Bradshaw
Mr David Lammy
Ann Coffey

Jamie Stone
Martin Whitfield

Mike Gapes
Neil Coyle

Wera Hobhouse

Schedule 7, page 39, line 17, leave out sub-paragraphs (2) and (3)

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Stephen Kinnock
Seema Malhotra
Wera Hobhouse
Paul Farrelly
Diana Johnson

Caroline Lucas
Mr George Howarth
Jamie Stone
Martin Whitfield
Stephen Timms
Helen Goodman

Paul Farrelly
Helen Hayes
Steve McCabe
Mike Gapes
Vernon Coaker
Ms Harriet Harman
Melanie Onn

Schedule 7, page 39, line 17, after “if” insert “a scrutiny committee determines that”

Not called 216

Not called 21

Not called 33
Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield
Valerie Vaz
Mr David Lammy
Catherine McKinnell
Seema Malhotra
Wera Hobhouse
Paul Farrelly
Helen Goodman
Caroline Lucas
Ms Harriet Harman
Helen Hayes
Jamie Stone
Martin Whitfield
Stephen Timms
Paul Farrelly
Ian Murray
Stephen Kinnock
Mike Gapes
Vernon Coaker
Diana Johnson

Schedule 7, page 39, line 29, at end insert—
“(g) is otherwise of sufficient policy interest to merit the application of sub-
paragraph (1).”

Ian Blackford
Patrick Grady
Drew Hendry
Joanna Cherry
Martyn Day
Douglas Chapman

Schedule 7, page 39, line 29, at end insert—
“(g) makes changes to the application of the 2012 Energy Efficiency
Directive in the UK.”

Ian Blackford
Patrick Grady
Chris Stephens
Joanna Cherry
Mhairi Black
Martyn Day

Douglas Chapman

Schedule 7, page 39, line 29, at end insert—
“(g) makes changes to EU-derived domestic legislation concerning the rights
of workers in the UK.”

Ian Blackford
Patrick Grady
Neil Gray
Chris Stephens
Kirsty Blackman
Angela Crawley
Joanna Cherry
Dr Philippa Whitford
Martyn Day

Douglas Chapman

Schedule 7, page 39, line 29, at end insert—
“(g) makes changes to EU-derived domestic legislation concerning rights for
disabled people in the UK.”

Not called 34
Not called 226
Not called 235
Not called 236
European Union (Withdrawal) Bill, continued

Ian Blackford
Patrick Grady
Neil Gray
Chris Stephens
Kirsty Blackman
Angela Crawley

Joanna Cherry
Dr Philippa Whitford
Martyn Day

Douglas Chapman

Not called 237

Schedule 7, page 39, line 29, at end insert—
“(g) makes changes to EU-derived domestic legislation concerning annual leave rights,
(h) makes changes to EU-derived domestic legislation concerning agency worker rights,
(i) makes changes to EU-derived domestic legislation concerning part-time worker rights,
(j) makes changes to EU-derived domestic legislation concerning fixed-term worker rights,
(k) makes changes to EU-derived domestic legislation concerning work-based health and safety obligations,
(l) makes changes to EU-derived legislation concerning state-guaranteed payments upon an employer’s insolvency,
(m) makes changes to EU-derived domestic legislation concerning collective redundancy rights,
(n) makes changes to EU-derived domestic legislation concerning terms and conditions of employment rights,
(o) makes changes to EU-derived domestic legislation concerning posted worker rights,
(p) makes changes to EU-derived domestic legislation concerning paternity, maternity and parental leave rights,
(q) makes changes to EU-derived domestic legislation concerning protection of employment upon the transfer of a business, or
(r) makes changes to EU-derived domestic legislation concerning anti-discrimination.”

Not called 265

Schedule 7, page 39, line 29, at end insert—
“(g) defines “failure to operate efficiently” under section 7(1A).”
Schedule 7, page 39, line 30, leave out sub-paragraphs (3) to (10) and insert—

“(3) A Minister of the Crown must not make an Order under (1) and (2) above or any other Order to which this Schedule applies, unless—

(a) a draft Order and explanatory document has been laid before Parliament in accordance with paragraph 1A; and

(b) in the case of any Order which can be made other than solely by a resolution of each House of Parliament, the Order is made as determined under paragraph 1B in accordance with—

(i) the negative resolution procedure (see paragraph 1C); or

(ii) the affirmative resolution procedure (see paragraph 1D); or

(c) it is declared in the Order that it appears to the person making it that because of the urgency of the matter, it is necessary to make the Order without a draft being so approved (see paragraph 1E).

Draft Order and Explanatory document laid before Parliament

1A (1) If the minister considers it appropriate to proceed with the making of an Order under this Part, he must lay before Parliament—

(a) a draft of the Order, together with

(b) an explanatory document.

(2) The explanatory document must—

(a) explain under which power or powers in this Part the provision contained in the Order is made;

(b) introduce and give reasons for the provision;

(c) explain why the Minister considers that—

(i) in the case of an Order under section 7, include, so far as appropriate, an assessment of the extent to which the provision made by the Order would prevent, remedy or mitigate—
European Union (Withdrawal) Bill, continued

(a) any failure of retained EU law to operate effectively; or
(b) any other deficiency in retained EU law arising from the withdrawal of the United Kingdom from the EU,
(ii) in the case of an Order under section 8, include, so far as appropriate, an assessment of the extent to which the provision made by the Order would prevent or remedy any breach, arising from the withdrawal of the United Kingdom from the EU, of the international obligations of the United Kingdom,
(iii) in the case of an Order under section 9, include, so far as appropriate, an assessment of the extent to which implementation of the withdrawal agreement should be in force on or before exit day.
(d) identify and give reasons for—
(i) any functions of legislating conferred by the Order; and
(ii) the procedural requirements attaching to the exercise of those functions.

Determination of Parliamentary procedure

1B (1) The explanatory document laid with a draft Order under paragraph 1A must contain a recommendation by the Minister as to which of the following should apply in relation to the making of an Order pursuant to the draft Order—
(a) the negative resolution procedure (see paragraph 1C); or
(b) the affirmative resolution procedure (see paragraph 1D).
(2) The explanatory document must give reasons for the Minister’s recommendation.
(3) Where the Minister’s recommendation is that the negative resolution procedure should apply, that procedure shall apply unless, within the 20-day period either House of Parliament requires that the affirmative resolution procedure shall apply, in which case that procedure shall apply.
(4) For the purposes of this paragraph a House of Parliament shall be taken to have required a procedure within the 20-day period if—
(a) that House resolves within that period that that procedure shall apply; or
(b) in a case not falling within sub paragraph (4)(a), a committee of that House charged with reporting on the draft Order has recommended within that period that that procedure should apply and the House has not by resolution rejected that recommendation within that period.
(5) In this section the “20-day period” means the period of 20 days beginning with the day on which the draft Order was laid before Parliament under paragraph 1A.

Negative resolution procedure

1C (1) For the purposes of this Part, the “negative resolution procedure” in relation to the making of an Order pursuant to a draft order laid under paragraph 1A is as follows.
(2) The Minister may make an order in the terms of the draft Order subject to the following provisions of this paragraph.
(3) The Minister may not make an order in the terms of the draft Order if either House of Parliament so resolves within the 40-day period.
European Union (Withdrawal) Bill, continued

(4) For the purposes of this paragraph an Order is made in the terms of a draft Order if it contains no material changes to the provisions of the draft Order.

(5) In this paragraph the “40-day period” means the period of 40 days beginning with the day on which the draft Order was laid before Parliament under paragraph 1A.

Affirmative resolution procedure

1D (1) For the purposes of this Part the “affirmative resolution procedure” in relation to the making of an Order pursuant to a draft Order laid under paragraph 1A is as follows.

(2) The Minister must have regard to—
   (a) any representations,
   (b) any resolution of either House of Parliament, and
   (c) any recommendations of a committee of either House of Parliament charged with reporting on the draft Order, made during the 40-day period with regard to the draft Order.

(3) If, after the expiry of the 40-day period, the minister wishes to make an Order in the terms of the draft, he must lay before Parliament a statement—
   (a) stating whether any representations were made under sub-paragraph (2)(a); and
   (b) if any representations were so made, giving details of them.

(4) The Minister may after the laying of such a statement make an Order in the terms of the draft if it is approved by a resolution of each House of Parliament.

(5) If, after the expiry of the 40-day period, the Minister wishes to make an Order consisting of a version of the draft Order with material changes, he must lay before Parliament—
   (a) a revised draft Order; and
   (b) a statement giving details of—
      (i) any representations made under sub-paragraph (2)(a); and
      (ii) the revisions proposed.

(6) The Minister may after laying a revised draft Order and statement under sub-paragraph (5) make an Order in the terms of the revised draft if it is approved by a resolution of each House of Parliament.

(7) For the purposes of sub-paragraphs (4) an Order is made in the terms of a draft Order if it contains no material changes to the provisions of the draft Order.

(8) In this paragraph the “40-day period” has the meaning given by paragraph 4(5)(a).

Procedure in urgent cases

1E (1) If an Order is made without being approved in draft, the person making it must lay it before Parliament, accompanied by the required information, after it is made.

(2) If, at the end of the period of one month beginning with the day on which the original Order was made, a resolution has not been passed by each House approving the original or replacement Order, the Order ceases to have effect.

(3) For the purposes of sub-paragraph (1), “required information” means—
   (a) a statement of the reasons for proceeding under paragraph 1E; and
   (b) an explanatory document, as set out in paragraph 1A (2).”
European Union (Withdrawal) Bill, continued

Mr Chris Leslie
Mr Ben Bradshaw
Ian Murray
Jamie Stone
Mike Gapes
Wera Hobhouse

Martin Whitfield  Neil Coyle  Stephen Timms
Not called  67

Schedule  7, page  39, line  30, leave out sub-paragraph (3).

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz  Caroline Lucas  Paul Farrelly
Mr David Lammy  Ms Harriet Harman  Ian Murray
Kerry McCarthy  Catherine McKinnell  Helen Hayes
Stephen Kinnock  Ann Coffey  Seema Malhotra
Jamie Stone  Mike Gapes  Angela Smith
Wera Hobhouse  Martin Whitfield  Vernon Coaker
Paul Farrelly  Diana Johnson  Helen Goodman
Melanie Onn

Schedule  7, page  39, line  33, at end insert “, unless a scrutiny committee
determines that the instrument is of such significant policy interest that it ought to be
subject to approval of each House with a procedure that allows for amendment.”

Mary Creagh
Mike Gapes
Mr David Lammy
Wera Hobhouse
Kerry McCarthy

Not called  35

Schedule  7, page  39, line  33, at end insert—
“(3A) Regulations appointing any exit day may not be made unless a draft has been laid
before, and approved by a resolution of, each House of Parliament.”

