



# House of Commons

Tuesday 12 December 2017

## COMMITTEE OF THE WHOLE HOUSE

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*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

*Amendments tabled since the last publication: NC85*

### EUROPEAN UNION (WITHDRAWAL) BILL

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#### NOTE

**This document includes all remaining amendments and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the House [11 September 2017].**

**The arrangement shown below is provisional and is subject to change.**

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

Mr Chris Leslie  
Mr David Lammy  
Ian Murray  
Mike Gapes  
Catherine McKinnell  
Helen Hayes

Mr Ben Bradshaw  
Mr George Howarth  
Martin Whitfield  
Lady Hermon

Angela Smith  
Ann Coffey  
Paul Farrelly  
Stephen Doughty

Stella Creasy  
Chris Bryant  
Stephen Timms

**NC18**

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

**European Union (Withdrawal) Bill, *continued***

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."

***Member's explanatory statement***

*This new clause would require the Government to commission an Independent Report into the constitutional implications of the wide-ranging powers to make regulations delegated to Ministers in Clause 7 of the Bill, in pursuance of the conclusions of the 3rd Report of the House of Lords Select Committee on the Constitution session 2017-19 (HL Paper 19) "European Union (Withdrawal) Bill: interim report"*

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

Ruth Cadbury  
Ms Karen Buck  
Stephen Doughty  
Mr Kenneth Clarke  
Ann Coffey  
Susan Elan Jones  
Martin Whitfield  
Lady Hermon

Catherine McKinnell  
Ms Angela Eagle  
Mrs Madeleine Moon  
Mr David Lammy  
Seema Malhotra  
Angela Smith  
Paul Farrell  
Tim Farron

Stella Creasy  
Ian Murray  
Helen Hayes  
Stephen Kinnock  
Chris Bryant  
Tulip Siddiq  
Tom Brake

**NC24**

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.”

***Member's explanatory statement***

*The purpose of this amendment is to ensure that the powers to create secondary legislation given to Ministers by the Bill can be used only in pursuit of the overall statutory purpose, namely to allow retained EU law to continue to operate effectively after exit day.*

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**European Union (Withdrawal) Bill, *continued***

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

Ruth Cadbury  
 Ms Karen Buck  
 Stephen Doughty  
 Mr Kenneth Clarke  
 Stephen Gethins  
 Seema Malhotra  
 Angela Smith  
 Norman Lamb  
 Tim Farron

Catherine McKinnell  
 Ms Angela Eagle  
 Mrs Madeleine Moon  
 Ian Blackford  
 Mr David Lammy  
 Chris Bryant  
 Martin Whitfield  
 Angus Brendan MacNeil  
 Layla Moran

Stella Creasy  
 Ian Murray  
 Helen Hayes  
 Patrick Grady  
 Ann Coffey  
 Susan Elan Jones  
 Paul Farrelly  
 Tom Brake  
 Wera Hobhouse

**NC27**

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;
  - (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.”

***Member’s explanatory statement***

*This new clause requires the Government to establish new domestic governance proposals*

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**European Union (Withdrawal) Bill, *continued***

*following the UK's exit from the EU and to ensure statutory and institutional basis for future environmental protection.*

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Stephen Timms  
Mr David Lammy  
Daniel Zeichner  
Tom Brake  
Sir Vince Cable  
Jo Swinson

Sir Edward Davey  
Layla Moran

Ann Coffey  
Norman Lamb

Mike Gapes  
Paul Farrelly

**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.”

***Member's explanatory statement***

*This new clause would require the Government to produce a list of regulations it intends to make under the Bills correcting powers, and to update that list each month, in order to provide clarity about when, and in which areas, it believes the power will be necessary.*

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**European Union (Withdrawal) Bill, *continued***

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

Neil Coyle  
 Maria Eagle  
 Helen Goodman  
 John Woodcock  
 Ian Murray  
 Ruth Cadbury  
 Catherine McKinnell  
 Mr David Lammy  
 Susan Elan Jones  
 Geraint Davies

Mike Gapes  
 Rushanara Ali  
 Stephen Doughty  
 Kate Green  
 Wes Streeting  
 Mr Ben Bradshaw  
 Ms Karen Buck  
 Seema Malhotra  
 Angela Smith  
 Paul Farrelly

Ann Coffey  
 Mrs Madeleine Moon  
 Stella Creasy  
 Peter Kyle  
 Daniel Zeichner  
 Emma Reynolds  
 Dame Margaret Hodge  
 Catherine West  
 Tulip Siddiq  
 Helen Hayes

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.”

***Member’s explanatory statement***

*This new clause would ensure that the institutions and agencies that protect EU derived rights and protections are replaced to a sufficient standard so those rights and protections will still be enjoyed in practice.*

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**European Union (Withdrawal) Bill, *continued***

Tim Loughton  
 Nicky Morgan  
 Stuart C. McDonald  
 Tom Brake  
 Sir Vince Cable  
 Jo Swinson

Sir Edward Davey  
 Mr Geoffrey Cox  
 Caroline Lucas  
 Kerry McCarthy  
 Mr David Lammy  
 Mr George Howarth  
 Hywel Williams  
 Wera Hobhouse  
 Vernon Coaker  
 Chuka Umunna  
 Ms Harriet Harman  
 Preet Kaur Gill

Stella Creasy  
 Ian Murray  
 Catherine West  
 Mike Gapes  
 Layla Moran  
 Norman Lamb  
 Tim Farron  
 Martin Whitfield  
 Paul Farrelly  
 Helen Hayes  
 Peter Kyle  
 Lisa Nandy

Joanna Cherry  
 Kate Green  
 Chris Bryant  
 Catherine McKinnell  
 Lady Hermon  
 Jamie Stone  
 Angus Brendan MacNeil  
 Martyn Day  
 Stephen Timms  
 David Linden  
 Mr Roger Godsoff  
 Yvette Cooper

**NC53**

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.”

***Member’s explanatory statement***

*This new clause is intended to provide for refugee family reunion in the UK in place of the family reunion aspects of the Dublin III Regulation, allowing adult refugees in the UK to sponsor relatives who are unaccompanied children to come to the UK from around the world.*

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**European Union (Withdrawal) Bill, *continued***

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

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.”

***Member’s explanatory statement***

*This new clause would require Ministers of the Crown to make specific provision for the enforcement of EU legislation relating to environmental protection.*

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

Vernon Coaker  
Mr David Lammy

Mike Gapes

Ms Harriet Harman

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—

**European Union (Withdrawal) Bill, *continued***

- (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.”

***Member’s explanatory statement***

*This new clause would require the Government to establish new domestic governance arrangements following the UK’s exit from the EU for environmental standards and protections, following consultation.*

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

NC82

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.”

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**European Union (Withdrawal) Bill, *continued***

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

65

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

***Member’s explanatory statement***

*This Amendment would reduce the wide discretion for using delegated legislation and limit it to those aspects which are unavoidable.*

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

15

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  
Stephen Timms

49

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

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**European Union (Withdrawal) Bill, *continued***

“(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.”

***Member’s explanatory statement***

*This amendment would place a general provision on the face of the Bill to the effect that the delegated powers granted by the Bill should be used only so far as necessary.*

Tom Brake  
Sir Vince Cable  
Mr Alistair Carmichael  
Caroline Lucas  
Mike Gapes  
Tim Farron

Wera Hobhouse  
Jo Swinson  
Jamie Stone  
Martin Whitfield  
Helen Hayes  
Rushanara Ali  
Mr Roger Godsiff

Stephen Doughty  
Ann Coffey  
Mr David Lammy  
Albert Owen  
Meg Hillier  
Angus Brendan MacNeil  
Dr Philipppa Whitford

Layla Moran  
Ian Murray  
Norman Lamb  
Catherine West  
Paul Farrelly  
Tulip Siddiq

**131**

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.”

***Member’s explanatory statement***

*This Amendment is intended to preserve after exit day the rights, including residence rights, of EU citizens in the UK.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Ann Coffey

**264**

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to define in regulations one of the criteria for the use of Clause 7 powers to deal with deficiencies arising from withdrawal from the EU.*

Stephen Kinnock  
Hywel Williams

**313**

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.”

***Member’s explanatory statement***

*This amendment would prevent a Minister of the Crown from making provision to deal with deficiencies in retained EU law arising from withdrawal to the extent that the provision would be within the devolved competence of the Welsh Ministers.*

**European Union (Withdrawal) Bill, continued**

Mr Dominic Grieve  
John Penrose  
Mr Kenneth Clarke  
Nicky Morgan  
Anna Soubry  
Stephen Hammond

Antoinette Sandbach  
Vicky Ford  
Chuka Umunna  
Paul Masterton  
Stephen Doughty  
Kerry McCarthy  
Helen Hayes  
Stephen Kinnock  
Mr George Howarth  
Jo Swinson  
Mrs Madeleine Moon  
Mr Barry Sheerman  
Catherine West  
Tommy Sheppard  
Rushanara Ali  
Mr Gavin Shuker  
Wera Hobhouse  
Martin Whitfield  
Stephen Timms  
Joanna Cherry

Robert Neill  
Dr Sarah Wollaston  
Caroline Lucas  
Ian Murray  
Mike Gapes  
Catherine McKinnell  
Mr Ben Bradshaw  
Mr David Lammy  
Tom Brake  
Sir Edward Davey  
Ruth Cadbury  
Steve McCabe  
Jamie Stone  
John Grogan  
Layla Moran  
Norman Lamb  
Tulip Siddiq  
Albert Owen  
Mr Chris Leslie

Jeremy Lefroy  
Tom Tugendhat  
Paul Farrelly  
Liz Kendall  
Mr Edward Vaizey  
Heidi Allen  
Angela Smith  
Stella Creasy  
Sir Vince Cable  
Ann Coffey  
Stephen Twigg  
Seema Malhotra  
Chris Bryant  
Susan Elan Jones  
Lady Hermon  
Kate Green  
Angus Brendan MacNeil  
Darren Jones  
Tim Farron

1

Clause 7, page 5, line 8, leave out “(but are not limited to)” and insert “and are limited to”

***Member’s explanatory statement***

*To restrict the power of a Minister to make regulations to amend retained EU law to cases where the EU law is deficient in the way set out in the Bill.*

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

Caroline Lucas  
Ian Murray  
Helen Hayes  
Mary Creagh  
Jo Swinson  
Jamie Stone  
Martin Whitfield  
Tim Farron

Mr David Lammy  
Mike Gapes  
Angela Smith  
Tom Brake  
Sir Edward Davey  
Chris Bryant  
Paul Farrelly

Joanna Cherry  
Catherine McKinnell  
Stella Creasy  
Sir Vince Cable  
Ann Coffey  
Tulip Siddiq  
Stephen Timms

56

Clause 7, page 5, line 8, leave out “(but are not limited to)”

***Member’s explanatory statement***

*This amendment would remove the ambiguity in Clause 7 which sets out a definition of ‘deficiencies in retained EU law’ but allows Ministers significant latitude. By removing the qualifying phrase ‘but are not limited to’, subsection (2) becomes a more precise prescribed set of circumstances where Ministers may and may not make regulations.*

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**European Union (Withdrawal) Bill, *continued***

Mr Chris Leslie  
Mr George Howarth  
Mike Gapes  
Mr David Lammy  
Angela Smith  
Neil Coyle

Ann Coffey  
Helen Hayes

Tulip Siddiq

Stephen Timms

277

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.”

***Member’s explanatory statement***

*This amendment would ensure that any regulatory or rule-making powers transferred from EU entities to UK public bodies receive the same degree of scrutiny that would have been the case if the UK had remained in the European Union.*

Robert Neill  
Mike Gapes  
Stephen Hammond  
Wes Streeting  
Mr David Lammy

359

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.”