Mr Charles Walker
Mr Ranil Jayawardena
Dan Carden
David Linden
Mr William Wragg
Bambos Charalambous

Alison Thewliss  Mr Christopher Chope  Helen Goodman
Mr Peter Bone  Bob Blackman  Geoffrey Clifton-Brown
Mr Graham Brady  Melanie Onn

Agreed to  392

Schedule  7, page  39, line  33, at end insert—
“( ) See paragraph 2A for restrictions on the choice of procedure under sub-
paragraph (3).”
European Union (Withdrawal) Bill, continued

Stephen Kinnock
Hywel Williams

Schedule 7, page 39, line 42, leave out sub-paragraphs (6) and (7).

Not called 328

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Tim Farron
Wera Hobhouse
Layla Moran

Jo Swinson
Jamie Stone

Not called 130

Schedule 7, page 40, line 23, leave out sub-paragraphs (2) to (4) and insert—

“(2) The procedure provided for in paragraphs 1 to 3 of this Part in respect of the Houses of Parliament applies in relation to regulations to which this paragraph applies as well as any other procedure provided for by this paragraph which is applicable to the regulations concerned.”

Mr Dominic Grieve
John Penrose
Mr Kenneth Clarke
Nicky Morgan
Anna Soubry

Antoinette Sandbach
Vicky Ford
Chuka Umunna
Caroline Lucas
Heidi Allen
Angela Smith
Mr George Howarth
Jo Swinson
Ann Coffey
Mike Gapes
Mr Gavin Shuker
Wera Hobhouse
Kerry McCarthy

Robert Neill
Dr Sarah Wollaston
Paul Masterton
Catherine McKinnell
Helen Hayes
Mr David Lammy
Tom Brake
Sir Edward Davey
Steve McCabe
Layla Moran
Norman Lamb
Martin Whitfield

Jeremy Lefroy
Tom Tugendhat
Ian Murray
Stephen Doughty
Mr Ben Bradshaw
Stella Creasy
Sir Vince Cable
Stephen Kinnock
Jamie Stone
Lady Hermon
Kate Green
Paul Farrelly

Not called 4

Schedule 7, page 40, line 32, leave out from “is” to end of line 34 and insert “subject to the rules set out in paragraphs 1 to 1E above.”

Not called 329

Stephen Kinnock
Hywel Williams

Schedule 7, page 41, line 15, leave out sub-paragraphs (10) and (11).
Agreed to 393

Schedule 7, page 42, line 4, at end insert—

“Parliamentary committee to sift certain regulations involving Minister of the Crown

2A (1) Sub-paragraph (2) applies if a Minister of the Crown who is to make a statutory instrument to which paragraph 1(3) applies is of the opinion that the appropriate procedure for the instrument is for it to be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) The Minister may not make the instrument so that it is subject to that procedure unless—

(a) condition 1 is met, and

(b) either condition 2 or 3 is met.

(3) Condition 1 is that a Minister of the Crown—

(a) has made a statement in writing to the effect that in the Minister’s opinion the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament, and

(b) has laid before the House of Commons—

(i) a draft of the instrument, and

(ii) a memorandum setting out the statement and the reasons for the Minister’s opinion.

(4) Condition 2 is that a committee of the House of Commons charged with doing so has made a recommendation as to the appropriate procedure for the instrument.

(5) Condition 3 is that the period of 10 sitting days beginning with the first sitting day after the day on which the draft instrument was laid before the House of Commons as mentioned in sub-paragraph (3) has ended without any recommendation being made as mentioned in sub-paragraph (4).

(6) In sub-paragraph (5) “sitting day” means a day on which the House of Commons sits.

(7) Nothing in this paragraph prevents a Minister of the Crown from deciding at any time before a statutory instrument to which paragraph 1(3) applies is made that another procedure should apply in relation to the instrument (whether under paragraph 1(3) or 3).

(8) Section 6(1) of the Statutory Instruments Act 1946 (alternative procedure for certain instruments laid in draft before Parliament) does not apply in relation to any statutory instrument to which this paragraph applies.”
European Union (Withdrawal) Bill, continued

Schedule 7, page 42, line 17, at end insert—

“(3A) A Minister cannot make a declaration under sub-paragraph (2) unless they have satisfied themselves that they have sufficiently consulted—

(a) relevant public authorities,
(b) businesses,
(c) people, and
(d) other organisations

who are likely to be affected by the instrument.”

Schedule 7, page 42, line 31, at end insert—

“(7) For the purposes of this paragraph “urgent” has the same meaning as “emergency” in Section 1 of the Civil Contingencies Act 2004.”

Schedule 7, page 42, line 31, at end insert—

“(7) Sub-paragraph (8) applies to a statutory instrument to which paragraph 1(3) applies where the Minister of the Crown who is to make the instrument is of the opinion that the appropriate procedure for the instrument is for it to be subject to annulment in pursuance of a resolution of either House of Parliament.

(8) Paragraph 2A does not apply in relation to the instrument if the instrument contains a declaration that the Minister is of the opinion that, by reason of urgency, it is necessary to make the regulations without meeting the requirements of that paragraph.”
European Union (Withdrawal) Bill, continued

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Ms Harriet Harman
Helen Hayes
Ann Coffey
Mike Gapes
Vernon Coaker
Helen Goodman
Caroline Lucas
Ian Murray
Stephen Kinnock
Seema Malhotra
Wera Hobhouse
Stephen Timms
Melanie Onn
Paul Farrelly
Catherine McKinnell
Mr David Lammy
Jamie Stone
Martin Whitfield
Diana Johnson

Schedule 7, page 43, line 3, after “if” insert “a scrutiny committee determines that”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Catherine McKinnell
Ann Coffey
Mike Gapes
Vernon Coaker
Helen Goodman
Caroline Lucas
Ms Harriet Harman
Helen Hayes
Seema Malhotra
Wera Hobhouse
Stephen Timms
Melanie Onn
Paul Farrelly
Ian Murray
Stephen Kinnock
Jamie Stone
Martin Whitfield
Diana Johnson

Schedule 7, page 43, line 15, at end insert—
“(g) is otherwise of sufficient policy interest to merit the application of sub-
paragraph (1)”

Chris Bryant
Mr David Lammy
Ian Murray
Stephen Doughty
Helen Hayes
Mr Ben Bradshaw

Stephen Kinnock
Jamie Stone
Wera Hobhouse
Ann Coffey
Mike Gapes
Martin Whitfield
Catherine West
Dr Philippa Whitford
Tulip Siddiq

Schedule 7, page 43, line 19, at end insert “or if the Government has not provided
time on the floor of the House for a debate and vote on a prayer against the statutory
instrument signed by the Leader of the Opposition or 80 Members of the House of
Commons.”
Schedule 7, page 43, line 19, at end insert “, unless a scrutiny committee determines that the instrument is of such significant policy interest that it ought to be subject to approval of each House with a procedure that allows for amendment.”

Schedule 7, page 43, line 26, leave out paragraph 6
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Chris Bryant
Mr David Lammy
Helen Hayes
Mr Ben Bradshaw
Ann Coffey
Ian Murray
Jamie Stone Mike Gapes Dr Philippa Whitford
Wera Hobhouse Martin Whitfield

Schedule 7, page 43, line 26, leave out “which contain provisions falling within sub-paragraph (2).”

Chris Bryant
Mr David Lammy
Helen Hayes
Ann Coffey
Ian Murray
Jamie Stone
Mike Gapes Wera Hobhouse Martin Whitfield
Not called 23

Schedule 7, page 43, line 26, leave out “which contain provisions falling within sub-paragraph (2).”

Schedule 7, page 43, line 30, leave out sub-paragraph (2)

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield
Valerie Vaz Caroline Lucas Paul Farrelly
Mr David Lammy Ms Harriet Harman Ian Murray
Helen Hayes Stephen Kinnock Ann Coffey
Jamie Stone Mike Gapes Wera Hobhouse
Martin Whitfield Vernon Coaker Stephen Timms
Diana Johnson Helen Goodman Melanie Onn
Not called 39

Schedule 7, page 43, line 30, after “if” insert “a scrutiny committee determines that”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield
Valerie Vaz Caroline Lucas Paul Farrelly
Mr David Lammy Ms Harriet Harman Ian Murray
Helen Hayes Ann Coffey Jamie Stone
Mike Gapes Wera Hobhouse Martin Whitfield
Vernon Coaker Stephen Timms Diana Johnson
Helen Goodman Melanie Onn
Not called 40

Schedule 7, page 43, line 43, at end insert—
“(h) is otherwise of sufficient policy interest to merit the application of sub-
paragraph (1).”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz         Caroline Lucas         Paul Farrelly
Mr David Lammy     Ms Harriet Harman     Ian Murray
Helen Hayes        Ann Coffey            Jamie Stone
Mike Gapes         Wera Hobhouse         Martin Whitfield
Vernon Coaker      Stephen Timms         Diana Johnson
Helen Goodman      Melanie Onn

Not called 41

Schedule 7, page 43, line 47, at end insert “, unless a scrutiny committee
determines that the instrument is of such significant policy interest that it ought to be
subject to approval of each House with a procedure that allows for amendment.”

Mr Charles Walker
Mr Ranil Jayawardena
Dan Carden
David Linden
Mr William Wragg
Bambos Charalambous

Alison Thewliss     Mr Christopher Chope   Helen Goodman
Mr Peter Bone       Bob Blackman          Geoffrey Clifton-Brown
Mr Graham Brady     Melanie Onn

Agreed to 396

Schedule 7, page 43, line 47, at end insert—
“( ) See paragraph 10A for restrictions on the choice of procedure under sub-
paragraph (3).”

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Not called 374

Schedule 7, page 44, line 5, at end insert—
“Amendment of definition of “law relating to equality or human rights”

6A A statutory instrument containing regulations of a Minister of the Crown under
section 14(7) may not be made unless a draft of the instrument has been laid
before, and approved by resolution of, each House of Parliament.”
European Union (Withdrawal) Bill, continued

Mary Creagh
Mike Gapes
Wera Hobhouse
Kerry McCarthy

Schedule 7, page 44, line 37, after “section 17(5)” insert “, other than regulations to appoint an exit day,”

Mary Creagh
Mike Gapes
Wera Hobhouse
Kerry McCarthy

Schedule 7, page 45, line 5, after “section 17(5)” insert “, other than regulations to appoint an exit day,”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield
Ms Harriet Harman
Helen Goodman
Melanie Onn

Schedule 7, page 45, line 11, at end insert—

“10A Any regulations made by virtue of this Act by an entity other than a Minister of the Crown are subject to the same scrutiny (affirmative or negative) procedure as would be applied to those regulations if they were made by a Minister of the Crown.”

Mr Charles Walker
Mr Ranil Jayawardena
Dan Carden
David Linden
Mr William Wragg
Bambos Charalambous
Alison Thewliss
Mr Peter Bone
Mr Graham Brady
Mr Christopher Chope
Bob Blackman
Melanie Onn
Helen Goodman
Geoffrey Clifton-Brown
Mr Dominic Grieve

Agreed to

Schedule 7, page 45, line 11, at end insert—

“Parliamentary committee to sift certain regulations involving Minister of the Crown

10A (1) Sub-paragraph (2) applies if a Minister of the Crown who is to make a statutory instrument to which paragraph 5(3) or 6(3) applies is of the opinion that the appropriate procedure for the instrument is for it to be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) The Minister may not make the instrument so that it is subject to that procedure unless—

(a) condition 1 is met, and

(b) either condition 2 or 3 is met.

(3) Condition 1 is that a Minister of the Crown—
European Union (Withdrawal) Bill, continued

(a) has made a statement in writing to the effect that in the Minister’s opinion the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament, and

(b) has laid before the House of Commons—
   (i) a draft of the instrument, and
   (ii) a memorandum setting out the statement and the reasons for the Minister’s opinion.

(4) Condition 2 is that a committee of the House of Commons charged with doing so has made a recommendation as to the appropriate procedure for the instrument.

(5) Condition 3 is that the period of 10 sitting days beginning with the first sitting day after the day on which the draft instrument was laid before the House of Commons as mentioned in sub-paragraph (3) has ended without any recommendation being made as mentioned in sub-paragraph (4).

(6) In sub-paragraph (5) “sitting day” means a day on which the House of Commons sits.

(7) Nothing in this paragraph prevents a Minister of the Crown from deciding at any time before a statutory instrument to which paragraph 5(3) or 6(3) applies is made that another procedure should apply in relation to the instrument (whether under that paragraph or paragraph 11).

(8) Section 6(1) of the Statutory Instruments Act 1946 (alternative procedure for certain instruments laid in draft before Parliament) does not apply in relation to any statutory instrument to which this paragraph applies.”

Mr Chris Leslie
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty

Caroline Lucas  Paul Farrelly  Mr David Lammy
Ian Murray  Catherine McKinnell  Helen Hayes
Angela Smith  Stella Creasy  Ann Coffey
Jamie Stone  Mike Gapes  Wera Hobhouse
Tulip Siddiq  Martin Whitfield  Stephen Timms

Schedule 7, page 45, line 23, leave out “urgency” and insert “emergency”

Mr Charles Walker
Mr Ranil Jayawardena
Dan Carden
David Linden
Mr William Wragg
Bambos Charalambous

Alison Thewliss  Mr Christopher Chope  Mr Peter Bone
Bob Blackman  Geoffrey Clifton-Brown  Mr Graham Brady

Schedule 7, page 45, line 40, at end insert—

“(7) Sub-paragraph (8) applies to a statutory instrument to which paragraph 5(3) or 6(3) applies where the Minister of the Crown who is to make the instrument is of the opinion that the appropriate procedure for the instrument is for it to be subject to annulment in pursuance of a resolution of either House of Parliament.”

Agreed to 398

Not called 58
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

(8) Paragraph 10A does not apply in relation to the instrument if the instrument contains a declaration that the Minister is of the opinion that, by reason of urgency, it is necessary to make the regulations without meeting the requirements of that paragraph.”

Stephen Kinnock
Hywel Williams

Schedule 7, page 45, line 40, at end insert—

“Scrutiny of regulations made by Welsh Ministers

11A (1) A statutory instrument containing regulations under this Act of the Welsh Ministers must be made in accordance with the procedures from time to time set out in the Standing Orders of the National Assembly for Wales for the scrutiny of regulations under this Act.

(2) Sub-paragraph (1) applies to statutory instruments made by the Welsh Ministers acting alone and to statutory instruments made by the Welsh Ministers acting jointly with a Minister of the Crown.

(3) The Standing Orders of the National Assembly for Wales may set out different procedures for the making of different statutory instruments or for different categories of statutory instruments under this Act and, for the avoidance of doubt, may empower the Assembly or a committee of the Assembly to decide which of those procedures is to apply to an instrument or category of instruments.

(4) For the purposes of section 11A of the Statutory Instruments Act 1946, and any other provisions of that Act referred to in that section, the provisions set out from time to time in the Standing Orders of the National Assembly for Wales for the scrutiny of regulations under this Act shall be deemed to be provisions of an Act.”

Stephen Doughty
Stella Creasy
Kate Green
Daniel Zeichner
Stephen Kinnock
Ann Coffey

Ian Murray
Martin Whitfield
Mike Gapes
Gareth Thomas
Mr David Lammy
Helen Hayes

Schedule 7, page 46, line 18, at end insert—

“12A Any power to make regulations under this Act may not be exercised by a Minister of the Crown until 14 days after the Minister has circulated a draft of the regulations to the citizens’ jury appointed under section [Citizens’ jury on Brexit negotiations].

Ian Blackford
Patrick Grady
Kirsty Blackman
Martyn Day

Schedule 7, page 46, line 29, at end insert—

“14A Any power to make regulations in this Act relating to the oil and gas sector may not be made without —
European Union (Withdrawal) Bill, continued

(a) consultation, and

(b) an impact assessment, a copy of which must be laid before Parliament.”

Secretary David Davis

Schedule 7, page 47, line 26, at end insert—

“Explanatory statements for certain powers: appropriateness, equalities etc.

(1) This paragraph applies where a statutory instrument containing regulations under section 7, 8 or 9, or a draft of such an instrument, is to be laid before each House of Parliament.

(2) Before the instrument or draft is laid, the relevant Minister must make a statement to the effect that in the Minister’s opinion the instrument or draft does no more than is appropriate.

(3) Before the instrument or draft is laid, the relevant Minister must make a statement—

(a) as to whether the instrument or draft amends, repeals or revokes any provision of equalities legislation, and

(b) if it does, explaining the effect of each such amendment, repeal or revocation.

(4) Before the instrument or draft is laid, the relevant Minister must make a statement to the effect that, in relation to the instrument or draft, the Minister has, so far as required to do so by equalities legislation, had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.

(5) Before the instrument or draft is laid, the relevant Minister must make a statement otherwise explaining—

(a) the instrument or draft,

(b) the reasons for it,

(c) the law before exit day which is relevant to it, and

(d) its effect (if any) on retained EU law.

(6) If the relevant Minister fails to make a statement required by sub-paragraph (2), (3), (4) or (5) before the instrument or draft is laid, a Minister of the Crown must make a statement explaining why the relevant Minister has failed to do so.

(7) A statement under sub-paragraph (2), (3), (4), (5) or (6) must be made in writing and be published in such manner as the Minister making it considers appropriate.

(8) For the purposes of this paragraph, where an instrument or draft is laid before each House of Parliament on different days, the earlier day is to be taken as the day on which it is laid before both Houses.

(9) This paragraph does not apply in relation to any laying before each House of Parliament of an instrument or draft instrument where an equivalent draft instrument (ignoring any differences relating to procedure) has previously been laid before both Houses.

(10) In this paragraph—

“equalities legislation” means the Equality Act 2006, the Equality Act 2010 or any subordinate legislation made under either of those Acts;

“the relevant Minister” means the Minister of the Crown who makes, or is to make, the instrument.”
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Stephen Kinnock
Hywel Williams

Schedule 7, page 48, line 14, leave out sub-paragraph (4).

Schedule, as amended, agreed to.

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Ms Harriet Harman
Helen Hayes
Ann Coffey
Wera Hobhouse
Vernon Coaker

Paul Farrelly
Ian Murray
Stephen Kinnock
Jamie Stone
Hugh Gaffney
Helen Goodman

Mr David Lammy
Stephen Doughty
Stella Creasy
Mike Gapes
Martin Whitfield
Melanie Onn

Not called 331

Clause 17, page 13, line 34, leave out subsections (1) to (3)

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Mary Creagh
Dr Philippa Whitford

Martyn Day

Not called 29

Clause 17, page 13, line 35, leave out “appropriate” and insert “necessary”

Stephen Kinnock
Hywel Williams

Not called 321

Clause 17, page 14, line 4, at end insert “or the Government of Wales Act 2006."

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Mary Creagh
Martyn Day

Not called 208

Clause 17, page 14, line 7, leave out “appropriate” and insert “necessary”

Secretary David Davis

Agreed to 383

Clause 17, page 14, line 8, leave out “or the appointment of” and insert “(including its operation in connection with)”
Clause 17, page 14, line 9, at end insert—
“( ) But the power in subsections (1) and (3) may not be exercised to make provision for Wales to the extent that that provision would be within the devolved competence of the Welsh Ministers for the purposes of Part 2 of Schedule 2.”

Clause 17, page 14, line 13, at end insert—
“(8) Regulations under this section may not limit the scope or weaken standards of environmental protection.”

Clause 17, page 14, line 13, at end insert—
“(8) No regulations may be made under this section after the end of the period of two years beginning with exit day.”

Clause 17, page 14, line 13, at end insert—
“(8) No regulations may be made under this section after the end of the period of two years beginning with exit day.
(9) Regulations made under this section may not amend or repeal retained EU law.”
European Union (Withdrawal) Bill, continued

Tom Brake
Hywel Williams
Stephen Kinnock
Tim Farron
Peter Grant
Caroline Lucas

Clause 17, page 14, line 13, at end insert—
“(8) Regulations under subsection (1) or (5) may not amend, repeal or revoke, or otherwise modify the effect of, any law relating to equality or human rights.”

Caroline Lucas

Page 13, line 33, leave out Clause 17

Clause, as amended, agreed to.

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 8, CLAUSE 8

Mr Chris Leslie
Paul Farrelly
Mr David Lammy
Ian Murray
Kerry McCarthy
Catherine McKinnell
Stephen Doughty
Angela Smith
Mary Creagh
Mike Gapes
Stephen Timms
Helen Hayes
Stella Creasy
Ann Coffey
Martin Whitfield
Mr Ben Bradshaw
Mr George Howarth
Seema Malhotra
Neil Coyle

To move the following Clause—

“International treaties and agreements
The Secretary of State shall, within one month of Royal Assent of this Act, publish an assessment of each of the international treaties, agreements and obligations that will be affected, require amendment or require renegotiation as a result of this Act, including an assessment of where the powers in section 8 may need to be used.”
To move the following Clause—

“EEA Agreement

(1) No Minister may, under this Act, notify the withdrawal of the United Kingdom from the EEA Agreement, whether under Article 127 of that Agreement or otherwise.