***Member’s explanatory statement***

*The amendment would make clear that retained EU law cannot be modified under clause 7 to restrict the rights of EU nationals or businesses in the UK simply because UK nationals or businesses may lose equivalent rights in the EU as a result of the UK’s withdrawal.*

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

Caroline Lucas  
Joanna Cherry  
Catherine McKinnell  
Stephen Kinnock

Paul Farrelly  
Ian Murray  
Helen Hayes  
Stella Creasy

Mr David Lammy  
Mike Gapes  
Angela Smith  
Tom Brake

**European Union (Withdrawal) Bill, continued**

Sir Vince Cable	Jo Swinson	Sir Edward Davey
Ann Coffey	Jamie Stone	Layla Moran
Tulip Siddiq	Martin Whitfield	Stephen Timms

57

Clause 7, page 5, line 42, leave out subsection (4)

**Member's explanatory statement**

*This amendment would remove the scope for regulations to make provisions that could be made by an Act of Parliament.*

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

Valerie Vaz	Caroline Lucas	Paul Farrelly
Mr David Lammy	Ian Murray	Catherine McKinnell
Stephen Doughty	Helen Hayes	Stephen Kinnock
Mary Creagh	Tom Brake	Sir Vince Cable
Jo Swinson	Sir Edward Davey	Ann Coffey
Steve McCabe	Seema Malhotra	Jamie Stone
Chris Bryant	Mike Gapes	Wera Hobhouse
Tulip Siddiq	Martin Whitfield	Vernon Coaker
Stephen Timms	Ms Harriet Harman	Helen Goodman
Melanie Onn		

32

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

**Member's explanatory statement**

*This amendment would remove the proposed capacity of Ministers under Clause 7 to modify and amend the Act itself via delegated powers.*

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

Jo Swinson	Mary Creagh	Jamie Stone
Mike Gapes	Layla Moran	Dr Philippa Whitford
Martyn Day	Ann Coffey	

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),

**European Union (Withdrawal) Bill, *continued***

- (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),
- (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).”

***Member’s explanatory statement***

*This amendment ensures that the Government cannot establish new agencies using delegated legislation.*

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

388

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

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

Mr Pat McFadden  
Ian Murray  
Helen Hayes  
Mary Creagh  
Jo Swinson  
Ann Coffey  
Chris Bryant  
Martin Whitfield

Paul Farrelly  
Mike Gapes  
Angela Smith  
Tom Brake  
Sir Edward Davey  
Catherine West  
Layla Moran  
Tulip Siddiq

Mr David Lammy  
Catherine McKinnell  
Stella Creasy  
Sir Vince Cable  
Stephen Kinnock  
Jamie Stone  
Wera Hobhouse  
Stephen Timms

61

Clause 7, page 6, line 3, leave out sub-paragraph (ii)

***Member’s explanatory statement***

*This amendment would remove the ability of Ministers to replace or abolish public service functions currently undertaken by EU entities without making an alternative provision for those equivalent public services to continue domestically after exit day. Retaining the existing functions undertaken by the EU is an important principle that the part of this sub-clause could potentially undermine.*

**European Union (Withdrawal) Bill, continued**

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  
Stephen Kinnock  
Mr George Howarth  
Sir Vince Cable  
Ann Coffey  
Ruth Cadbury  
Steve McCabe  
Chris Bryant  
Rushanara Ali  
Mr Gavin Shuker  
Dr Philippa Whitford  
Angus Brendan MacNeil  
Darren Jones  
Mr Chris Leslie

Jeremy Lefroy  
Caroline Lucas  
Liz Kendall  
Stephen Doughty  
Mr Ben Bradshaw  
Mr David Lammy  
Mary Creagh  
Jo Swinson  
Susan Elan Jones  
Stephen Twigg  
Seema Malhotra  
Tommy Sheppard  
Layla Moran  
Norman Lamb  
Wera Hobhouse  
Martin Whitfield  
Stephen Timms

Robert Neill  
Paul Farrelly  
Mike Gapes  
Heidi Allen  
Angela Smith  
Stella Creasy  
Tom Brake  
Sir Edward Davey  
Mrs Madeleine Moon  
Mr Barry Sheerman  
Jamie Stone  
John Grogan  
Lady Hermon  
Kate Green  
Tulip Siddiq  
Albert Owen  
Kerry McCarthy

5

Clause 7, page 6, line 3, leave out “abolished”

***Member’s explanatory statement***

*To prevent the abolition by SI of a function currently carried out by an EU entity in the UK, as opposed to its replacement or modification.*

Caroline Lucas  
Tom Brake  
Sir Vince Cable  
Jo Swinson  
Sir Edward Davey  
Layla Moran

Wera Hobhouse

Mike Gapes

108

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

***Member’s explanatory statement***

*This amendment seeks to prevent the establishment of new public bodies by means of secondary legislation only, as opposed to primary legislation.*

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**European Union (Withdrawal) Bill, *continued***

Chris Bryant  
Paul Farrelly  
Mr David Lammy  
Mike Gapes  
Catherine McKinnell  
Stephen Doughty

Helen Hayes  
Mary Creagh  
Susan Elan Jones  
Jamie Stone  
Tulip Siddiq

Mr Ben Bradshaw  
Stephen Kinnock  
Ian Murray  
Wera Hobhouse  
Stephen Timms

Stella Creasy  
Ann Coffey  
Seema Malhotra  
Martin Whitfield

17

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 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, remedying 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)).”

***Member’s explanatory statement***

*This amendment replicates the provisions in the Civil Contingencies Act 2004, which limit Ministers’ powers even in a time of declared emergency. They ensure that statutory instruments are proportionate and necessary.*

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

Norman Lamb  
Joanna Cherry  
Mike Gapes  
Stephen Doughty  
Angela Smith  
Mary Creagh

Paul Farrelly  
Ian Murray  
Caroline Lucas  
Helen Hayes  
Stella Creasy  
Stephen Kinnock



**European Union (Withdrawal) Bill, *continued***

Ann Coffey	Susan Elan Jones	Seema Malhotra
Jamie Stone	Wera Hobhouse	Tulip Siddiq
Martin Whitfield	Vernon Coaker	Kerry McCarthy
Diana Johnson		

48

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.”

***Member’s explanatory statement***

*This amendment is intended to prevent the regulation-making power from being used to remove necessary protections.*

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	Mr David Lammy
Stephen Kinnock	Ann Coffey	Susan Elan Jones
Norman Lamb	Martin Whitfield	Tulip Siddiq
Tim Farron	Layla Moran	Helen Hayes
Wera Hobhouse		

104

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

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

***Member’s explanatory statement***

*This amendment provides for any new public authority established under secondary legislation to be temporary.*

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 European Union (Withdrawal) Bill, *continued*

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

Vernon Coaker  
 Tulip Siddiq  
 Helen Goodman

Ann Coffey  
 Ms Harriet Harman

Mike Gapes  
 Mr David Lammy

342

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

“(5A) Regulations to which subsection (5) applies must so far as practicable ensure that all powers and functions 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 are carried out by either an EU entity, an appropriate public authority in the United Kingdom or an appropriate international entity after exit day”.

***Member’s explanatory statement***

*This amendment would ensure that standards, rights and protections currently maintained by EU entities or public authorities in member states will continue to be maintained in practice following the UK’s exit from the EU.*

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

Layla Moran  
 Jamie Stone  
 Paul Farrelly

Jo Swinson  
 Mr David Lammy  
 Ann Coffey

Mary Creagh  
 Norman Lamb  
 Mike Gapes

123

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,”

***Member’s explanatory statement***

*This amendment is intended to prevent the regulation-making powers being used to create barriers to the UK’s continued membership of the customs union.*

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 European Union (Withdrawal) Bill, *continued*

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

Jo Swinson  
 Mr David Lammy  
 Catherine West  
 Paul Farrelly  
 Rushanara Ali  
 Dr Philippa Whitford

Mary Creagh  
 Layla Moran  
 Helen Hayes  
 Ann Coffey  
 Angus Brendan MacNeil

Jamie Stone  
 Norman Lamb  
 Meg Hillier  
 Mike Gapes  
 Tulip Siddiq

124

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 single market,”

***Member’s explanatory statement***

*This amendment is intended to prevent the regulation-making powers being used to create barriers to the UK’s continued membership of the single market.*

Hywel Williams  
 Liz Saville Roberts  
 Jonathan Edwards  
 Ben Lake

89

Clause 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,  
 (db) 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.”

***Member’s explanatory statement***

*This amendment prevents Ministers of the Crown from making regulations under the powers in Clause 7 that apply to Wales, Scotland or Northern Ireland other than in relation to reserved (or, in the case of Northern Ireland, excepted and reserved) matters.*

Ian Blackford  
 Patrick Grady  
 Kirsty Blackman  
 Patricia Gibson  
 Martyn Day  
 Douglas Chapman

222

Clause 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.”

***Member’s explanatory statement***

*This amendment would prevent the Government from using powers in the Act to remove any consumer protections or rights enshrined in EU law after the United Kingdom’s withdrawal from the European Union.*

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**European Union (Withdrawal) Bill, *continued***

Stella Creasy  
 Mike Gapes  
 Tulip Siddiq  
 Helen Hayes  
 Mr David Lammy  
 Peter Kyle

Catherine West

332

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

- “(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.”

***Member’s explanatory statement***

*This amendment would prevent a Minister from using regulations under Clause 7 of the Bill to remove or reduce rights under the Dublin Regulation, the 2004 Directive on freedom of movement, or to remove rights or obligations under TFEU, TEU or the Charter of Fundamental Rights, regarding admission or transfer to the UK of unaccompanied child refugees or asylum seekers (including those who wish to claim asylum).*

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

Albert Owen  
 Tulip Siddiq  
 Helen Goodman

Ann Coffey  
 Ms Harriet Harman

Mike Gapes  
 Diana Johnson

333

Clause 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”.

***Member’s explanatory statement***

*This amendment would ensure that any new institutions required to enforce environmental standards and protections following the UK’s exit from the EU can be created only by primary legislation.*

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 European Union (Withdrawal) Bill, *continued*

Yvette Cooper  
 Ms Harriet Harman  
 Rachel Reeves  
 Caroline Lucas  
 Paul Farrelly  
 Mr David Lammy

Joanna Cherry  
 Catherine McKinnell  
 Mr Ben Bradshaw  
 Mr George Howarth  
 Tom Brake  
 Sir Edward Davey  
 Susan Elan Jones  
 Jamie Stone  
 Wera Hobhouse  
 Tulip Siddiq  
 Diana Johnson

Ian Murray  
 Stephen Doughty  
 Rushanara Ali  
 Mary Creagh  
 Sir Vince Cable  
 Stephen Kinnock  
 Seema Malhotra  
 Mike Gapes  
 Martin Whitfield  
 Stephen Timms

Kate Green  
 Helen Hayes  
 Stella Creasy  
 Daniel Zeichner  
 Jo Swinson  
 Ann Coffey  
 Catherine West  
 Layla Moran  
 Vernon Coaker  
 Kerry McCarthy

52

Clause 7, page 6, line 12, after “revoke” insert “the Equality Act 2010 or”

***Member’s explanatory statement***

*This amendment would prevent regulations under the Bill being used to amend the Equality Act 2010.*

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

Caroline Lucas

363

Clause 7, page 6, line 12, after “revoke”, insert “, or otherwise modify the effect of,”

***Member’s explanatory statement***

*This amendment would ensure that the restriction in this paragraph could not be undermined by the use of legislation which does not amend the text of the Human Rights Act but modifies its effect.*

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

Ian Blackford  
 Stephen Kinnock  
 Jamie Stone

Mr Alistair Carmichael  
 Ann Coffey  
 Mike Gapes

Tom Brake  
 Susan Elan Jones  
 Mr David Lammy

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**European Union (Withdrawal) Bill, *continued***

Angela Smith	Mrs Madeleine Moon	Wera Hobhouse
Martin Whitfield	Albert Owen	Martyn Day
Paul Farrelly	Douglas Chapman	Joanna Cherry

158

Clause 7, page 6, line 13, after “it”, insert—

“( ) modify the Scotland Act 1998 or the Government of Wales Act 2006,”

***Member’s explanatory statement***

*This amendment would prevent the powers of a Minister of the Crown under Clause 7 of the Bill to fix problems in retained EU law from being exercised to amend the Scotland Act 1998 or the Government of Wales Act 2006.*

Stephen Kinnock  
Ann Coffey  
Hywel Williams

318

Clause 7, page 6, line 13, after “it”, insert—

“( ) modify the Government of Wales Act 2006,”.

***Member’s explanatory statement***

*This amendment would prevent the Government of Wales Act 2006 from being amended by regulations under Clause 7.*

Tom Brake  
Peter Grant  
Hywel Williams  
Ann Coffey  
Dr Philippa Whitford  
Stephen Kinnock

Tim Farron

Caroline Lucas

364

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,”

***Member’s explanatory statement***

*This amendment would broaden the restriction in this subsection to protect all legislation relating to equality and human rights (and not only the Human Rights Act 1998).*

Tom Brake  
Sir Vince Cable  
Mr Alistair Carmichael  
Jamie Stone  
Layla Moran  
Norman Lamb

Wera Hobhouse

Tim Farron

144

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.”