(2) Regulations under this Act may not make any provision that would constitute a breach of the United Kingdom’s obligations under the EEA Agreement.

(3) Regulations under this Act may not amend or repeal subsection (1) or (2).”

Not called NC34

(1) On exit day and on any day afterwards, a public authority must act in a way which is compatible with—
   (a) Part I of the United Nations Convention on the Rights of the Child, and
   (b) the Optional Protocols of the UNCRC to which the UK is a signatory state.

(2) So far as it is possible to do so, on exit day and on any day afterwards, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with—
   (a) Part I of the United Nations Convention on the Rights of the Child, and
   (b) the Optional Protocols of the UNCRC to which the UK is a signatory state.

(3) On exit day and on any day afterwards, a Minister of the Crown must, when exercising any function relating to children, have due regard to the requirements of—
   (a) Part I of the United Nations Convention on the Rights of the Child, and
   (b) the Optional Protocols of the UNCRC to which the UK is a signatory state.

(4) A Minister of Crown shall undertake and publish a Child Rights Impact Assessment if the function relating to children under subsection (3) entails any of the following—
   (a) formulation of a provision to be included in an enactment,
   (b) formulation of a new policy, guidance or statement of practice, or
   (c) change or review of an existing policy guidance or statement of practice.”
European Union (Withdrawal) Bill, continued

(2) So far as it is possible to do so, on exit day and on any day afterwards, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with—

(a) Part I of the United Nations Convention on the Rights of the Child, and

(b) the Optional Protocols of the UNCRC to which the UK is a signatory state.

(3) On exit day and on any day afterwards, a Minister of the Crown must, when exercising any function relating to children, have due regard to the requirements of—

(a) Part I of the United Nations Convention on the Rights of the Child, and

(b) the Optional Protocols of the UNCRC to which the UK is a signatory state.”

Clause 8, page 6, line 28, leave out “appropriate” and insert “necessary”

Clause 8, page 6, line 30, at end insert “including the Belfast Agreement of 10 April 1998.”

Clause 8, page 6, line 30, at end insert “including those arising under the British-Irish Agreement 1998”
European Union (Withdrawal) Bill, continued

“( ) But the power in subsection (1) may not be exercised to make provision for Wales to the extent that that provision would be within the devolved competence of the Welsh Ministers for the purposes of Part 2 of Schedule 2.”

Caroline Lucas

Clause 8, page 6, line 31, leave out subsection (2)

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Catherine McKinnell
Mary Creagh
Mike Gapes
Vernon Coaker

Caroline Lucas
Ms Harriet Harman
Helen Hayes
Ann Coffey
Wera Hobhouse
Helen Goodman

Paul Farrelly
Ian Murray
Stephen Kinnock
Jamie Stone
Martin Whitfield
Melanie Onn

Not called 31

Clause 8, page 6, line 32, at end insert “, apart from amending or modifying this Act”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Vernon Coaker
Mr David Lammy

Paul Farrelly
Diana Johnson
Ms Harriet Harman

Not called 345

Clause 8, page 6, line 32, at end insert—
“(2A) Regulations under subsection (1) may, in particular, include regulations to match or exceed World Health Organisation air quality standards.”

Tom Brake
Sir Vince Cable
Mr Alistair Carmichael
Mary Creagh
Jamie Stone
Layla Moran

Angela Smith
Wera Hobhouse
Tim Farron

Not called 146

Clause 8, page 6, line 35, at end insert—
“(bc) amend or repeal the Northern Ireland Act 1998 (except with the intention of preserving the effects of the Belfast Agreement of 10 April 1998 after exit day).”
European Union (Withdrawal) Bill, continued

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Clause 8, page 6, line 36, leave out “or”

Not called 365

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Clause 8, page 6, line 37, after “revoke”, insert “, or otherwise modify the effect of,”

Not called 366

Stephen Doughty
Stephen Gethins
Ian Murray
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford
Mr Alistair Carmichael
Tom Brake
Ann Coffey
Susan Elan Jones
Mike Gapes
Mrs Madeleine Moon
Martin Whitfield
Albert Owen
Not called 159

Clause 8, page 6, line 38, at end insert “, or
(e) modify the Scotland Act 1998 or the Government of Wales Act 2006.”

Not called 319

Stephen Kinnock
Hywel Williams

Clause 8, page 6, line 38, at end insert “, or
(e) modify the Government of Wales Act 2006.”

Not called 367

Tom Brake
Peter Grant
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron

Caroline Lucas

Clause 8, page 6, line 38, at end insert “, or
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

(e) amend, repeal or revoke, or otherwise modify the effect of, any other law relating to equality or human rights.”.

Mr Dominic Grieve
Mr Kenneth Clarke
Nicky Morgan
Anna Soubry
Antoinette Sandbach
Stephen Hammond

Dr Sarah Wollaston
Chuka Umunna
Ian Murray
Catherine McKinnell
Helen Hayes
Mr David Lammy
Sir Vince Cable
Stephen Kinnock
Seema Malhotra
Lady Hermon
Wera Hobhouse
Darren Jones

Jeremy Lefroy
Caroline Lucas
Liz Kendall
Stephen Doughty
Mr Ben Bradshaw
Mr George Howarth
Jo Swinson
Ann Coffey
Jamie Stone
Mr Gavin Shuker
Hugh Gaffney
Tulip Siddiq

Robert Neill
Paul Farrelly
Heidi McCarthy
Angela Smith
Tom Brake
Sir Edward Davey
Susan Elan Jones
Kate Green
Martin Whitfield
Stephen Timms

Clause 8, page 6, line 38, at end insert—

“(e) make any provision, unless the Minister considers that the conditions in subsection (3A) where relevant are satisfied in relation to that provision.

(3A) Those conditions are that—

(a) the policy objective intended to be secured by the provision could not be secured by non-legislative means;

(b) the effect of the provision is proportionate to the policy objective;

(c) the provision, taken as a whole, strikes a fair balance between the public interest and the interests of any person adversely affected by it;

(d) the provision does not remove any necessary protection;

(e) the provision does not prevent any person from exercising any right or freedom which that person might reasonably expect to continue to exercise;

(f) the provision is not of constitutional significance”

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Ms Harriet Harman
Catherine McKinnell
Mary Creagh
Jamie Stone
Hugh Gaffney
Tulip Siddiq

Paul Farrelly
Ian Murray
Helen Hayes
Ann Coffey
Mike Gapes
Martin Whitfield
Stephen Timms

Mr David Lammy
Kerry McCarthy
Stephen Kinnock
Seema Malhotra
Wera Hobhouse
Vernon Coaker
Diana Johnson

Clause 8, page 6, line 38, at end insert—

Not called 12

Negatived on division 26
European Union (Withdrawal) Bill, continued

“(e) remove or reduce any protections currently conferred upon individuals, groups or the natural environment,
(f) prevent any person from continuing to exercise a right that they can currently exercise,
(g) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under that Act.”

Clause 8, page 6, line 38, at end insert—
“(e) limit the scope or weaken standards of environmental protection.”

Clause 8, page 6, line 38, at end insert—
“(e) amend, repeal or revoke any legal right derived from EU law and operative in UK law immediately before 30 March 2019.”

Clause 8, page 6, line 38, at end insert—
“(e) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under it.”
European Union (Withdrawal) Bill, continued

Clause 8, page 6, line 38, at end insert—
“(e) remove, reduce or otherwise limit the rights of EU citizens resident in the UK.”

Clause 8, page 6, line 38, at end insert—
“(e) make provision which, in the opinion of the Minister, could pose a threat to national security.”

Clause 8, page 6, line 38, at end insert—
“(e) impose or increase taxation”

Clause 8, page 6, line 38, at end insert—
“(e) be incompatible with the British-Irish Agreement 1998 and the Multi-party agreement (the Belfast / Good Friday Agreement) to which it gives effect, including—

(i) the preservation of institutions set up relating to strands 1, 2 and 3 of the Good Friday Agreement,
(ii) human rights and equality,
(iii) the principle of consent, and
(iv) citizenship rights.”
Clause 8, page 6, line 38, at end insert—
“(e) confer a power to legislate (other than a power to make rules of procedure for a court or tribunal).”

Clause 8, page 6, line 40, at end insert—
“(5) The consent of the Scottish Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Scottish Ministers within the meaning given in paragraph 18 of Schedule 2.

(6) The consent of the Welsh Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Welsh Ministers within the meaning given in paragraph 19 of Schedule 2.”

Clause 8, page 6, line 40, at end insert—
“(5) Any power to make, confirm or approve subordinate legislation conferred or modified under this Act and its schedules must be used, and may only be used, insofar as is necessary to ensure that standards of equalities, environmental protection and employment protection, and consumer standards will continue to remain in all respects equivalent to those extant in the EU.

(6) In particular, no agreement relating to international trade or investment with the EU or with a third-party state or states shall be made that permits or requires standards of equalities, environmental protection and employment protection, and consumer standards to fall below those extant in the EU at the time.”
European Union (Withdrawal) Bill, continued

Clause agreed to.

EIGHTH DAY

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 13 OR SCHEDULE 5, CLAUSE 13, SCHEDULE 5

Mr Chris Leslie
Mr David Lammy
Ian Murray
Catherine McKinnell
Helen Hayes
Mr Ben Bradshaw
Angela Smith
Mr George Howarth
Mary Creagh
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey
Ann Coffey
Mike Gapes
Layla Moran
Martin Whitfield
Paul Farrelly
Neil Coyle
Stephen Timms
Stephen Doughty
Susan Elan Jones

To move the following Clause—

“Plain English summary of retained direct EU legislation

HM Government shall ensure that the publication of copies of retained direct EU legislation as set out in the provisions of section 13 and schedule 5 is accompanied wherever possible by a summarising explanatory document setting out in terms that are readily understandable the purpose and effect of that retained direct EU legislation.”

Ian Blackford
Patrick Grady
Stephen Gethins
Kirsty Blackman
Peter Grant
Martyn Day

Douglas Chapman
Joanna Cherry

Clause 13, page 9, line 9, at end insert—

“(3) A Minister of the Crown may by regulations—

(a) make provision enabling or requiring judicial notice to be taken of a relevant matter, or

(b) provide for the admissibility in any legal proceedings of specified evidence of—

(i) a relevant matter, or
European Union (Withdrawal) Bill, continued

(ii) instruments or documents issued by or in the custody of an EU entity.”

Clause agreed to.

Schedule 5, page 36, line 9, at end insert—
“(c) any impact assessment conducted by Her Majesty’s Government that in any way concerns the economic and financial impact of in anyway altering, modifying or abolishing any relevant instrument.”