***Member’s explanatory statement***

*This amendment is intended to ensure that the EU Withdrawal Bill does not affect any legislation derived from the Good Friday Agreement or the intention of the Good Friday Agreement.*

---

**European Union (Withdrawal) Bill, *continued***

Mr Dominic Grieve  
 John Penrose  
 Mr Kenneth Clarke  
 Nicky Morgan  
 Anna Soubry  
 Stephen Hammond

Antoinette Sandbach  
 Vicky Ford  
 Chuka Umunna  
 Paul Masterton  
 Stephen Doughty  
 Kerry McCarthy  
 Helen Hayes  
 Stephen Kinnock  
 Stella Creasy  
 Sir Vince Cable  
 Ann Coffey  
 Seema Malhotra  
 Chris Bryant  
 Mr Gavin Shuker  
 Dr Philippa Whitford  
 Darren Jones  
 Mr Chris Leslie

Robert Neill  
 Dr Sarah Wollaston  
 Caroline Lucas  
 Ian Murray  
 Mike Gapes  
 Catherine McKinnell  
 Mr Ben Bradshaw  
 Rushanara Ali  
 Mr George Howarth  
 Jo Swinson  
 Susan Elan Jones  
 Catherine West  
 Layla Moran  
 Norman Lamb  
 Wera Hobhouse  
 Tulip Siddiq  
 Tim Farron

Jeremy Lefroy  
 Tom Tugendhat  
 Paul Farrelly  
 Liz Kendall  
 Mr Edward Vaizey  
 Heidi Allen  
 Angela Smith  
 Mr David Lammy  
 Tom Brake  
 Sir Edward Davey  
 Steve McCabe  
 Jamie Stone  
 Lady Hermon  
 Kate Green  
 Martin Whitfield  
 Stephen Timms  
 Joanna Cherry

2

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”

***Member’s explanatory statement***

*To narrow down the circumstances in which this power can be exercised.*

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 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  
 Stephen Timms  
 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

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.”

***Member’s explanatory statement***

*This amendment would prevent the Government’s using delegated powers under Clause 7 to reduce rights or protections.*

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

Jamie Stone  
 Douglas Chapman

Wera Hobhouse

Martyn Day

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.”



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**European Union (Withdrawal) Bill, *continued***

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

Catherine McKinnell  
 Ms Angela Eagle  
 Mrs Madeleine Moon  
 Mr David Lammy  
 Jo Swinson  
 Ann Coffey  
 Layla Moran  
 Martin Whitfield  
 Patrick Grady

Stella Creasy  
 Ian Murray  
 Helen Hayes  
 Tom Brake  
 Sir Edward Davey  
 Jamie Stone  
 Wera Hobhouse  
 Vernon Coaker  
 Tim Farron

Ms Karen Buck  
 Stephen Doughty  
 Angela Smith  
 Sir Vince Cable  
 Stephen Kinnock  
 Mike Gapes  
 Tulip Siddiq  
 Paul Farrelly

96

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

“(g) limit the scope or weaken standards of environmental protection.”

***Member’s explanatory statement***

*This Amendment ensures that the power to make regulations in Clause 7 may not be exercised to reduce environmental protection.*

Caroline Lucas  
 Mr David Lammy  
 Mike Gapes  
 Wera Hobhouse  
 Paul Farrelly  
 Ann Coffey

109

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.”

***Member’s explanatory statement***

*This amendment seeks to prevent the delegated powers granted to Ministers by Clause 7 being used to weaken or abolish existing EU-derived legal rights, such as those on workers’ rights, equality, and environmental protection.*

Kate Green  
 Ann Coffey  
 Rushanara Ali  
 Mr Chris Leslie  
 Stella Creasy  
 Mrs Madeleine Moon

Angela Smith  
 Tulip Siddiq  
 Catherine McKinnell  
 Jo Swinson  
 Lisa Nandy  
 Neil Coyle

Heidi Alexander  
 Helen Hayes  
 Mike Gapes  
 Caroline Lucas  
 Tom Brake  
 Sir Edward Davey

Stephen Doughty  
 Chuka Umunna  
 Mr George Howarth  
 Mr Barry Sheerman  
 Sir Vince Cable  
 Stephen Kinnock

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**European Union (Withdrawal) Bill, *continued***

Ian Murray  
Layla Moran  
Paul Farrelly

Seema Malhotra  
Martin Whitfield  
Stephen Timms

Mr David Lammy  
Vernon Coaker  
Diana Johnson

**149**

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.”

***Member’s explanatory statement***

*This amendment would seek to bar Ministers from making regulations under Clause 7 which are not compliant with the United Nations Convention on the Rights of the Child.*

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

**233**

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.”

***Member’s explanatory statement***

*This amendment would require that changes cannot be made under Clause 7 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.*

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

**234**

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.”

***Member’s explanatory statement***

*This amendment would require that changes cannot be made under Clause 7 to EU-derived domestic legislation concerning eligibility for UK pensions unless a public consultation on these changes has taken place.*

Ian Blackford  
Patrick Grady  
Angus Brendan MacNeil  
Martyn Day  
Douglas Chapman

**239**

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

**European Union (Withdrawal) Bill, continued**

unanimous agreement from the Joint Ministerial Committee to those changes.”

**Member’s explanatory statement**

*This amendment would ensure that the power to make regulations on agricultural policy under Clause 7 could not be exercised without agreement from the Joint Ministerial Council.*

Ian Blackford  
Patrick Grady  
Peter Grant  
Martyn Day  
Douglas Chapman

240

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.”

**Member’s explanatory statement**

*This amendment would ensure that the power to make regulations concerning fisheries under Clause 7 could not be exercised without agreement from the Joint Ministerial Council.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Angela Crawley  
Martyn Day

Douglas Chapman

266

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.”

**Member’s explanatory statement**

*This amendment would prevent the powers in Clause 7 being used to amend Equality Act 2010 legislation.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Dr Philippa Whitford  
Wera Hobhouse

Martyn Day

Douglas Chapman

269

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

“(g) remove, reduce or otherwise limit the rights of EU citizens resident in the UK.”

**Member’s explanatory statement**

*This amendment would prevent the powers in Clause 7 being used to remove, reduce or otherwise limit the rights of EU citizens resident in the UK.*

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 European Union (Withdrawal) Bill, *continued*

Ian Blackford  
 Patrick Grady  
 Douglas Chapman  
 Stewart Malcolm McDonald  
 Martyn Day

272

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.”

***Member’s explanatory statement***

*This amendment would prevent the powers in Clause 7 being used to make provision which could pose a threat to national security.*

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

Vernon Coaker  
 Catherine McKinnell  
 Ms Harriet Harman  
 Diana Johnson

Ann Coffey  
 Matt Rodda  
 Caroline Lucas  
 Helen Goodman

Mike Gapes  
 Angus Brendan MacNeil  
 Mr David Lammy  
 Melanie Onn

350

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

“(g) fail to pay full regard to the welfare requirements of animals as sentient beings.”

***Member’s explanatory statement***

*This amendment holds Ministers to the animal welfare standards enshrined in Article 13 of the Treaty on the Functioning of the European Union.*

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

389

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).”

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**European Union (Withdrawal) Bill, *continued***

Mary Creagh  
Daniel Zeichner  
Ruth Cadbury  
Mr Ben Bradshaw  
Heidi Alexander  
Peter Kyle

Maria Eagle	Liz Kendall	Mike Gapes
Chuka Umunna	Darren Jones	Stella Creasy
Stephen Doughty	Chris Bryant	Kerry McCarthy
Catherine McKinnell	Caroline Lucas	Helen Hayes
Angela Smith	Rushanara Ali	Mr David Lammy
Stephen Kinnock	Ann Coffey	Ian Murray
Catherine West	Chris Bryant	Tulip Siddiq
Martin Whitfield	Vernon Coaker	Paul Farrelly
Neil Coyle	Stephen Timms	Diana Johnson

**138**

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 Minister is satisfied that the regulations do not remove or reduce any environmental protection provided by retained EU law.”

***Member’s explanatory statement***

*This amendment ensures that regulations under this section cannot interfere with environmental protection under retained EU law, by requiring a Ministerial certificate.*

Robert Neill  
Stephen Hammond  
Wes Streeting

**360**

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.”

***Member’s explanatory statement***

*The amendment would require early consultation with representatives of the financial and professional services industries on relevant modifications which are to be made under clause 7.*

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**European Union (Withdrawal) Bill, *continued***

Jess Phillips  
 Caroline Lucas  
 Stephen Timms  
 Liz Saville Roberts  
 Mr David Lammy  
 Ms Harriet Harman

Rushanara Ali  
 Tim Farron  
 Hywel Williams  
 Jo Swinson  
 Nicky Morgan

Ms Marie Rimmer  
 Catherine West  
 Tom Brake  
 Stella Creasy  
 Mr Chris Leslie

Yvette Cooper  
 Sarah Champion  
 Mr Alistair Carmichael  
 Carolyn Harris  
 Stephen Doughty

385

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.”

***Member’s explanatory statement***

*This amendment is intended to require the Government to make regulations that continue to recognise European Protection Orders issued by courts in other EU member states after exit day.*

Mr Dominic Grieve  
 John Penrose  
 Mike Gapes  
 Stephen Doughty  
 Stephen Kinnock  
 Mr George Howarth

Ian Murray  
 Mr David Lammy  
 Wera Hobhouse  
 Paul Farrelly

Jamie Stone  
 Lady Hermon  
 Tim Farron  
 Ann Coffey

Chris Bryant  
 Antoinette Sandbach  
 Martin Whitfield  
 Tulip Siddiq

16

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

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

Stephen Kinnock

Wera Hobhouse

Ann Coffey

88

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.”

***Member’s explanatory statement***

*This amendment prevents Ministers of the Crown from being able to replace, abolish or modify the functions of EU Agencies without laying impact assessments on its effect before both Houses of Parliament.*

**European Union (Withdrawal) Bill, continued**

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

Ian Blackford  
 Stephen Kinnock  
 Jamie Stone  
 Mrs Madeleine Moon  
 Martyn Day

Mr Alistair Carmichael  
 Ann Coffey  
 Mike Gapes  
 Wera Hobhouse

Tom Brake  
 Susan Elan Jones  
 Mr David Lammy  
 Martin Whitfield

**161**

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.”

***Member’s explanatory statement***

*This amendment would require a Minister of the Crown to first seek the consent of the Scottish Ministers or the Welsh Ministers before making any regulations under Clause 7 on Scottish or Welsh devolved matters.*

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

Vernon Coaker  
 Mike Gapes  
 Diana Johnson

Paul Farrelly  
 Ms Harriet Harman  
 Helen Goodman

Ann Coffey  
 Mr David Lammy

**334**

Clause 7, page 6, line 25, at end insert—

- “(9) In the exercise of powers under this section the Secretary of State must guarantee the standards and protections currently required as a result of the National Emissions Ceilings Directive, the Ambient Air Quality Directive, the Industrial Emissions Directive, the Medium Combustion Plant Directive and Directive 2004/107/EC relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air.”

***Member’s explanatory statement***

*This amendment would ensure that the UK maintains existing air quality standards and protections following the UK’s exit from the EU.*

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**European Union (Withdrawal) Bill, *continued***

*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  
Joanna Cherry  
Mike Gapes  
Caroline Lucas  
Angela Smith  
Ann Coffey  
Vernon Coaker  
Mr Chris Leslie

Paul Farrelly  
Ian Murray  
Catherine McKinnell  
Helen Hayes  
Stella Creasy  
Chris Bryant  
Tulip Siddiq  
Diana Johnson

Mr David Lammy  
Liz Kendall  
Stephen Doughty  
Mr Ben Bradshaw  
Mr George Howarth  
Martin Whitfield  
Stephen Timms

**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.”

***Member’s explanatory statement***

*This new clause is linked to the removal of Clause 9 and paragraph 6 of Schedule 7 to require the Government to implement the withdrawal agreement through separate primary and secondary legislation rather than through this bill.*

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

Liz Kendall  
Paul Farrelly  
Catherine McKinnell  
Sir Vince Cable

Stephen Doughty  
Mr David Lammy  
Helen Hayes  
Jo Swinson

Caroline Lucas  
Ian Murray  
Tom Brake  
Sir Edward Davey



**European Union (Withdrawal) Bill, *continued***

Ann Coffey	Ruth Cadbury	Chris Bryant
Layla Moran	Angela Smith	Martin Whitfield
Tulip Siddiq	Stephen Timms	

NC4

To move the following Clause—

**“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.”

***Member’s explanatory statement***

*This new clause would ensure that a separate Act of Parliament would be required for Ministers to determine exit day and to set out the arrangements that will apply after exit day.*

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Mr Chris Leslie  
Caroline Lucas  
Paul Farrelly  
Mr David Lammy  
Ian Murray  
Mike Gapes

Catherine McKinnell	Stephen Doughty	Helen Hayes
Mr Ben Bradshaw	Stella Creasy	Stephen Kinnock
Ann Coffey	Chris Bryant	Angela Smith
Martin Whitfield	Neil Coyle	Tulip Siddiq
Stephen Timms		

NC19

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.”