Schedule agreed to.
European Union (Withdrawal) Bill, continued

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 14 OR SCHEDULE 6, CLAUSE 14, SCHEDULE 6, REMAINING NEW CLAUSES, REMAINING NEW SCHEDULES, CLAUSE 15, SCHEDULES 8 AND 9, CLAUSES 18 AND 19, REMAINING PROCEEDINGS ON THE BILL

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 14 OR SCHEDULE 6, CLAUSE 14, SCHEDULE 6

Mr Chris Leslie
Mike Gapes
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty
Ian Murray
Angela Smith
Ann Coffey
Martin Whitfield
Paul Farrelly
Catherine McKinnell
Mr George Howarth
Tulip Siddiq
Stephen Timms
Mr David Lammy
Helen Hayes
Mary Creagh
Angus Brendan MacNeil
Susan Elan Jones
Not selected NC5

To move the following Clause—

“New EU-UK Treaty to be ratified prior to exit day

Ministers shall not bring forward regulations to appoint ‘exit day’ unless both Houses of Parliament have ratified, by Act of Parliament, a new Treaty between the United Kingdom and the European Union which is due to take effect immediately upon the United Kingdom’s repeal of the European Communities Act 1972.”

Helen Hayes
Mr Ben Bradshaw
Angela Smith
Mary Creagh
Mr George Howarth
Ann Coffey
Paul Farrelly
Martin Whitfield
Neil Coyle
Tulip Siddiq
Stephen Timms
Chuka Umunna
Mr Pat McFadden
Rushanara Ali
Joan Ryan
Susan Elan Jones
Catherine West
Siobhain McDonagh
Not selected NC13

To move the following Clause—

“Customs duties

A Minister of the Crown may not make regulations to appoint exit day until Royal Assent is granted to an Act of Parliament making provision for the substitution of section 5 (customs duties) of the European Communities Act 1972 with
European Union (Withdrawal) Bill, continued

provisions that shall allow the United Kingdom to remain a member of the EU common customs tariff and common commercial policy.”

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Secretary David Davis
Mr Peter Bone
Mr Graham Brady
Tom Tugendhat
Jeremy Lefroy
John Penrose

Nick Boles

Clause 14, page 10, line 25, leave out “means” to “(and” in line 26 and insert “29 March 2019 at 11.00 p.m.”

Yvette Cooper
Ms Harriet Harman
Norman Lamb
Caroline Lucas
Anna Soubry
Helen Hayes

Mr David Lammy
Mr Ben Bradshaw

Stephen Gethins
Stephen Doughty
Mrs Madeleine Moon

Mr David Lammy
Stephen Gethins
Mrs Madeleine Moon

Mr Ben Bradshaw
Stephen Doughty

Not called 386

Clause 14, page 10, line 25, leave out “the time specified by an Act of Parliament approving the final terms of withdrawal of the United Kingdom from the EU”.

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Helen Hayes
Ann Coffey
Wera Hobhouse
Mike Gapes
Ms Harriet Harman
Susan Elan Jones

Caroline Lucas
Ian Murray
Stephen Kinnock
Seema Malhotra
Hugh Gaffney
Tulip Siddiq
Diana Johnson

Paul Farrelly
Catherine McKinnell
Mr George Howarth
Jamie Stone
Martin Whitfield
Stephen Timms
Stephen Doughty

Not called 43

Clause 14, page 10, line 25, leave out “a Minister of the Crown may by regulations’ and insert ‘Parliament may by a majority approval in both Houses’”
European Union (Withdrawal) Bill, continued

Mr Steve Baker
Sir Oliver Letwin
Mr Geoffrey Cox
Mr Bernard Jenkin
Mr Jacob Rees-Mogg
Andrew Bowie

John Penrose
Paul Masterton
Robert Neill
Jeremy Lefroy
George Freeman
Stephen Hammond
Mr Ranil Jayawardena

Agreed to on division 399

Clause 14, page 10, line 26, leave out “subsection (2)” and insert “subsections (2) to (2C)”

Mr Dominic Grieve
Mr Kenneth Clarke
Nicky Morgan
Anna Soubry
Antoinette Sandbach
Stephen Hammond
Dr Sarah Wollaston
Chuka Umunna
Ian Murray
Helen Hayes
Mr David Lammy
Jamie Stone
Mr Gavin Shuker
Tulip Siddiq
Susan Elan Jones

Jeremy Lefroy
Caroline Lucas
Catherine McKinnell
Mr Ben Bradshaw
Mr George Howarth
Mike Gapes
Wera Hobhouse
Stephen Timms

Robert Neill
Paul Farrelly
Heidi Allen
Angela Smith
Ann Coffey
Lady Hermon
Martin Whitfield
Kerry McCarthy

Not called 6

Clause 14, page 10, line 26, at end insert “but exit day must be the same day for the purposes of every provision of this Act.”

Tom Brake
Hywel Williams
Dr Philippa Whitford
Stephen Kinnock
Tim Farron
Peter Grant

Caroline Lucas

Not called 371

Clause 14, page 10, line 26, at end insert—

“law relating to equality or human rights” means—

(a) the Equality Acts 2006 and 2010;
(b) the Human Rights Act 1998; and
(c) other enactments relating to equality or human rights.”
Clause 14, page 10, line 36, at end insert—

“pending matter” means any litigation which has been commenced in any court or tribunal in the United Kingdom and which is not finally determined at exit day”.

Clause 14, page 10, line 46, leave out “for a term of more than 2 years”

Clause 14, page 11, line 2, at end insert—

““retained case law” means any principles laid down by, and any decisions of, a court or tribunal in the United Kingdom, as they have effect immediately before exit day and so far as they—

(a) relate to anything to which section 2, 3 or 4 applies, and

(b) are not excluded by section 5 or Schedule 1,

(as those principles and decisions are modified by or under this Act or by other domestic law from time to time);

“retained EU case law” means any principles laid down by, and any decisions of, the European Court, as they have effect in EU law immediately before exit day and so far as they—

(a) relate to anything to which section 2, 3 or 4 applies, and
Clause 14, page 11, line 24, leave out from “Act” to end of line 32 and insert “references to before, after or on exit day, or to beginning with exit day, are to be read as references to before, after or at the time specified by an Act of Parliament approving the final terms of withdrawal of the United Kingdom from the EU”.

Not called 387

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Jenny Chapman
Matthew Pennycook
Paul Blomfield

Valerie Vaz
Mr David Lammy
Helen Hayes
Steve McCabe
Mike Gapes
Martin Whitfield
Ms Harriet Harman
Susan Elan Jones

Caroline Lucas
Ian Murray
Stephen Kinnock
Seema Malhotra
Wera Hobhouse
Vernon Coaker
Diana Johnson

Paul Farrelly
Catherine McKinnell
Ann Coffey
Jamie Stone
Hugh Gaffney
Stephen Timms
Stephen Doughty

Not called 44

Clause 14, page 11, line 25, leave out “a Minister of the Crown” and insert...
Clause 14, page 11, line 32, at end insert—

“(2A) Subsection (2B) applies if the day or time on or at which the Treaties are to cease to apply to the United Kingdom in accordance with Article 50(3) of the Treaty on European Union is different from that specified in the definition of “exit day” in subsection (1).

(2B) A Minister of the Crown may by regulations—

(a) amend the definition of “exit day” in subsection (1) to ensure that the day and time specified in the definition are the day and time that the Treaties are to cease to apply to the United Kingdom, and

(b) amend subsection (2) in consequence of any such amendment.

(2C) In subsections (2A) and (2B) “the Treaties” means the Treaty on European Union and the Treaty on the Functioning of the European Union.”
European Union (Withdrawal) Bill, continued

Clause 14, page 11, line 48, at end insert—

“(7) The Secretary of State may by regulations amend or modify the definition of “law relating to equality or human rights” in subsection (1).”

Clause, as amended, agreed to.

Schedule 6 agreed to.

REMAINING NEW CLAUSES, REMAINING NEW SCHEDULES, CLAUSE 15, SCHEDULES 8 AND 9, CLAUSES 18 AND 19, REMAINING PROCEEDINGS ON THE BILL

Mr Chris Leslie
Chuka Umunna
Neil Coyle
Peter Kyle
Mr Ben Bradshaw
Stephen Doughty
Paul Farrelly
Kate Green
Angela Smith
Ann Coffey
Tulip Siddiq
Mr David Lammy
Catherine McKinnell
Mr George Howarth
Mr George Howarth
Mr Clive Betts
Ian Murray
Helen Hayes
Mary Creagh
Martin Whitfield

Not called NC8

To move the following Clause—

“Committee of the Regions

Her Majesty’s Government shall—

(a) maintain a full consultative role for local authorities throughout the process of withdrawal from the European Union, in due time and in an appropriate way in the planning and decision-making processes for all matters which concern them, and

(b) provide for a formal mechanism in domestic law fully to replicate the advisory role conferred on local authorities via membership of the European Union Committee of the Regions.”
Mr Chris Leslie
Stephen Timms
Mike Gapes
Chuka Umunna
Neil Coyle
Peter Kyle

Mr Ben Bradshaw Stephen Doughty Caroline Lucas
Paul Farrelly Mr David Lammy Ian Murray
Kerry McCarthy Helen Hayes Angela Smith
Stephen Kinnock Stella Creasy Mary Creagh
Daniel Zeichner Ann Coffey Martin Whitfield
Tulip Siddiq Susan Elan Jones

Not called NC9

To move the following Clause—

“European Economic Area

The United Kingdom shall, after exit day, remain a member of the European Economic Area as set out in the European Economic Area Act 1993, and the provisions in Part 2 of Schedule 8 relating to the United Kingdom’s membership of the EEA shall not take effect until such time as Ministers have published a White Paper assessing the costs and benefits for the UK economy of remaining a member of the European Economic Area after exit day.”

Mr Chris Leslie
Stephen Timms
Mike Gapes
Chuka Umunna
Neil Coyle
Peter Kyle

Mr Ben Bradshaw Stephen Doughty Paul Farrelly
Mr David Lammy Ian Murray Mike Gapes
Caroline Lucas
Kerry McCarthy Angela Smith Catherine McKinnell
Helen Hayes Mary Creagh Rushanara Ali
Stella Creasy Ann Coffey
Catherine West
Susan Elan Jones

Not called NC10

To move the following Clause—

“Transitional arrangements

Her Majesty’s Government shall, in pursuit of a new relationship between the United Kingdom and European Union after exit day, seek to negotiate and agree transitional arrangements with the European Union of sufficient duration to allow—

(a) the conclusion and coming into force of new trade agreements replicating as closely as possible all those trade agreements currently applying to the UK by virtue of its membership of the EU before exit day;

(b) an associate membership of the EU Single Market so that the regulatory settlement existing between the UK and EU before exit day can continue
European Union (Withdrawal) Bill, continued

for the duration of transitional arrangements, which shall be not less than two years after exit day.”

Mr Chris Leslie
Stephen Timms
Mike Gapes
Chuka Umunna
Neil Coyle
Peter Kyle

Mr Ben Bradshaw
Mr David Lammy
Helen Hayes
Ann Coffey
Mr George Howarth

Stephen Doughty
Ian Murray
Angela Smith
Seema Malhotra
Tulip Siddiq

Paul Farrelly
Catherine McKinnell
Stella Creasy
Martin Whitfield

Not called NC11

To move the following Clause—

“Ongoing regulatory requirements

After exit day the Secretary of State shall continue to assess all EU regulations, decisions and tertiary legislation and publish a report to both Houses of Parliament assessing the costs and benefits of each regulation and directive and whether HM Government should consider it expedient to propose a similar reform to UK domestic legislation in order to secure an ongoing regulatory alignment between the UK and the EU going forward.”

Heidi Alexander
Stephen Doughty
Chuka Umunna
Paul Farrelly
Mr David Lammy
Ian Murray

Kerry McCarthy
Mr Ben Bradshaw
Mr George Howarth
Mr Gavin Shuker
Neil Coyle

Catherine McKinnell
Angela Smith
Daniel Zeichner
Tulip Siddiq
Gareth Thomas

Not called NC23

To move the following Clause—

“EFTA membership

The Secretary of State shall, no later than six months after this Act has gained Royal Assent, lay a report before Parliament setting out an assessment of whether it would be in the interests of the United Kingdom to join the European Free
To move the following Clause—

“General Environmental Principles

(1) In carrying out their duties and functions arising by virtue of this Act, public authorities must have regard to and apply the principles set out in this section.

(2) Any duty or function conferred on a public authority must be construed and have effect in a way that is compatible with the principles in this section and the aim of achieving a high level of environmental protection and improvement of the quality of the environment.

(3) The principles in this section are—

(a) the need to promote sustainable development in the UK and overseas;

(b) the need to contribute to preserving, protecting and improving the environment;

(c) the need to contribute to prudent and rational utilisation of natural resources;

(d) the need to promote measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change;

(e) the precautionary principle as it relates to the environment;

(f) the principle that preventive action should be taken to avert environmental damage;

(g) the principle that environmental damage should as a priority be rectified at source;

(h) the polluter pays principle;

(i) the principle that environmental protection requirements must be integrated into the definition and implementation of policies and activities, in particular with a view to promoting sustainable development.

(j) the need to guarantee participatory rights including access to information, public participation in decision making and access to justice in relation to environmental matters.
European Union (Withdrawal) Bill, continued

(together the “environmental principles“).

(4) In carrying out their duties and functions, public authorities shall take account of—
   (a) available scientific and technical data;
   (b) environmental benefits and costs of action or lack of action; and
   (c) economic and social development.

(5) Public authorities, shall when making proposals concerning health, safety, environmental protection and consumer protection policy, take as a base a high level of protection, taking account in particular of any new development based on scientific facts.

(6) Subsection (7) applies in any proceedings in which a court or tribunal determines whether a provision of primary or subordinate legislation is compatible with the environmental principles.

(7) If the court is satisfied that the provision is incompatible with the environmental principles, it may make a declaration of that incompatibility.

(8) In formulating and implementing agriculture, fisheries, transport, research and technological development and space policies, public authorities shall pay full regard to the welfare requirements of animals as sentient beings, while respecting the administrative provisions and customs relating in particular to religious rites, cultural traditions and regional heritage.”

Kate Green
Ann Coffey
Rushanara Ali
Mr Chris Leslie
Stella Creasy
Mrs Madeleine Moon
Angela Smith Heidi Alexander Stephen Doughty
Tulip Siddiq Helen Hayes Chuka Umunna
Catherine McKinnell Mike Gapes Mr George Howarth
Jo Swinson Caroline Lucas Mr Barry Sheerman
Lisa Nandy Stephen Kinnock Ian Murray
Mr David Lammy Layla Moran Neil Coyle
Martin Whitfield Vernon Coaker Paul Farrelly
Stephen Timms Diana Johnson

To move the following Clause—

“Promotion of the safety and welfare of children and young people following withdrawal of the United Kingdom from the European Union

(1) The Secretary of State shall make the arrangements specified in this section for the purposes of safeguarding children and promoting their welfare from exit day onwards.

(2) The Secretary of State shall lay before Parliament a strategy for seeking continued co-operation with—
   (a) the European Union Agency for Law Enforcement Cooperation (Europol),
   (b) Eurojust, and
   (c) the European Criminal Records Information System

Not called NC31
on matters relating to the safety and welfare of children and young people.

(3) The Secretary of State shall lay before Parliament a strategy for seeking continued participation in the European Arrest Warrant, in relation to the promotion of the safety and welfare of children and young people.”

Kate Green
Ann Coffey
Rushanara Ali
Mr Chris Leslie
Stella Creasy
Mrs Madeleine Moon

Angela Smith    Heidi Alexander    Stephen Doughty
Tulip Siddiq    Helen Hayes     Chuka Umunna
Catherine McKinnell    Mike Gapes     Mr George Howarth
Jo Swinson    Caroline Lucas     Mr Barry Sheerman
Lisa Nandy    Stephen Kinnock     Ian Murray
Seema Malhotra    Mr David Lammy     Layla Moran
Martin Whitfield    Paul Farrelly     Neil Coyle
Stephen Timms

To move the following Clause—

“Programmes eligible until exit day for support from the European Social Fund

The Secretary of State shall bring forward proposals for a fund to support, on and after exit day, programmes and projects which—

(a) relate to

   (i) the promotion of social inclusion amongst children and young people,

   (ii) efforts to combat poverty and discrimination amongst children and young people, and

   (iii) investment in education, training and vocational training or skills and lifelong learning for children and young people, and

(b) would have been eligible for funding up until exit day by the European Social Fund.”
“Mitigating any inflationary risks after exit day

(1) The Secretary of State shall lay before Parliament a strategy for mitigating any risks which withdrawal from the EU may present to low income families with children.

(2) The strategy set out in subsection (1) must include a commitment to assess each year whether rates of benefits and tax credits are maintaining value in real terms relative to costs of living as defined by the Consumer Prices Index.”

Not called  NC33

To move the following Clause—

“European Neighbourhood Policy

The Secretary of State shall, by 30 September 2018, lay before Parliament a strategy for seeking to maintain a role for the UK in the EU’s European Neighbourhood Policy after exit day.”

Not called  NC40

To move the following Clause—

“European Union (Withdrawal) Bill, continued

Kate Green
Ann Coffey
Rushanara Ali
Mr Chris Leslie
Stella Creasy
Mrs Madeleine Moon

Angela Smith  Heidi Alexander  Stephen Doughty
Tulip Siddiq  Helen Hayes  Chuka Umunna
Catherine McKinnell  Mike Gapes  Mr George Howarth
Jo Swinson  Caroline Lucas  Mr Barry Sheerman
Lisa Nandy  Stephen Kinnock  Ian Murray
Seema Malhotra  Susan Elan Jones  Mr David Lammy
Martin Whitfield  Paul Farrelly  Stephen Timms
Diana Johnson

Not called  NC33

To move the following Clause—

To move the following Clause—

Not called  NC40

To move the following Clause—

Not called  NC41

To move the following Clause—
European Union (Withdrawal) Bill, continued

“European Development Fund

The Secretary of State shall, by 30 September 2018, lay before Parliament a report on the Government’s policy on future payments into the European Development Fund.”

Not called NC42

To move the following Clause—

“EU Citizens’ Severance Payments

The Secretary of State shall, by 30 September 2018, lay before Parliament a report on the Government’s policy on EU citizens’ rights to severance payments at EU agencies based in the UK.”

Not called NC43

To move the following Clause—

“Diplomatic Staff

The Secretary of State shall, by 30 September 2018, lay before Parliament a report on the Government’s policy on future arrangements for the UK to second diplomatic staff members to the European Union External Action Service.”
To move the following Clause—

“Duty to make arrangements for an independent evaluation: health and social care

(1) No later than 1 year after this Act is passed, the Secretary of State must make arrangements for the independent evaluation of the impact of this Act on the health and social care sector.

(2) The evaluation carried out by an independent person to be appointed by the Secretary of State, after consulting the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland departments, must analyse and assess—

(a) the effects of this Act on the funding of the health and social care sector;
(b) the effects of this Act on the health and social care workforce;
(c) the impact of this Act on the economy, efficiency and effectiveness of the health and social care sector; and
(d) any other such matters relevant to the impact of this Act upon the health and care sector.

(3) The person undertaking an evaluation under subsection (1) above must, in preparing an evaluation report, consult—

(a) the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department;
(b) providers of health and social care services;
(c) individuals requiring health and social care services;
(d) organisations working for and on behalf of individuals requiring health and social care services; and
(e) any persons whom the Secretary of State deems relevant.

(4) The Secretary of State must, as soon as reasonably practicable after receiving a report of the evaluation, lay a copy of the report before Parliament.”
European Union (Withdrawal) Bill, continued

Ian Blackford
Patrick Grady
Kirsty Blackman
Dr Philippa Whitford
Martyn Day
Douglas Chapman

Hywel Williams

To move the following Clause—

“European Economic Area (No. 2)

Nothing in this Act authorises the Prime Minister to give notice under Article 127 of the EEA Agreement of the United Kingdom’s intention to opt out of the EEA.”

__________________________________________________________________________

Ian Blackford
Patrick Grady
Chris Stephens
Dr Philippa Whitford
Martyn Day
Douglas Chapman

Not called NC46

To move the following Clause—

“Consultation assessing impact of no agreement with the EU for workers on withdrawal

Within six months of the passing of this Act, the Secretary of State must carry out a public consultation assessing the impact on—
(a) workers in the EU who are UK citizens, and
(b) workers in the UK who are EU citizens
if no agreement is reached with the European Union on the UK’s withdrawal.”

__________________________________________________________________________

Ian Blackford
Patrick Grady
Neil Gray
Dr Philippa Whitford
Martyn Day
Douglas Chapman

Not called NC47

To move the following Clause—
European Union (Withdrawal) Bill, continued

“Assessing the impact of leaving the EU on social and medical care provision for disabled people

Within six months of the passing of this Act, the Secretary of State must publish an assessment of the impact of leaving the EU on social and medical care provision for disabled people living in the UK.”