***Member’s explanatory statement***

*This new clause would ensure that the wide-ranging powers for Ministers to implement the withdrawal agreement set out in Clause 9 of the Bill cannot come into force until the withdrawal agreement has been published.*

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**European Union (Withdrawal) Bill, *continued***

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

Jo Swinson

Jamie Stone

NC29

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—

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

***Member’s explanatory statement***

*This new clause describes the requirement for each House of Parliament to agree to withdrawal from the European Economic Area and is linked to Amendment 128 which makes the exercise of the power to make regulations implementing the withdrawal agreement contingent on such agreement.*

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Conor McGinn  
Mr David Lammy  
Seema Malhotra  
Mike Gapes  
Vernon Coaker  
Paul Farrelly

Stephen Timms

Helen Hayes

NC38

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.”

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**European Union (Withdrawal) Bill, *continued***

Conor McGinn  
 Mr David Lammy  
 Mr George Howarth  
 Ian Murray  
 Seema Malhotra  
 Mike Gapes

Dr Philippa Whitford  
 Stephen Timms

Vernon Coaker  
 Helen Hayes

Paul Farrelly

**NC39**

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
- (g) a Bill of Rights.”

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

Vernon Coaker  
 Tulip Siddiq  
 Mr David Lammy

Paul Farrelly  
 Ms Harriet Harman  
 Diana Johnson

Mike Gapes  
 Helen Hayes

**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.”

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**European Union (Withdrawal) Bill, *continued***
***Member's explanatory statement***

*This new clause is intended to establish that Parliament has a meaningful vote on the terms of Britain's withdrawal from the European Union.*

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

Stephen Gethins

Paul Farrelly

Helen Hayes

**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.”

***Member's explanatory statement***

*This new clause would require the Government to seek Parliamentary approval for its exit agreement with the EU at least three months before exit day.*

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

Mr Pat McFadden  
 Ian Murray  
 Caroline Lucas  
 Mr David Lammy  
 Mrs Madeleine Moon  
 Hugh Gaffney  
 Preet Kaur Gill  
 Norman Lamb  
 Tim Farron  
 Mr Alistair Carmichael  
 Liz Kendall

Mr Chris Leslie  
 Shabana Mahmood  
 Hywel Williams  
 Chris Bryant  
 Mary Creagh  
 Paul Farrelly  
 Daniel Zeichner  
 Vernon Coaker  
 Gareth Thomas  
 Meg Hillier

Chuka Umunna  
 Lady Hermon  
 Catherine McKinnell  
 Layla Moran  
 Mr Ben Bradshaw  
 Mrs Louise Ellman  
 Helen Hayes  
 Ruth Cadbury  
 Tom Brake  
 Joanna Cherry

**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.

**European Union (Withdrawal) Bill, *continued***

- (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.”

***Member’s explanatory statement***

*The intention of this new clause, which could be amended only by primary legislation, is to specify the actions that should be taken if the Government does not secure a withdrawal agreement by 31 Oct 2018 or that Parliament does not approve a withdrawal agreement by 28 February 2019.*

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

Mike Gapes  
Mr David Lammy

Tulip Siddiq

Ms Harriet Harman

**NC75**

To move the following Clause—

**“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

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**European Union (Withdrawal) Bill, *continued***

day can continue to be lawfully resident after exit day on terms no less favorable than they currently enjoy.”

***Member’s explanatory statement***

*This new clause is intended to ensure that primary legislation is used to implement the withdrawal agreement, including maintaining EU citizens’ rights.*

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Ian Blackford  
Peter Grant  
Joanna Cherry  
Patrick Grady  
Dr Philippa Whitford

206

Clause 9, page 6, line 43, leave out “appropriate” and insert “necessary”

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

Dr Sarah Wollaston  
Chuka Umunna  
Ian Murray  
Kerry McCarthy  
Heidi Allen  
Stephen Kinnock  
Tom Brake  
Sir Edward Davey  
Ruth Cadbury  
Jamie Stone  
Mr David Lammy  
Mr Gavin Shuker  
Wera Hobhouse  
Albert Owen  
Mrs Louise Ellman  
Gareth Thomas  
Angus Brendan MacNeil  
Helen Hayes  
Mr Roger Godsiff  
Daniel Zeichner

Jeremy Lefroy  
Caroline Lucas  
Liz Kendall  
Catherine McKinnell  
Mr Ben Bradshaw  
Mr George Howarth  
Sir Vince Cable  
Ann Coffey  
Steve McCabe  
Chris Bryant  
Layla Moran  
Kate Green  
Martin Whitfield  
Catherine West  
Meg Hillier  
Darren Jones  
Rushanara Ali  
Carol Monaghan  
Mr Chris Leslie  
Joanna Cherry

Robert Neill  
Paul Farrelly  
Mike Gapes  
Stephen Doughty  
Angela Smith  
Mary Creagh  
Jo Swinson  
Susan Elan Jones  
Seema Malhotra  
Stephen Gethins  
Lady Hermon  
Dr Philippa Whitford  
Peter Kyle  
Tim Farron  
Mr Alistair Carmichael  
Norman Lamb  
Tulip Siddiq  
Stephen Timms  
Joan Ryan  
Siobhain McDonagh

7

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.”

***Member’s explanatory statement***

*To require the final deal with the EU to be approved by statute passed by Parliament.*

European Union (Withdrawal) Bill, *continued*

Hywel Williams  
Liz Saville Roberts  
Jonathan Edwards  
Ben Lake

355

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.”

**Member’s explanatory statement**

*This amendment would require the final deal with the EU to be approved by statute passed by both Parliament and by the devolved administrations.*

Stephen Kinnoek  
Hywel Williams

315

Clause 9, page 6, line 45, 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 2 of Schedule 2.”

**Member’s explanatory statement**

*This amendment would prevent a Minister of the Crown from making provision to implement the withdrawal agreement to the extent that the provision would be within the devolved competence of the Welsh Ministers.*

Caroline Lucas  
Tulip Siddiq

114

Clause 9, page 7, line 1, leave out subsection (2).

**Member’s explanatory statement**

*This amendment seeks to restrict the delegated powers granted to Ministers by Clause 9.*

Chris Bryant  
Stephen Doughty  
Helen Hayes  
Mr Ben Bradshaw  
Mary Creagh  
Stephen Kinnoek

Ann Coffey  
Jamie Stone  
Dr Philippa Whitford  
Paul Farrelly

Susan Elan Jones  
Mike Gapes  
Wera Hobhouse  
Norman Lamb

Ian Murray  
Mr David Lammy  
Martin Whitfield

18

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”

**Member’s explanatory statement**

*This removes the power of Ministers to amend this Act, the Parliament Acts and any Act granted assent in this session of Parliament. It is necessary so as to safeguard the constitutional provisions in the Parliament Acts, such as the provision that a Parliament cannot last more than five years and the relative powers of the House of Lords.*

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**European Union (Withdrawal) Bill, *continued***

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

Valerie Vaz  
Mr David Lammy  
Catherine McKinnell  
Stephen Kinnock  
Steve McCabe  
Mike Gapes  
Martin Whitfield  
Ms Harriet Harman

Caroline Lucas  
Ms Harriet Harman  
Stephen Doughty  
Mary Creagh  
Seema Malhotra  
Wera Hobhouse  
Vernon Coaker

Paul Farrelly  
Ian Murray  
Helen Hayes  
Ann Coffey  
Jamie Stone  
Tulip Siddiq  
Paul Farrelly

30

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

***Member’s explanatory statement***

*This amendment would remove the proposed capacity of Ministers in Clause 9 to modify and amend the Act itself via delegated powers.*

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

Mr Pat McFadden  
Mr David Lammy  
Helen Hayes  
Mary Creagh  
Jo Swinson  
Jamie Stone  
Tulip Siddiq

Caroline Lucas  
Ian Murray  
Angela Smith  
Tom Brake  
Sir Edward Davey  
Mike Gapes

Paul Farrelly  
Catherine McKinnell  
Stella Creasy  
Sir Vince Cable  
Ann Coffey  
Martin Whitfield

59

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

***Member’s explanatory statement***

*This amendment would prevent the Ministerial order making powers in Clause 9 being used to modify the European Union (Withdrawal) Act itself.*

Robert Neill  
Stephen Hammond  
Wes Streeting

361

Clause 9, page 7, line 2, at end insert—

“( ) 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.”

***Member’s explanatory statement***

*The amendment would make clear that aspects of EU membership, such as the automatic effect of EU law and enforcement and adjudication mechanisms, can be maintained for an implementation period if the Government agrees to do so as part of the withdrawal agreement.*



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 European Union (Withdrawal) Bill, *continued*

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

Mike Gapes  
 Tim Farron

Layla Moran

Wera Hobhouse

**147**

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).”

***Member’s explanatory statement***

*This amendment is intended to maintain the provisions of the Good Friday Agreement after the UK leaves the EU.*

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

Caroline Lucas

**368**

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

***Member’s explanatory statement***

*This amendment is preparatory to Amendment 370.*

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

Caroline Lucas

**369**

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

***Member’s explanatory statement***

*This amendment would ensure that the restriction in this paragraph could not be undermined by the use of legislation which does not amend the text of the Human Rights Act but modifies its effect.*

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 European Union (Withdrawal) Bill, *continued*

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

Dr Sarah Wollaston  
 Chuka Umunna  
 Ian Murray  
 Kerry McCarthy  
 Helen Hayes  
 Rushanara Ali  
 Mr George Howarth  
 Jo Swinson  
 Ann Coffey  
 Seema Malhotra  
 Mike Gapes  
 Mr Gavin Shuker  
 Martin Whitfield

Jeremy Lefroy  
 Caroline Lucas  
 Liz Kendall  
 Catherine McKinnell  
 Mr Ben Bradshaw  
 Mr David Lammy  
 Tom Brake  
 Sir Edward Davey  
 Susan Elan Jones  
 Jamie Stone  
 Layla Moran  
 Kate Green  
 Darren Jones

Robert Neill  
 Paul Farrelly  
 Stephen Doughty  
 Heidi Allen  
 Angela Smith  
 Stella Creasy  
 Sir Vince Cable  
 Stephen Kinnock  
 Steve McCabe  
 Chris Bryant  
 Lady Hermon  
 Wera Hobhouse  
 Tulip Siddiq

13

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”

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

Valerie Vaz  
 Mr David Lammy  
 Kerry McCarthy  
 Helen Hayes  
 Stella Creasy  
 Susan Elan Jones

Caroline Lucas  
 Ms Harriet Harman  
 Catherine McKinnell  
 Stephen Kinnock  
 Mary Creagh  
 Seema Malhotra

Paul Farrelly  
 Ian Murray  
 Stephen Doughty  
 Rushanara Ali  
 Ann Coffey  
 Jamie Stone

**European Union (Withdrawal) Bill, continued**

Mike Gapes  
Tulip Siddiq  
Diana Johnson

Wera Hobhouse  
Stephen Timms

Martin Whitfield  
Ms Harriet Harman

27

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

- “(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.”

**Member’s explanatory statement**

*This amendment would prevent the Government’s using delegated powers under Clause 9 to reduce rights or protections.*

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

Catherine McKinnell  
Ms Angela Eagle  
Mrs Madeleine Moon  
Tom Brake  
Sir Edward Davey  
Jamie Stone  
Martin Whitfield  
Tulip Siddiq

Stella Creasy  
Ian Murray  
Helen Hayes  
Sir Vince Cable  
Stephen Kinnock  
Mike Gapes  
Paul Farrelly  
Stephen Timms

Ms Karen Buck  
Stephen Doughty  
Mr David Lammy  
Jo Swinson  
Ann Coffey  
Layla Moran  
Patrick Grady

98

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

- “(e) limit the scope or weaken standards of environmental protection.”