Mr Chris Leslie
Mr George Howarth
Ian Murray
Mike Gapes
Mr David Lammy
Angela Smith
Dr Philippa Whitford
Paul Farrelly
Stephen Doughty

To move the following Clause—

“Mutual Recognition Agreements

(1) In the course of negotiating a withdrawal agreement, Her Majesty’s Government shall seek to maintain after exit day the full range of mutual recognition agreements with which the United Kingdom has obtained rights of product conformity assessments and standards by virtue of its membership of the European Union.

(2) In respect of mutual recognition agreements relating to the safeguarding of public health, within one month of this Act being passed, the Secretary of State must publish a strategy for ensuring that existing UK notified bodies, in accordance with provisions laid out in the EU Medical Devices Regulation, may continue to conduct conformity assessment certification for both UK and EU medical devices to ensure continuity within and beyond the European Union.”

Frank Field
Ruth Smeeth
Mr Ronnie Campbell
Gareth Snell
Gordon Henderson
Kate Hoey

To move the following Clause—

“Duty to secure safe harbour

(1) It shall be the duty of the Prime Minister to seek to secure the United Kingdom’s continued membership of the Single Market and of the Customs Union until such time as the Prime Minister is satisfied that the conditions in subsections (2) and (3) are met.
European Union (Withdrawal) Bill, continued

(2) The condition in this subsection is that the United Kingdom and the European Union have reached an agreement on the future trading relationship between the United Kingdom and the European Union.

(3) The condition in this subsection is that the United Kingdom has developed a satisfactory framework for immigration controls in respect of nationals of European Union Member States not resident in the United Kingdom on the date on which the United Kingdom ceases to belong to the European Union.”

Mr Kenneth Clarke
Mr Chris Leslie
Caroline Lucas
Chuka Umunna
Ann Coffey
Ian Murray
Seema Malhotra
Helen Hayes
Mike Gapes
Mr David Lammy
Angela Smith
Anna Soubry
Mr Gavin Shuker
Kate Green
Dr Philippa Whitford
Stephen Doughty
Tulip Siddiq
Martin Whitfield
Paul Farrelly
Neil Coyle
Susan Elan Jones

To move the following Clause—

“Implementation and transition

(1) Her Majesty’s Government shall seek to secure a transition period prior to the implementation of the withdrawal agreement of not less than two years in duration, during which—

(a) access between EU and UK markets should continue on the terms existing prior to exit day,

(b) the structures of EU rules and regulations existing prior to exit day shall be maintained,

(c) the UK and EU shall continue to take part in the level of security cooperation existing prior to exit day,

(d) new processes and systems to underpin the future partnership between the EU and UK can be satisfactorily implemented, including a new immigration system and new regulatory arrangements,

(e) financial commitments made by the United Kingdom during the course of UK membership of the EU shall be honoured.

(2) No Minister of the Crown shall appoint exit day if the implementation and transition period set out in subsection (1) does not feature in the withdrawal arrangements between the UK and the European Union.”
European Union (Withdrawal) Bill, continued

To move the following Clause—

“Saving of acquired rights: Gibraltar

(1) Nothing in this Act is to be construed as removing, replacing, altering or prejudicing the exercise of an acquired right.

(2) Any power, howsoever expressed, contained in this Act may not be exercised if the exercise of that power is likely to or will remove, replace or alter or prejudice the exercise of an acquired right.

(3) In subsection (2) a reference to a power includes a power to make regulations.

(4) In this section an acquired right means a right that existed immediately before exit day—

(a) whereby a person from or established in Gibraltar could exercise that right (either absolutely or subject to any qualification) in the United Kingdom; and

(b) the right arose in the context of the United Kingdom’s membership of the European Union and Gibraltar’s status as a European territory for whose external relations the United Kingdom is responsible within the meaning of Article 355(3) TFEU and to which the provisions of the EU Treaties apply, subject to the exceptions specified in the 1972 Act of Accession.

(5) Nothing in this section prevents the use of the powers conferred by this Act to the extent that acquired rights are not altered or otherwise affected to the detriment of persons enjoying such rights.”

Mr David Lammy Stephen Doughty

Not called NC59

To move the following Clause—

“Mutual recognition of professional qualifications

(1) In the course of negotiating a withdrawal agreement, Her Majesty’s Government shall seek to maintain after exit day the mutual recognition of professional
European Union (Withdrawal) Bill, continued

qualifications which the United Kingdom has obtained under Directives 2005/36/EC and 2013/55/EU by virtue of its membership of the European Union.

(2) HM Government shall ensure that competent authorities for the purpose of the European Union (Recognition of Professional Qualifications) Regulations 2015 may continue to recognise professional qualifications obtained in the European Union as equivalent to qualifications obtained in the UK after exit day to ensure continuity.”

Mary Creagh
Caroline Lucas
Martyn Day
Kerry McCarthy
Helen Hayes
Kate Green

Stephen Doughty

Not called   NC61

To move the following Clause—

“Regulation for the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

(1) The Secretary of State must take all reasonable steps to ensure that the United Kingdom participates in the standards and procedures established by the Regulation for the Registration, Evaluation, Authorisation and Restriction of Chemicals (“REACH”) (Regulation (EC) No 1907/2006) after exit day.

(2) Subject to the provisions of the withdrawal agreement, steps under subsection (1) may include regulations under section 17, or another provision of this Act, providing for full or partial participation of the United Kingdom in REACH.”

Robert Neill
Stephen Hammond
Wes Streeting
Stephen Doughty
Susan Elan Jones

Not called   NC71

To move the following Clause—

“Mutual market access for financial and professional services

(1) Before exit day, a Minister of the Crown must lay before Parliament a report assessing the progress made by Her Majesty’s Government in negotiating continued mutual access to markets in the EU and the United Kingdom for businesses providing financial or professional services.

(2) “Mutual access to markets” means the ability for a business established in any member State to provide services in or into the United Kingdom and vice versa.”
“Importation of food and feed: port health etc.

(1) Before exit day, a Minister of the Crown must lay before Parliament a report assessing the progress made by Her Majesty’s Government in negotiating—

(a) continued mutual recognition of standards, inspections, certifications and other official controls, and

(b) a continued basis for co-operation among public authorities, as between the United Kingdom and the EU in relation to food or animal feed—

(i) produced in, or imported from a third country into, the United Kingdom or a member State, and

(ii) subsequently exported from the United Kingdom to a member State, or vice versa.

(2) Any power of the Secretary of State or a Minister of the Crown (including a power under retained EU law) to make regulations requiring or authorising the charging of a fee or other charge in respect of the inspection of food or animal feed on its importation into the United Kingdom must, so far as reasonably practicable, be exercised so as to allow public authorities conducting such inspections fully to recover any costs incurred in the carrying out of such inspections.”

“Co-operation with the European Union on violence against women and girls

(1) Within one month of Royal Assent to this Act, and then once in every subsequent calendar year, the Secretary of State shall lay before Parliament a report on continued co-operation with the European Union on matters relating to violence against women and girls.
(2) That report must include, in particular, an assessment of how, following exit day, co-operation with the European Union will replicate mechanisms which exist within the European Union before exit day to—

(a) maintain common rights for victims of domestic and sexual abuse when moving across borders,
(b) reduce female genital mutilation (FGM),
(c) reduce human trafficking,
(d) reduce child sexual exploitation, and
(e) enable data sharing relating to any of (a) to (d).

(3) The first report made under subsection (1) following Royal Assent must—

(a) include an assessment of the amount and nature of funding provided by European Union institutions to organisations based in the United Kingdom for the purposes of research, service provision, and other activity relating to ending violence against women and girls, and;
(b) outline plans to provide comparable resources for research, service provision, and other activity relating to ending violence against women and girls in the United Kingdom.”

Frank Field

Not selected NC81

To move the following Clause—

“Date of exit from the European Union (No. 2)

The United Kingdom ceases to belong to the European Union at 11pm on 29 March 2019.”

Diana Johnson
Stephen Doughty

Not called NC83

To move the following Clause—

“Strategy for UK wind energy sector

(1) Within six months of any vote in the House of Commons on the terms of withdrawal from the EU, the Secretary of State shall lay before Parliament a strategy for supporting the UK wind energy sector in its ability to export competitively to markets in the EU.

(2) The strategy set out in subsection (1) must assess the impact that—

(a) tariffs,
(b) quotas,
(c) customs checks, and
(d) other non-tariff barriers
European Union (Withdrawal) Bill, continued

arising from any withdrawal agreement with the EU will have on the UK wind
energy sector’s ability to export competitively to EU markets over the next
twenty years.”

Diana Johnson
Stephen Doughty

Not called  NC84

To move the following Clause—

“UK higher education sector: participation in EU programmes

(1) Within six months of any vote in the House of Commons on the terms of
withdrawal from the EU, the Secretary of State shall lay before Parliament a
strategy setting out its intentions regarding the nature of the UK higher education
sector’s future participation in—
(a) the 2014-2020 Horizon 2020 programme,
(b) the Erasmus+ Exchange programme, and
(c) future EU research, collaboration and student exchange programmes.

(2) The strategy set out in subsection (1) must set out its intentions regarding the
extent to which the UK higher education sector will be able to access existing and
future EU programmes after exit day both—
(a) during any transitional period, and
(b) following any transitional period.

(3) The strategy set out in subsection (1) must also estimate the future impact that any
withdrawal agreement will have on the UK higher education sector in terms of—
(a) the financing of future research,
(b) the quality of future research, measured according to the Research
   Excellence Framework, and
(c) the ability to participate in future EU-wide collaborative research
   programmes in the twenty years starting from the day on which this Act
   receives Royal Assent.

(4) The strategy set out in subsection (1) must also set out the extent to which UK
Government funds will address any shortfalls identified from calculations and
estimates made as a result of subsections (2) and (3).”

Kerry McCarthy
Stephen Doughty

Not called  NC85

To move the following Clause—

“Strategy for economic and social cohesion principles derived from Article
174 of TFEU

(1) The Secretary of State shall, before 31 December 2018, lay before Parliament a
strategy for developing principles for economic and social cohesion derived from
Article 174 of the Treaty on the Functioning of the European Union.
European Union (Withdrawal) Bill, continued

(2) The strategy laid under subsection (1) shall state the principles derived from Article 174 of TFEU.

(3) The principles under subsection (2) shall form part of UK domestic law on and after the day of the UK’s withdrawal from the EU.

(4) The aims of the strategy under subsection (1) shall be—
   (a) to reduce inequalities between communities, and
   (b) to reduce disparities between the levels of development of regions of the UK, with particular regard to—
      (i) regions with increased levels of deprivation,
      (ii) rural and island areas,
      (iii) areas affected by industrial transition, and
      (iv) regions which suffer from severe and permanent natural or demographic handicaps.

(5) A Minister of the Crown may by regulations make provision for programmes to implement the strategy.

(6) Programmes under subsection (5) shall run for a minimum of ten years and shall be independently monitored.”

Mr Steve Baker
Sir Oliver Letwin
Mr Geoffrey Cox
Mr Bernard Jenkin
Paul Masterton
Jeremy Lefroy

John Penrose
Stephen Hammond
George Freeman
Andrew Bowie
Robert Neill

Clause 15, page 12, line 37, leave out “and (2)” and insert “to (2C)”

Clause, as amended, agreed to.

Robert Neill
Stephen Hammond
Wes Streeting

Schedule 8, page 49, line 4, after “document” insert “(not including a contract)”.

Not called 362
Committee of the whole House Proceedings: 20 December 2017

European Union (Withdrawal) Bill, continued

Kerry McCarthy
Caroline Lucas
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury

Catherine McKinnell          Stella Creasy          Ms Karen Buck
Ms Angela Eagle               Ian Murray            Stephen Doughty
Mrs Madeleine Moon           Helen Hayes              Mr David Lammy
Ann Coffey                   Mr Dominic Grieve      Mike Gapes
Wera Hobhouse                Martin Whitfield        Paul Farrelly
Patrick Grady                Angus Brendan MacNeil    Tim Farron
Layla Moran

Schedule 8, page 50, line 2, leave out paragraph 3

Not called 102

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford            Tom Brake            Mr Alistair Carmichael
Stephen Kinnock         Ann Coffey           Susan Elan Jones
Mike Gapes               Mr David Lammy       Mrs Madeleine Moon
Wera Hobhouse            Martin Whitfield      Albert Owen
Martyn Day

Schedule 8, page 50, line 19, leave out “section 57(4) of the Scotland Act 1998,
section 80(8) of the Government of Wales Act 2006 or”

Not called 189

Kerry McCarthy
Caroline Lucas
Mary Creagh
Mr Ben Bradshaw
Darren Jones
Ruth Cadbury

Catherine McKinnell          Stella Creasy          Ms Karen Buck
Ms Angela Eagle               Ian Murray            Stephen Doughty
Mrs Madeleine Moon           Helen Hayes              Mr David Lammy
Ann Coffey                   Mr Dominic Grieve      Mike Gapes
Wera Hobhouse                Martin Whitfield        Paul Farrelly
Patrick Grady                Angus Brendan MacNeil    Tim Farron
Layla Moran                  Susan Elan Jones

Schedule 8, page 50, line 41, leave out paragraph 5

Not called 103
European Union (Withdrawal) Bill, continued

Ian Murray
Stephen Doughty
Stephen Gethins
Hywel Williams
Jo Swinson
Caroline Lucas

Ian Blackford
Stephen Kinnock
Mr David Lammy
Albert Owen
Tom Brake
Ann Coffey
Wera Hobhouse
Martyn Day
Mr Alistair Carmichael
Mike Gapes
Martin Whitfield
Susan Elan Jones

Not called 190

Schedule 8, page 51, line 1, leave out “section 57(4) of the Scotland Act 1998, section 80(8) of the Government of Wales Act 2006 or”

Mr Steve Baker
Sir Oliver Letwin
Mr Geoffrey Cox
Mr Bernard Jenkin
Paul Masterton
Jeremy Lefroy

John Penrose
Stephen Hammond
George Freeman
Robert Neill
Andrew Bowie

Agreed to 402

Schedule 8, page 53, line 44, leave out “and (2)” and insert “to (2C)”

Mr Chris Leslie
Stephen Timms
Mike Gapes
Chuka Umunna
Neil Coyle
Stephen Gethins

Peter Kyle
Mr Pat McFadden
Mr David Lammy
Helen Hayes
Liz Saville Roberts
Ian Blackford
Ann Coffey
Martin Whitfield
Mr Ben Bradshaw
Caroline Lucas
Ian Murray
Angela Smith
Patrick Grady
Jamie Stone
Tulip Siddiq

Stephen Doughty
Paul Farrelly
Catherine McKinnell
Hywel Williams
Ben Lake
Kirsty Blackman
Wera Hobhouse
Susan Elan Jones

Not called 64

Schedule 8, page 54, leave out paragraphs 12 to 17
European Union (Withdrawal) Bill, continued

Schedule 8, page 55, leave out lines 8 to 13 and insert—
“(a) in paragraph (a), omit sub-paragraph (ii), and
(b) in paragraph (b), omit “or with EU law”.”

Not called 191

Schedule 8, page 55, line 16, leave out sub-paragraph (1) and insert—
“(1) For the purposes of the Human Rights Act 1998, any retained EU legislation is to be treated as subordinate legislation and not primary legislation.”

Not called 380

Schedule 8, page 55, line 17, leave out “primary legislation and not”

Not called 11

Agreed to 403
Mr Steve Baker
Sir Oliver Letwin
Mr Geoffrey Cox
Mr Bernard Jenkin
Paul Masterton
Jeremy Lefroy

John Penrose
Stephen Hammond
George Freeman
Andrew Bowie
Robert Neill

Agreed to 404

Schedule 8, page 56, line 17, leave out “and (2)” and insert “to (2C)”

Mr Steve Baker
Sir Oliver Letwin
Mr Geoffrey Cox
Mr Bernard Jenkin
Paul Masterton
Jeremy Lefroy

John Penrose
Stephen Hammond
George Freeman
Andrew Bowie
Robert Neill

Agreed to 405

Schedule 8, page 57, line 20, leave out “and (2)” and insert “to (2C)”

Mary Creagh
Mike Gapes
Neil Coyle
Maria Eagle
Helen Hayes
Mr David Lammy

Ann Coffey
Paul Farrelly
Kerry McCarthy

Not selected 140

Schedule 8, page 58, line 16, leave out “4” and insert “3”

Mary Creagh
Mike Gapes
Neil Coyle
Maria Eagle
Helen Hayes
Mr David Lammy

Ann Coffey
Paul Farrelly
Kerry McCarthy

Not selected 141

Schedule 8, page 58, line 24, leave out “4” and insert “3”

Mary Creagh
Kerry McCarthy
Helen Hayes

Not called 291

Schedule 8, page 58, line 31, leave out paragraph 28 and insert—

“(1) The prohibition on making regulations under section 7, 8, or Schedule 2 after a particular time does not affect the continuation in force of regulations made at or before that time, except where subparagraphs (2) and (3) apply.
European Union (Withdrawal) Bill, continued

(2) Regulations may not be made under powers conferred by regulations made under section 7, 8, or Schedule 2 after the end of the period of two years beginning with exit day.

(3) Regulations made under powers conferred by regulations made under section 7, 8, or Schedule 2 may not be made during the two year period in subparagraph (2) unless a draft has been laid before, and approved by a resolution of, each House of Parliament.”

Schedule 8, page 59, leave out lines 10 to 16

Schedule 8, page 59, leave out lines 23 to 29

Schedule 8, page 59, line 47, leave out from beginning to end of line 8 on page 60
European Union (Withdrawal) Bill, continued

Schedule 8, page 60, leave out lines 13 to 23

Schedule, as amended, agreed to.

Schedule 9 agreed to.

Clause 18 agreed to.

Clause 19, page 14, line 32, at end insert—
“(a) section 1(2);”

Clause 19, page 14, line 40, leave out subsection (2) and insert—
“(2) The remaining provisions of this Act come into force once following a referendum on whether the United Kingdom should approve the United Kingdom and Gibraltar exit package proposed by HM Government at conclusion of the negotiations triggered by Article 50(2) for withdrawal from the European Union or remain a member of the European Union.

(2A) The Secretary of State must, by regulations, appoint the day on which the referendum is to be held.

(2B) The question that is to appear on the ballot papers is—“Do you support the Government’s proposed new agreement between the United Kingdom and
European Union (Withdrawal) Bill, continued

Gibraltar and the European Union or Should the United Kingdom remain a member of the European Union?”

(2C) The Secretary of State may make regulations by statutory instrument on the conduct of the referendum.”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Joanna Cherry
Caroline Lucas

Wera Hobhouse
Martyn Day

Clause 19, page 14, line 40, at beginning insert “Subject to subsection (2A)”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas
Joanna Cherry

Mike Gapes
Wera Hobhouse
Martyn Day

Clause 19, page 14, line 42, at end insert—
“(2A) But regulations bringing into force section 1 may not be made until the Prime Minister is satisfied that an agreement has been reached for the United Kingdom to remain a member of the EEA and of the Customs Union.”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake
Caroline Lucas
Joanna Cherry

Wera Hobhouse
Martyn Day

Clause 19, page 14, line 42, at end insert—
“(2A) But regulations bringing into force section 1 may not be made until the Secretary of State lays a report before—
(a) Parliament, and
(b) the National Assembly for Wales

Not called 82
Not selected 83
Not selected 84
Not called 85
European Union (Withdrawal) Bill, continued

outlining the effect of the United Kingdom’s withdrawal from the EU on the National Assembly for Wales’s block grant.”

Hywel Williams
Liz Saville Roberts
Jonathan Edwards
Ben Lake

Clause 19, page 14, line 42, at end insert—
“(2A) But regulations bringing into force section 1 may not be made until the Secretary of State lays a report before—

(a) Parliament, and

(b) the National Assembly for Wales

outlining the effect of the United Kingdom’s withdrawal from the Single Market and Customs Union on the Welsh economy.”

Ian Blackford
Patrick Grady
Kirsty Blackman
Hannah Bardell
Martyn Day
Douglas Chapman

Clause 19, page 14, line 42, at end insert—
“(2A) A Minister of the Crown may not appoint a day for any provision of this Act to come into force until the Secretary of State has published a report on which Scottish products will be identified with geographical indications in any future trade deal that Her Majesty’s Government seeks to negotiate after the United Kingdom’s withdrawal from the European Union, and has laid a copy of the report before Parliament.”

Ian Blackford
Patrick Grady
Kirsty Blackman
Drew Hendry
Martyn Day
Douglas Chapman

Clause 19, page 14, line 42, at end insert—
“(2A) A Minister of the Crown may not appoint a day for any provision of this Act to come into force until a Minister of the Crown has published an assessment of the effect of the United Kingdom’s withdrawal from the EU on Scottish businesses and laid a copy of the assessment before Parliament.”

Ian Blackford
Patrick Grady
Kirsty Blackman
Angus Brendan MacNeil
Martyn Day
Douglas Chapman

Clause 19, page 14, line 42, at end insert—
“(2A) A Minister of the Crown may not appoint a day for any provision of this Act to come into force until a Minister of the Crown has published an assessment of the
European Union (Withdrawal) Bill, continued

effect of the United Kingdom’s withdrawal from the EU on food and drink safety and quality standards, and has laid a copy of the assessment before Parliament.”

Clause agreed to.

Bill, as amended, to be reported.