**Member’s explanatory statement**

*This Amendment ensures that the power to make regulations in Clause 8 may not be exercised to reduce environmental protection.*

Caroline Lucas  
Mr David Lammy  
Wera Hobhouse

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.”

**Member’s explanatory statement**

*This amendment seeks to prevent the delegated powers granted to Ministers by Clause 9 being used to weaken or abolish existing EU-derived legal rights, such as those on workers’ rights, equality, and environmental protection.*

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 European Union (Withdrawal) Bill, *continued*

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

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.”

***Member’s explanatory statement***

*This amendment seeks to protect the existing rights of EU citizens living in the UK.*

Kate Green  
Ann Coffey  
Rushanara Ali  
Mr Chris Leslie  
Stella Creasy  
Mrs Madeleine Moon

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Caroline Lucas  
Daniel Zeichner  
Jo Swinson  
Ian Murray  
Martin Whitfield  
Neil Coyle

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Mr Barry Sheerman  
Tom Brake  
Sir Edward Davey  
Mr David Lammy  
Vernon Coaker  
Stephen Timms

Stephen Doughty  
Chuka Umunna  
Jo Swinson  
Lisa Nandy  
Sir Vince Cable  
Stephen Kinnock  
Layla Moran  
Paul Farrelly  
Diana Johnson

150

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.”

***Member’s explanatory statement***

*This amendment would seek to bar Ministers from making regulations under Clause 9 which are not compliant with the United Nations Convention on the Rights of the Child.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Angela Crawley  
Martyn Day

Douglas Chapman

268

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.”

***Member’s explanatory statement***

*This amendment would prevent the powers in Clause 9 being used to amend Equality Act 2010 legislation.*

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 European Union (Withdrawal) Bill, *continued*

Ian Blackford  
 Patrick Grady  
 Stuart C. McDonald  
 Joanna Cherry  
 Wera Hobhouse  
 Martyn Day

Douglas Chapman

271

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

“(e) remove, reduce or otherwise limit the rights of EU citizens resident in the UK.”

***Member’s explanatory statement***

*This amendment would prevent the powers in Clause 9 being used to remove, reduce or otherwise limit the rights of EU citizens resident in the UK.*

Ian Blackford  
 Patrick Grady  
 Douglas Chapman  
 Stewart Malcolm McDonald  
 Martyn Day  
 Douglas Chapman

274

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.”

***Member’s explanatory statement***

*This amendment would prevent the powers in Clause 9 being used to make provision which could pose a threat to national security.*

Stephen Kinnock  
 Hywel Williams

320

Clause 9, page 7, line 8, at end insert “, or

(e) modify the Government of Wales Act 2006.”

***Member’s explanatory statement***

*This amendment would prevent the Government of Wales Act 2006 from being amended by regulations under Clause 9.*

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

Caroline Lucas

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.”

***Member’s explanatory statement***

*This amendment would broaden the restriction in this subsection to protect all legislation relating to equality and human rights (and not only the Human Rights Act 1998).*

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**European Union (Withdrawal) Bill, *continued***

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

Ian Murray  
Helen Hayes  
Mr David Lammy  
Ann Coffey  
Martin Whitfield  
Tulip Siddiq

Catherine McKinnell  
Mr Ben Bradshaw  
Mary Creagh  
Seema Malhotra  
Vernon Coaker  
Stephen Timms

Stephen Doughty  
Angela Smith  
Stephen Kinnock  
Mike Gapes  
Paul Farrelly  
Kerry McCarthy

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

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.”

***Member’s explanatory statement***

*This amendment makes the exercise of the power to make regulations implementing the withdrawal agreement contingent on the requirement for separate agreement on withdrawal from the European Economic Area of NC29.*

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

Ian Blackford  
Stephen Kinnock  
Jamie Stone  
Wera Hobhouse  
Martyn Day

Mr Alistair Carmichael  
Ann Coffey  
Mike Gapes  
Martin Whitfield

Tom Brake  
Susan Elan Jones  
Mrs Madeleine Moon  
Albert Owen

160

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.”

***Member’s explanatory statement***

*This amendment would prevent a Minister of the Crown from using the power to make regulations*

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**European Union (Withdrawal) Bill, *continued***

*under Clause 9 implementing any withdrawal agreement to change the devolution settlements for Scotland and Wales without the consent of the Scottish Ministers or Welsh Ministers.*

Stewart Malcolm McDonald  
Patrick Grady  
Martin Docherty-Hughes  
Douglas Chapman  
Martyn Day

**196**

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.”

Stewart Malcolm McDonald  
Patrick Grady  
Carol Monaghan  
Douglas Chapman  
Martyn Day

**197**

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.”

Peter Grant  
Patrick Grady  
Carol Monaghan  
Martyn Day  
Douglas Chapman

**198**

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.”

Peter Grant  
Hannah Bardell  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

**199**

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.”

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

227

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.”

***Member’s explanatory statement***

*This amendment would require publication of a Government assessment of the impact of the United Kingdom exiting the EU single market on the UK public finances, before any regulations are made under section 9.*

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

228

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.”

***Member’s explanatory statement***

*This amendment would require publication of a Government assessment of the impact of the United Kingdom exiting the EU single market on the levels of GDP growth in the UK and in each part of the UK, before any regulations are made under section 9.*

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Dr Philippa Whitford  
Martyn Day  
Douglas Chapman

229

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.”

***Member’s explanatory statement***

*This amendment would require publication of a Government assessment of the impact of the United Kingdom ending freedom of movement on the UK’s public finances, before any regulations are made under section 9.*



European Union (Withdrawal) Bill, *continued*

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

230

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.”

**Member’s explanatory statement**

*This amendment would require publication of a Government assessment of the broadened responsibilities of the UK Treasury following the UK’s withdrawal from the EU, before any regulations are made under section 9.*

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  
Angela Crawley  
Stephen Gethins  
Peter Grant

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 Glendon  
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  
Martin Docherty-Hughes  
Patricia Gibson  
Neil Gray

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  
Marion Fellows  
Patrick Grady  
Stewart Hosie

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**European Union (Withdrawal) Bill, *continued***

Chris Law	David Linden	Stewart Malcolm McDonald
Stuart C. McDonald	John McNally	Angus Brendan MacNeil
Gavin Newlands	Brendan O’Hara	Tommy Sheppard
Chris Stephens	Alison Thewliss	Pete Wishart
Jo Swinson	John Spellar	

300

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.”

***Member’s explanatory statement***

*This amendment would prevent the Government using any delegated powers under Clause 9 until it had secured Parliamentary approval for its proposals to replace any provisions that cease to apply as a result of the UK’s withdrawal from membership of Euratom.*

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

Paul Farrelly	Mr David Lammy	Ian Murray
Catherine McKinnell	Helen Hayes	Mr George Howarth
Ann Coffey	Susan Elan Jones	Jamie Stone
Chris Bryant	Mike Gapes	Angela Smith
Wera Hobhouse	Martin Whitfield	Tulip Siddiq
Stephen Timms		

55

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.”

***Member’s explanatory statement***

*This amendment would ensure that powers to Ministers to make regulations implementing the withdrawal agreement cannot be exercised until such time as the withdrawal agreement has been published along with the publication of associated legislative proposals on customs, trade, immigration, fisheries, agriculture, nuclear safeguards and international sanctions.*

European Union (Withdrawal) Bill, *continued*

Chris Bryant  
 Stephen Doughty  
 Helen Hayes  
 Mr Ben Bradshaw  
 Mr David Lammy  
 Stella Creasy

Tom Brake  
 Sir Edward Davey  
 Ian Murray  
 Martin Whitfield

Sir Vince Cable  
 Stephen Kinnock  
 Mike Gapes  
 Paul Farrelly

Jo Swinson  
 Ann Coffey  
 Layla Moran  
 Tulip Siddiq

19

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

“(5) Regulations under this section will lapse two years after exit day.”

***Member’s explanatory statement***

*Although the power conferred by this clause lapses on exit day, there is no sunset clause for the statutory instruments provided under it. This would make all such statutory instruments lapse two years after exit day and require the Government to introduce primary legislation if it wanted to keep them in force.*

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

Caroline Lucas  
 Jo Swinson  
 Layla Moran  
 Douglas Chapman

Tom Brake  
 Sir Edward Davey  
 Wera Hobhouse

Sir Vince Cable  
 Jamie Stone  
 Martyn Day

74

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.”

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

Caroline Lucas  
 Martyn Day

Jamie Stone  
 Douglas Chapman

Wera Hobhouse  
 Tom Brake

75

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.”

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 European Union (Withdrawal) Bill, *continued*

Caroline Lucas  
Mr David Lammy  
Wera Hobhouse  
Geraint Davies  
Helen Hayes

116

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.”

***Member’s explanatory statement***

*This amendment seeks to ensure that Ministers cannot make and use secondary legislation for the purposes of implementing the withdrawal agreement until such time as that agreement has been approved by a Ratification Referendum.*

Caroline Lucas  
Liz Saville Roberts  
Mr David Lammy  
Seema Malhotra  
Peter Grant  
Stephen Gethins

Mike Gapes  
Helen Hayes

Dr Philippa Whitford

Wera Hobhouse

143

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

“(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.”

***Member’s explanatory statement***

*This amendment seeks to protect the existing rights of both EU citizens living in the UK, and UK citizens living elsewhere in the EU.*

Conor McGinn  
Mike Gapes  
Wera Hobhouse  
Vernon Coaker  
Stephen Timms

156

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

157

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.”

European Union (Withdrawal) Bill, *continued*

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

Ian Blackford  
 Stephen Kinnock  
 Jamie Stone  
 Wera Hobhouse

Mr Alistair Carmichael  
 Ann Coffey  
 Mike Gapes  
 Martin Whitfield

Tom Brake  
 Susan Elan Jones  
 Mrs Madeleine Moon  
 Martyn Day

163

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.”

***Member’s explanatory statement***

*This amendment would require a Minister of the Crown to first seek the consent of the Scottish Ministers or the Welsh Ministers before making any regulations under Clause 9 on Scottish or Welsh devolved matters.*

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

Douglas Chapman

224

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to publish a strategy to retain access to the EU’s Emissions Trading System markets after withdrawal.*

Ian Blackford  
 Patrick Grady  
 Kirsty Blackman  
 Martyn Day  
 Douglas Chapman

225

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for the UK to continue participation in the North Seas Countries’ Offshore Grid Initiative after withdrawal from the EU.”*

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

231

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.”

***Member’s explanatory statement***

*This amendment would require the Government to publish a strategy for retaining access to the European Investment Bank.*

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

232

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.”

***Member’s explanatory statement***

*This amendment would require the Government to publish a strategy for retaining access to the European Investment Fund.*

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

Douglas Chapman

238

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.”

***Member’s explanatory statement***

*This amendment would require the Government to publish a strategy for continuing to be a member of the European Food Safety Authority.*

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

241

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

**European Union (Withdrawal) Bill, *continued***

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)."

***Member's explanatory statement***

*This amendment would require the Secretary of State to publish a strategy for seeking to ensure that reciprocal healthcare arrangements continue after the UK leaves the EU.*

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

Douglas Chapman

242

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.”

***Member's explanatory statement***

*This amendment would require the Government to publish a strategy for continuing to be a member of the European Medicines Agency.*

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

Martyn Day

Douglas Chapman

243

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.”

***Member's explanatory statement***

*This amendment would require the Government to publish a strategy for continuing to be a member of the European Agency for Safety and Health at Work.*

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**European Union (Withdrawal) Bill, *continued***

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

244

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.”

***Member’s explanatory statement***

*This amendment would require the Government to publish a strategy for continuing to be a member of the European Chemicals Agency.*

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

Martyn Day

Douglas Chapman

245

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 Single Sky Agreement on existing terms after withdrawal from the EU.”

***Member’s explanatory statement***

*This amendment would require the Government to publish a strategy for continuing to be a member of the European Single Sky Agreement.*

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

Martyn Day

Douglas Chapman

246

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.”

***Member’s explanatory statement***

*This amendment would require the Government to set out a strategy for seeking to ensure that the UK continues to be a member of the European Aviation Safety Agency after withdrawal from the EU.*



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 European Union (Withdrawal) Bill, *continued*

Alan Brown  
Peter Grant  
Deidre Brock  
Brendan O'Hara  
Patrick Grady  
Wera Hobhouse

Martyn Day

Douglas Chapman

Dr Philippa Whitford

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 the European Maritime Safety Agency on existing terms after withdrawal from the EU.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for seeking to ensure that the UK continues to be a member of the European Maritime Safety Agency after withdrawal from the EU.*

Carol Monaghan  
Patrick Grady  
Deidre Brock  
Tommy Sheppard  
Tom Brake  
Sir Vince Cable

Jo Swinson  
Dr Philippa Whitford  
Douglas Chapman

Sir Edward Davey  
Wera Hobhouse

Layla Moran  
Martyn Day

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 retain UK membership of ERASMUS on existing terms after withdrawal from the EU.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for seeking to ensure that the UK continued to be a member of the ERASMUS scheme after withdrawal from the EU.*

Brendan O'Hara  
Patrick Grady  
Deidre Brock  
Kirsty Blackman  
Tom Brake  
Sir Vince Cable

Jo Swinson  
Dr Philippa Whitford  
Douglas Chapman

Sir Edward Davey  
Wera Hobhouse

Layla Moran  
Martyn Day

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 maintain

**European Union (Withdrawal) Bill, continued**

access for the UK to reciprocal roaming charge agreements on existing terms as under Regulation 2017/920, after withdrawal from the EU.”

**Member’s explanatory statement**

*This amendment would seek to ensure that roaming charges do not come into effect after exit day for UK citizens in the EU and vice versa.*

Brendan O’Hara  
Patrick Grady  
Deidre Brock  
Carol Monaghan  
Dr Philippa Whitford  
Wera Hobhouse

Martyn Day Douglas Chapman

250

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.”

**Member’s explanatory statement**

*This amendment would require the Secretary of State to set out a strategy for seeking to ensure that the UK continued to be a member of Creative Europe after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Peter Grant  
Dr Philippa Whitford

Wera Hobhouse Martyn Day Douglas Chapman

251

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.”

**Member’s explanatory statement**

*This amendment would require the UK to make a request to the President of the European Council for continued UK membership of the European Agency for Fundamental Rights after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

252

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

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**European Union (Withdrawal) Bill, continued**

have continued access to Passenger Name Records after withdrawal from the EU.”

**Member’s explanatory statement**

*This amendment would require the Secretary of State to set out a strategy for seeking to ensure that the UK continued to have access to Passenger Name Records after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

253

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.”

**Member’s explanatory statement**

*This amendment would require the Secretary of State to set out 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.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

254

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.”

**Member’s explanatory statement**

*This amendment would require the Secretary of State to set out a strategy for reaching agreement with the EU to enable the UK to continue to have access to the European Arrest Warrant after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

255

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.”

**Member’s explanatory statement**

*This amendment would require the Secretary of State to set out a strategy for reaching agreement with the EU to enable the UK to continue to have membership of EUROPOL after withdrawal from the EU.*

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

256

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for reaching agreement with the EU to enable the UK to continue to have membership of EUROJUST after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

257

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out 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 after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

258

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out 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, after withdrawal from the EU.*

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

259

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out 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 after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

260

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”).”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out 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”), after withdrawal from the EU.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

261

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for reaching agreement with the EU to enable the UK to continue to have access to the EU Intelligence Analysis Centre after withdrawal from the EU.*

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
 Patrick Grady  
 Stuart C. McDonald  
 Joanna Cherry  
 Martyn Day  
 Douglas Chapman

262

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for reaching agreement with the EU to enable British-registered lawyers to continue to appear before the Court of Justice of the European Union, after withdrawal from the EU.*

Ian Blackford  
 Patrick Grady  
 Stuart C. McDonald  
 Joanna Cherry  
 Martyn Day  
 Douglas Chapman

263

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 from England, Wales, Northern Ireland and Scotland shall not lose their status of legal profession privilege concerning communications with regard to proceedings before the European Court, after the UK’s withdrawal from the EU.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for reaching agreement with the EU to ensure that communications from British-registered lawyers with regard to proceedings before the European Court continue to be covered by legal profession privilege, after withdrawal from the EU.*

Ian Blackford  
 Patrick Grady  
 Stuart C. McDonald  
 Joanna Cherry  
 Dr Philippa Whitford  
 Martyn Day

Douglas Chapman

275

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.”

***Member’s explanatory statement***

*This amendment would facilitate the continuance of free movement in and out of Scotland after exit day.*

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 European Union (Withdrawal) Bill, *continued*

Ian Blackford  
 Patrick Grady  
 Stuart C. McDonald  
 Joanna Cherry  
 Wera Hobhouse  
 Martyn Day

Douglas Chapman

276

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 continued participation by the United Kingdom in the common European Asylum System.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for continued participation by the United Kingdom in the common European Asylum System, after withdrawal from the EU.*

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

Vernon Coaker  
 Ms Harriet Harman

Tulip Siddiq  
 Diana Johnson

Stephen Timms

343

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.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to set out a strategy for a food standards framework after withdrawal from the EU, before making any regulations implementing the withdrawal agreement.*

Dr Philippa Whitford  
 Martyn Day

351

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.”

***Member’s explanatory statement***

*This amendment would ensure harmonisation of clinical trials across the EU Member States will continue in the UK after the UK leaves the EU.*

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**European Union (Withdrawal) Bill, *continued***

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

28

Page 6, line 41, leave out Clause 9

***Member's explanatory statement***

*This amendment would ensure that the withdrawal agreement is implemented through primary legislation.*

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***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  
Ian Murray  
Stephen Kinnock  
Chris Bryant  
Martin Whitfield  
Stephen Timms  
Helen Goodman

Paul Farrelly  
Catherine McKinnell  
Ann Coffey  
Mike Gapes  
Vernon Coaker  
Ms Harriet Harman  
Melanie Onn

Mr David Lammy  
Helen Hayes  
Seema Malhotra  
Hugh Gaffney  
Tulip Siddiq  
Diana Johnson

NC1

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.



**European Union (Withdrawal) Bill, *continued***

- (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.”

***Member’s explanatory statement***

*This new clause establishes the principle that there shall be a Commons triage committee which works alongside the Lords Secondary Legislation Scrutiny Committee to determine the level of scrutiny each statutory instrument shall receive.*

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

Mr Pat McFadden  
Ian Murray  
Angela Smith  
Jo Swinson  
Ann Coffey  
Tulip Siddiq

Paul Farrelly  
Catherine McKinnell  
Tom Brake  
Sir Edward Davey  
Mike Gapes  
Martin Whitfield

Mr David Lammy  
Helen Hayes  
Sir Vince Cable  
Stephen Kinnock  
Layla Moran  
Stephen Timms

**NC6**

To move the following Clause—

**“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.”

***Member’s explanatory statement***

*This new clause would require the Government to bring forward early proposals for the House of Commons to consider as changes to Standing Orders to reflect the scrutiny required as a result of changes to regulation and delegated legislation made by this Act.*

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**European Union (Withdrawal) Bill, *continued***

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

NC7

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.”

***Member’s explanatory statement***

*This new clause would commit Ministers to abiding by the existing Cabinet Office code of practice on consultations in respect of regulations to be made under the Bill.*

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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  
Stephen Timms

NC12

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

**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”

***Member’s explanatory statement***

*This new Clause would ensure that social, employment and environmental laws cannot be changed by the order-making powers delegated to Ministers without a vote in Parliament.*

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

Catherine McKinnell  
Ms Angela Eagle  
Mrs Madeleine Moon  
Mr David Lammy  
Jo Swinson  
Ann Coffey  
Tulip Siddiq  
Tim Farron

Stella Creasy  
Ian Murray  
Helen Hayes  
Tom Brake  
Sir Edward Davey  
Mike Gapes  
Martin Whitfield

Ms Karen Buck  
Stephen Doughty  
Angela Smith  
Sir Vince Cable  
Stephen Kinnock  
Layla Moran  
Paul Farrelly

**NC26**

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.”

***Member’s explanatory statement***

*This new clause seeks to ensure that a Parliamentary Committee rather than ministers should decide what is the appropriate level of scrutiny for regulations made under the Act and that the*

**European Union (Withdrawal) Bill, continued**

*Parliamentary Committee has the power to require enhanced scrutiny in relation to regulations that it considers to be particularly significant or contentious.*

Stephen Doughty  
Stella Creasy  
Kate Green  
Daniel Zeichner  
Ann Coffey  
Mike Gapes

Mr David Lammy  
Helen Hayes

Gareth Thomas

Tulip Siddiq

**NC57**

To move the following Clause—

**“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.”

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**European Union (Withdrawal) Bill, *continued***

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

Mr George Howarth  
 Chris Bryant  
 Martin Whitfield  
 Stephen Timms

Ann Coffey  
 Mike Gapes  
 Paul Farrelly

Jamie Stone  
 Wera Hobhouse  
 Neil Coyle

68

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.”

***Member’s explanatory statement***

*This amendment would require the Minister to provide an explanatory statement on whether the regulations simply transpose EU law or make further changes, subject to a check by a committee of the House, and require that if the regulations involve more than simple transposition the super affirmative procedure must be used.*

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

Jo Swinson

Jamie Stone

Layla Moran

129

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.

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**European Union (Withdrawal) Bill, *continued****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 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)

**European Union (Withdrawal) Bill, *continued***

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 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 subparagraph (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.”

***Member’s explanatory statement***

*This amendment would ensure Parliament has the power to determine, following recommendations by the Minister, which parliamentary procedure should be used to scrutinise statutory instruments containing regulations that deal with deficiencies arising from EU withdrawal. It also provides for use of the “super-affirmative resolution procedure” whereby a committee of either House can recommend that no further proceedings be taken in relation to a draft order, which can only be over-turned by a resolution of that House.*



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 European Union (Withdrawal) Bill, *continued*

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

Jamie Stone  
 Martin Whitfield

Mike Gapes

Wera Hobhouse

**20**

Schedule 7, page 39, line 13, leave out “which contain provisions falling with sub-paragraph (2).”

***Member’s explanatory statement***

*This amendment is linked to Amendment 21 and removes the provision that certain statutory instruments can be introduced under the negative resolution and requires all SIs made under Clause 7 to go through the affirmative route with a vote in both Houses. It means that the Government could not bypass Parliament by refusing to grant time for a debate on annulling an SI.*

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

**216**

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

**21**

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

***Member’s explanatory statement***

*This amendment is linked to Amendment 20 and removes the provision that certain statutory instruments can be introduced under the negative resolution and requires all SIs made under Clause 7 to go through the affirmative route with a vote in both Houses. It means that the Government could not bypass Parliament by refusing to grant time for a debate on annulling an SI.*

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 European Union (Withdrawal) Bill, *continued*

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  
 Ian Murray  
 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

33

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

**Member’s explanatory statement**

*This amendment together with Amendments 34 and 35 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 7 of this Act, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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

34

Schedule 7, page 39, line 29, at end insert—

“(g) is otherwise of sufficient policy interest to merit the application of subparagraph (1).”

**Member’s explanatory statement**

*This amendment together with Amendments 33 and 35 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 7 of this Act, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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 European Union (Withdrawal) Bill, *continued*

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

226

Schedule 7, page 39, line 29, at end insert—

“(g) makes changes to the application of the 2012 Energy Efficiency Directive in the UK.”

***Member’s explanatory statement***

*This amendment would make any changes to the application of the 2012 Energy Efficiency Directive in the UK subject to approval by resolution of each House of Parliament.*

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

Douglas Chapman

235

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.”

***Member’s explanatory statement***

*This amendment would require that the rights of workers currently afforded by EU law that are being transposed into UK law can be changed only through affirmative procedure.*

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

Joanna Cherry  
 Douglas Chapman

Dr Philippa Whitford

Martyn Day

236

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.”

***Member’s explanatory statement***

*This amendment would require that the rights of disabled people currently afforded by EU law that are being transposed into UK law can be changed only through affirmative procedure.*

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**European Union (Withdrawal) Bill, *continued***

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

Joanna Cherry  
Douglas Chapman

Dr Philippa Whitford

Martyn Day

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.”

***Member’s explanatory statement***

*This amendment would list areas regarding workers’ rights where changes to EU-derived law could be made only through affirmative procedure.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Martyn Day  
Douglas Chapman

265

Schedule 7, page 39, line 29, at end insert—

- “(g) defines “failure to operate efficiently” under section 7(1A).”

***Member’s explanatory statement***

*This amendment, linked to Amendment 264, would ensure that any regulations to define “failure to operate efficiently” under section 7(1A) would be subject to affirmative procedure.*

**European Union (Withdrawal) Bill, *continued***

Mr Dominic Grieve  
 John Penrose  
 Mr Kenneth Clarke  
 Nicky Morgan  
 Anna Soubry  
 Stephen Hammond

Antoinette Sandbach	Robert Neill	Jeremy Lefroy
Vicky Ford	Dr Sarah Wollaston	Tom Tugendhat
Chuka Umunna	Caroline Lucas	Paul Masterton
John Stevenson	Ian Murray	Liz Kendall
Stephen Doughty	Kerry McCarthy	Catherine McKinnell
Heidi Allen	Helen Hayes	Mr Ben Bradshaw
Angela Smith	Mr David Lammy	Stella Creasy
Mr George Howarth	Tom Brake	Sir Vince Cable
Jo Swinson	Sir Edward Davey	Stephen Kinnock
Susan Elan Jones	Mrs Madeleine Moon	Ruth Cadbury
Stephen Twigg	Mr Barry Sheerman	Seema Malhotra
Catherine West	Jamie Stone	Tommy Sheppard
John Grogan	Mike Gapes	Rushanara Ali
Layla Moran	Lady Hermon	Mr Gavin Shuker
Norman Lamb	Kate Green	Wera Hobhouse
Angus Brendan MacNeil	Martin Whitfield	Albert Owen
Martyn Day	Paul Farrelly	Darren Jones

3

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.

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**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).”

***Member’s explanatory statement***

*To set up a triage and scrutiny system under the control of Parliament for determining how Statutory Instruments under Clause 7 of the Bill will be dealt with.*

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 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

67

Schedule 7, page 39, line 30, leave out sub-paragraph (3).

***Member's explanatory statement***

*This amendment would facilitate the use of affirmative and super-affirmative procedures, other than for the transfer of functions of EU public bodies.*

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

Valerie Vaz  
 Mr David Lammy  
 Kerry McCarthy  
 Stephen Kinnock  
 Jamie Stone  
 Wera Hobhouse  
 Paul Farrelly  
 Melanie Onn

Caroline Lucas  
 Ms Harriet Harman  
 Catherine McKinnell  
 Ann Coffey  
 Mike Gapes  
 Martin Whitfield  
 Diana Johnson

Paul Farrelly  
 Ian Murray  
 Helen Hayes  
 Seema Malhotra  
 Angela Smith  
 Vernon Coaker  
 Helen Goodman

35

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.”

***Member's explanatory statement***

*This amendment together with Amendments 33 and 34 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 7 of this Act, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

Mary Creagh  
 Mike Gapes  
 Mr David Lammy  
 Wera Hobhouse  
 Kerry McCarthy

293

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.”

***Member's explanatory statement***

*This amendment would require regulations appointing an exit day to be subject to the affirmative procedure.*



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**European Union (Withdrawal) Bill, continued**

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

**392**

Schedule 7, page 39, line 33, at end insert—

“( ) See paragraph 2A for restrictions on the choice of procedure under sub-paragraph (3).”

**Member’s explanatory statement**

*This amendment signposts the existence, and location within the Bill, of a scrutiny process involving a committee of the House of Commons for regulations under Clause 7 for which there is a choice between negative and affirmative procedures.*

Stephen Kinnock  
 Hywel Williams

**328**

Schedule 7, page 39, line 42, leave out sub-paragraphs (6) and (7).

**Member’s explanatory statement**

*This amendment, and Amendments 329 and 331, would remove provisions in the Bill that prescribe scrutiny procedures for the National Assembly for Wales. These amendments, coupled with Amendment 330, would allow the National Assembly for Wales to set the scrutiny procedures it considers appropriate for the control of powers proposed for the Welsh Ministers under the Bill.*

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

Jo Swinson

Jamie Stone

**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.”

**Member’s explanatory statement**

*This amendment applies the procedures set out in Amendment 129 in respect of the UK Parliament for regulations made jointly by a Minister of the Crown acting jointly with a devolved authority.*

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**European Union (Withdrawal) Bill, *continued***

Mr Dominic Grieve  
 John Penrose  
 Mr Kenneth Clarke  
 Nicky Morgan  
 Anna Soubry  
 Stephen Hammond

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

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.”

***Member’s explanatory statement***

*Consequential amendment to Amendment 3.*

Stephen Kinnock  
 Hywel Williams

329

Schedule 7, page 41, line 15, leave out sub-paragraphs (10) and (11).

***Member’s explanatory statement***

*This amendment, and Amendments 328 and 331, would remove provisions in the Bill that prescribe scrutiny procedures for the National Assembly for Wales. These amendments, coupled with Amendment 330, would allow the National Assembly for Wales to set the scrutiny procedures it considers appropriate for the control of powers proposed for the Welsh Ministers under the Bill.*

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

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—

**European Union (Withdrawal) Bill, *continued***

- (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.”

***Member’s explanatory statement***

*This amendment ensures that regulations under Clause 7 for which there is a choice between negative and affirmative procedures cannot be subject to the negative procedure without first having been subject to a scrutiny process involving a committee of the House of Commons. The scrutiny process envisages that the committee will make a recommendation as to the appropriate procedure in the light of draft regulations and other information provided by the Government.*

Stephen Timms  
Mr George Howarth  
Daniel Zeichner  
Tom Brake  
Sir Vince Cable  
Jo Swinson

Sir Edward Davey  
Mike Gapes  
Wera Hobhouse

Ann Coffey  
Mr David Lammy  
Paul Farrelly

Steve McCabe  
Norman Lamb

155

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

**European Union (Withdrawal) Bill, *continued***

who are likely to be affected by the instrument.”

***Member’s explanatory statement***

*This amendment would require that, when using the urgent cases provision in the Bill, the Minister must first consult with businesses and other relevant organisations.*

Stephen Timms  
Mr George Howarth  
Daniel Zeichner  
Tom Brake  
Sir Vince Cable  
Jo Swinson

Sir Edward Davey  
Mr David Lammy  
Wera Hobhouse

Ann Coffey  
Layla Moran  
Paul Farrelly

Mike Gapes  
Norman Lamb

**154**

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.”

***Member’s explanatory statement***

*This amendment would limit the circumstances in which Ministers can use procedures for urgent cases to circumstances in which there is a serious threat of damage to human welfare, the environment or the security of the United Kingdom.*

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

**394**

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.”

***Member’s explanatory statement***

*This amendment permits the scrutiny process for deciding whether certain regulations under Clause 7 should be subject to the negative or affirmative procedure to be disapplied in urgent cases.*

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

36

Schedule 7, page 43, line 3, after “if” insert “a scrutiny committee determines that”  
*Member’s explanatory statement*

*This amendment together with Amendments 37 and 38 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 8 of this Bill, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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

37

Schedule 7, page 43, line 15, at end insert—

“(g) is otherwise of sufficient policy interest to merit the application of subparagraph (1)”

*Member’s explanatory statement*

*This amendment together with Amendments 36 and 38 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 8 of this Bill, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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

22

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

**European Union (Withdrawal) Bill, continued**

instrument signed by the Leader of the Opposition or 80 Members of the House of Commons.”

**Member's explanatory statement**

*This would mean that if the Leader of the Opposition or 80 members of the House of Commons were to sign a prayer against an SI that was subject under Schedule 7 to the negative procedure, the Government would have to provide time for a debate and a vote on the floor of the House or lose the SI. At present there is no such provision in the House of Commons.*

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

Valerie Vaz  
Mr David Lammy  
Helen Hayes  
Seema Malhotra  
Wera Hobhouse  
Stephen Timms  
Helen Goodman

Caroline Lucas  
Ian Murray  
Stephen Kinnock  
Jamie Stone  
Martin Whitfield  
Ms Harriet Harman  
Melanie Onn

Paul Farrelly  
Catherine McKinnell  
Ann Coffey  
Mike Gapes  
Vernon Coaker  
Diana Johnson

38

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.”

**Member's explanatory statement**

*This amendment together with Amendments 36 and 37 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 8 of this Bill, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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

395

Schedule 7, page 43, line 19, at end insert—

“( ) See paragraph 10A for restrictions on the choice of procedure under subparagraph (3).”

**Member's explanatory statement**

*This amendment signposts the existence, and location within the Bill, of a scrutiny process involving a committee of the House of Commons for regulations under Clause 8 for which there is a choice between negative and affirmative procedures.*

European Union (Withdrawal) Bill, *continued*

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

Rachel Reeves  
Mr David Lammy  
Catherine McKinnell  
Mr Ben Bradshaw  
Mr George Howarth  
Jo Swinson  
Ann Coffey  
Mike Gapes  
Wera Hobhouse  
Vernon Coaker

Caroline Lucas  
Joanna Cherry  
Stephen Doughty  
Angela Smith  
Tom Brake  
Sir Edward Davey  
Susan Elan Jones  
Layla Moran  
Tulip Siddiq  
Stephen Timms

Paul Farrelly  
Ian Murray  
Helen Hayes  
Stella Creasy  
Sir Vince Cable  
Stephen Kinnock  
Jamie Stone  
Dr Philippa Whitford  
Martin Whitfield  
Kerry McCarthy

51

Schedule 7, page 43, line 26, leave out paragraph 6

**Member's explanatory statement**

*This amendment is linked to New Clause 3 to require the Government to implement the withdrawal agreement through separate primary and secondary legislation rather than through this Bill.*

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

Jamie Stone  
Wera Hobhouse

Mike Gapes  
Martin Whitfield

Dr Philippa Whitford

23

Schedule 7, page 43, line 26, leave out “which contain provisions falling within sub-paragraph (2).”

**Member's explanatory statement**

*This amendment is linked to Amendment 24 and removes the provision that certain statutory instruments can be introduced under the negative resolution and requires all SIs under Clause 9 to go through the affirmative route with a vote in both Houses. It means that the Government could not bypass Parliament by refusing to grant time for a debate on annulling an SI.*

Chris Bryant  
Mr David Lammy  
Helen Hayes  
Ann Coffey  
Ian Murray  
Jamie Stone

Mike Gapes

Wera Hobhouse

Martin Whitfield

24

Schedule 7, page 43, line 30, leave out sub-paragraph (2)

**Member's explanatory statement**

*This amendment is linked to Amendment 23 and removes the provision that certain statutory instruments can be introduced under the negative resolution and requires all SIs under Clause 9 to go through the affirmative route with a vote in both Houses. It means that the Government could not bypass Parliament by refusing to grant time for a debate on annulling an SI.*

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 European Union (Withdrawal) Bill, *continued*

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

Valerie Vaz  
Mr David Lammy  
Helen Hayes  
Jamie Stone  
Martin Whitfield  
Diana Johnson

Caroline Lucas  
Ms Harriet Harman  
Stephen Kinnock  
Mike Gapes  
Vernon Coaker  
Helen Goodman

Paul Farrelly  
Ian Murray  
Ann Coffey  
Wera Hobhouse  
Stephen Timms  
Melanie Onn

39

Schedule 7, page 43, line 30, after “if” insert “a scrutiny committee determines that”

**Member’s explanatory statement**

*This amendment together with Amendments 40 and 41 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 9 of this Bill, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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

Valerie Vaz  
Mr David Lammy  
Helen Hayes  
Mike Gapes  
Vernon Coaker  
Helen Goodman

Caroline Lucas  
Ms Harriet Harman  
Ann Coffey  
Wera Hobhouse  
Stephen Timms  
Melanie Onn

Paul Farrelly  
Ian Murray  
Jamie Stone  
Martin Whitfield  
Diana Johnson

40

Schedule 7, page 43, line 43, at end insert—

“(h) is otherwise of sufficient policy interest to merit the application of subparagraph (1).”

**Member’s explanatory statement**

*This amendment together with Amendments 39 and 41 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 9 of this Bill, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*



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 European Union (Withdrawal) Bill, *continued*

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

Valerie Vaz  
 Mr David Lammy  
 Helen Hayes  
 Mike Gapes  
 Vernon Coaker  
 Helen Goodman

Caroline Lucas  
 Ms Harriet Harman  
 Ann Coffey  
 Wera Hobhouse  
 Stephen Timms  
 Melanie Onn

Paul Farrelly  
 Ian Murray  
 Jamie Stone  
 Martin Whitfield  
 Diana Johnson

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.”

**Member's explanatory statement**

*This amendment together with Amendments 39 and 40 would establish that it is for Parliament to decide which level of scrutiny a Statutory Instrument shall receive under Clause 9 of this Bill, and that matters of policy interest will be subject to the approval of both Houses and to amendment.*

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

396

Schedule 7, page 43, line 47, at end insert—

“( ) See paragraph 10A for restrictions on the choice of procedure under subparagraph (3).”

**Member's explanatory statement**

*This amendment signposts the existence, and location within the Bill, of a scrutiny process involving a committee of the House of Commons for regulations under Clause 9 for which there is a choice between negative and affirmative procedures.*

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**European Union (Withdrawal) Bill, *continued***

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

Caroline Lucas

**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.”

***Member’s explanatory statement***

*This amendment provides for draft affirmative resolution scrutiny for the power to the definition of “law relating to equality or human rights”, inserted by Amendment 371.*

Mary Creagh  
 Mike Gapes  
 Wera Hobhouse  
 Kerry McCarthy

**294**

Schedule 7, page 44, line 37, after “section 17(5)” insert “, other than regulations to appoint an exit day,”

***Member’s explanatory statement***

*Consequential to amendment 293.*

Mary Creagh  
 Mike Gapes  
 Wera Hobhouse  
 Kerry McCarthy

**295**

Schedule 7, page 45, line 5, after “section 17(5)” insert “, other than regulations to appoint an exit day,”

***Member’s explanatory statement***

*Consequential to amendment 293.*

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

Ms Harriet Harman

Helen Goodman

Melanie Onn

**344**

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)

**European Union (Withdrawal) Bill, *continued***

procedure as would be applied to those regulations if they were made by a Minister of the Crown.”

***Member’s explanatory statement***

*The intention of this amendment is that tertiary legislation under the Act should be subject to the same parliamentary control and time-limits as are applicable to secondary legislation.*

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

**397**

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—
- (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).

**European Union (Withdrawal) Bill, continued**

- (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.”

**Member’s explanatory statement**

*This amendment ensures that regulations under Clause 8 or 9 for which there is a choice between negative and affirmative procedures cannot be subject to the negative procedure without first having been subject to a scrutiny process involving a committee of the House of Commons. The scrutiny process envisages that the committee will make a recommendation as to the appropriate procedure in the light of draft regulations and other information provided by the Government.*

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

Caroline Lucas  
Ian Murray  
Angela Smith  
Jamie Stone  
Tulip Siddiq

Paul Farrelly  
Catherine McKinnell  
Stella Creasy  
Mike Gapes  
Martin Whitfield

Mr David Lammy  
Helen Hayes  
Ann Coffey  
Wera Hobhouse  
Stephen Timms

58

Schedule 7, page 45, line 23, leave out “urgency” and insert “emergency”

**Member’s explanatory statement**

*This amendment would remove the wider latitude currently allowing Ministers to make regulations without Parliamentary approval “by reason of urgency” and instead only allow such executive action “by reason of emergency”. An emergency is a situation that poses an immediate risk to human health, life, property, or environment.*

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

398

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.

- (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.”

**Member’s explanatory statement**

*This amendment permits the scrutiny process for deciding whether certain regulations under Clause 8 or 9 should be subject to the negative or affirmative procedure to be disapplied in urgent cases.*

**European Union (Withdrawal) Bill, continued**

Stephen Kinnock  
Hywel Williams

330

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.”

***Member’s explanatory statement***

*This amendment would allow the National Assembly for Wales to set the scrutiny procedures it considers appropriate for the control of powers proposed for the Welsh Ministers under the Bill.*

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

301

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*].

***Member’s explanatory statement***

*The intention of this amendment is to provide for a citizens’ jury to be consulted before regulations are made under this Act.*

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Martyn Day

223

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.”

***Member’s explanatory statement***

*This amendment would require consultation and an impact assessment before legislation affecting the relating to the oil and gas sector is changed by regulations made under the Act.*

Secretary David Davis

391

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.

**European Union (Withdrawal) Bill, continued**

- (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.”

**Member’s explanatory statement**

*This amendment imposes requirements on Ministers of the Crown to make explanatory statements in relation to regulations or draft regulations under Clause 7, 8 or 9. The statements will be published and must, in particular, deal with the appropriateness of the regulations and their relationship to equalities legislation as well as providing specified further information.*

Stephen Kinnock  
 Hywel Williams

331

Schedule 7, page 48, line 14, leave out sub-paragraph (4).

**Member’s explanatory statement**

*This amendment, and Amendments 328 and 329, would remove provisions in the Bill that prescribe scrutiny procedures for the National Assembly for Wales. These amendments, coupled with Amendment 330, would allow the National Assembly for Wales to set the scrutiny procedures it considers appropriate for the control of powers proposed for the Welsh Ministers under the Bill.*

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

29

Clause 17, page 13, line 34, leave out subsections (1) to (3)

**Member’s explanatory statement**

*This amendment would remove a widely drawn delegated power, which covers anything that happens as a consequence of the Act.*

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
Peter Grant  
Joanna Cherry  
Patrick Grady  
Mary Creagh  
Dr Philippa Whitford

Martyn Day

Clause 17, page 13, line 35, leave out “appropriate” and insert “necessary”

**207**

Stephen Kinnock  
Hywel Williams

Clause 17, page 14, line 4, at end insert “or the Government of Wales Act 2006.”

*Member’s explanatory statement*

*This amendment would prevent the Government of Wales Act 2006 from being amended by regulations under Clause 17.*

**321**

Ian Blackford  
Peter Grant  
Joanna Cherry  
Patrick Grady  
Mary Creagh  
Martyn Day

Clause 17, page 14, line 7, leave out “appropriate” and insert “necessary”

**208**

Secretary David Davis

Clause 17, page 14, line 8, leave out “or the appointment of” and insert “(including its operation in connection with”

*Member’s explanatory statement*

*This amendment is consequential on amendment 381 and highlights that transitional, transitory or saving provision under the Bill may relate to exit day.*

**383**

Stephen Kinnock  
Hywel Williams

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.”

*Member’s explanatory statement*

*This amendment would prevent a Minister of the Crown from making transitional, transitory or saving provision to the extent that the provision would be within the devolved competence of the Welsh Ministers.*

**316**



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 European Union (Withdrawal) Bill, *continued*

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

Catherine McKinnell  
 Ms Angela Eagle  
 Mrs Madeleine Moon  
 Mr David Lammy  
 Wera Hobhouse  
 Patrick Grady

Stella Creasy  
 Ian Murray  
 Helen Hayes  
 Ann Coffey  
 Martin Whitfield  
 Stephen Timms

Ms Karen Buck  
 Stephen Doughty  
 Angela Smith  
 Mike Gapes  
 Paul Farrelly

99

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.”

***Member’s explanatory statement***

*This amendment ensures that the power to make regulations in Clause 17 may not be exercised to reduce environmental protection.*

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

Catherine McKinnell  
 Ms Angela Eagle  
 Mrs Madeleine Moon  
 Ann Coffey  
 Martin Whitfield

Stella Creasy  
 Ian Murray  
 Helen Hayes  
 Mike Gapes  
 Paul Farrelly

Ms Karen Buck  
 Stephen Doughty  
 Mr David Lammy  
 Wera Hobhouse  
 Patrick Grady

100

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.”

***Member’s explanatory statement***

*This amendment imposes the same restriction on the regulation making powers under Clause 17 as applies to other regulation powers in the Bill.*

Mary Creagh  
 Mike Gapes  
 Kerry McCarthy

296

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.”

***Member’s explanatory statement***

*This amendment would place restrictions on the power to make consequential and transitional provision.*

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 European Union (Withdrawal) Bill, *continued*

Tom Brake  
 Hywel Williams  
 Stephen Kinnock  
 Tim Farron  
 Peter Grant  
 Caroline Lucas

373

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.”

***Member’s explanatory statement***

*This amendment would replicate, for the powers in clause 17, the equality and human rights restrictions on other powers in this Bill (as modified by other amendments).*

Caroline Lucas

118

Page 13, line 33, leave out Clause 17

***Member’s explanatory statement***

*This amendment would remove the powers granted to Ministers by Clause 17, including the power to amend provisions in this Bill, once enacted, by means of delegated legislation only.*

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 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

NC20

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.”

***Member’s explanatory statement***

*This new clause would require Ministers to publish a full list and assessment of the implications of this Act on the many international treaties and agreements that the United Kingdom is party to*

**European Union (Withdrawal) Bill, continued**

*and which may be impacted as a result of this Bill. The assessment would also have to set out those areas where Ministers anticipate the powers in Clause 8 of this Bill may need to be used.*

Heidi Alexander  
Stephen Doughty  
Chuka Umunna  
Paul Farrelly  
Mr David Lammy  
Ian Murray

Caroline Lucas  
Stella Creasy  
Mr Ben Bradshaw  
Darren Jones  
Ruth Cadbury  
Liz Kendall  
Ms Karen Buck  
Meg Hillier  
Stephen Timms  
Daniel Zeichner  
Dame Margaret Hodge  
Mr Barry Sheerman  
Jo Swinson  
Seema Malhotra  
Mr Gavin Shuker  
Lady Hermon

Kerry McCarthy  
Ian Murray  
Peter Kyle  
Stephen Kinnock  
Angela Smith  
Ms Angela Eagle  
Kate Green  
Phil Wilson  
Neil Coyle  
Rushanara Ali  
Angela Smith  
Tom Brake  
Sir Edward Davey  
Mike Gapes  
Martin Whitfield

Catherine McKinnell  
Alison McGovern  
Wes Streeting  
Chris Bryant  
Maria Eagle  
Tulip Siddiq  
Ann Coffey  
Mary Creagh  
Helen Hayes  
John Woodcock  
Mrs Madeleine Moon  
Sir Vince Cable  
Susan Elan Jones  
Layla Moran  
Gareth Thomas

**NC22**

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).”

Kate Green  
Ann Coffey  
Rushanara Ali  
Mr Chris Leslie  
Stella Creasy  
Mrs Madeleine Moon

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Jo Swinson  
Lisa Nandy

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Caroline Lucas  
Tom Brake

Stephen Doughty  
Chuka Umunna  
Mr George Howarth  
Mr Barry Sheerman  
Sir Vince Cable

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**European Union (Withdrawal) Bill, *continued***

Sir Edward Davey  
Seema Malhotra  
Martin Whitfield  
Neil Coyle

Stephen Kinnock  
Mr David Lammy  
Vernon Coaker  
Stephen Timms

Ian Murray  
Layla Moran  
Paul Farrelly  
Diana Johnson

**NC34**

To move the following Clause—

**“United Nations Convention on the Rights of the Child**

- (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.”

***Member’s explanatory statement***

*This new clause would require Ministers and public authorities, from exit day onwards, to act in such a way as to comply with the United Nations Convention on the Rights of the Child, and the optional protocols to which the UK is a signatory state.*

---

Kate Green  
Ann Coffey  
Rushanara Ali  
Mr Chris Leslie  
Stella Creasy  
Mrs Madeleine Moon

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Jo Swinson  
Lisa Nandy

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Caroline Lucas  
Tom Brake

Stephen Doughty  
Chuka Umunna  
Mr George Howarth  
Mr Barry Sheerman  
Sir Vince Cable

**European Union (Withdrawal) Bill, *continued***

Sir Edward Davey  
Seema Malhotra  
Martin Whitfield  
Neil Coyle

Stephen Kinnock  
Mr David Lammy  
Vernon Coaker  
Stephen Timms

Ian Murray  
Layla Moran  
Paul Farrelly  
Diana Johnson

NC36

To move the following Clause—

**“United Nations Convention on the Rights of the Child (No. 2)**

- (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.”

***Member’s explanatory statement***

*This new clause would require Ministers and public authorities, from exit day onwards, to act in such a way as to comply with the United Nations Convention on the Rights of the Child, and the optional protocols to which the UK is a signatory state.*

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Ian Blackford  
Peter Grant  
Joanna Cherry  
Patrick Grady  
Mary Creagh  
Martyn Day

205

Clause 8, page 6, line 28, leave out “appropriate” and insert “necessary”

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 European Union (Withdrawal) Bill, *continued*

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

Layla Moran

Wera Hobhouse

Tim Farron

145

Clause 8, page 6, line 30, at end insert “including the Belfast Agreement of 10 April 1998.”

***Member’s explanatory statement***

*This amendment is intended to maintain the provisions of the Good Friday Agreement after the UK leaves the EU.*

Jeremy Corbyn  
 Mr Nicholas Brown  
 Keir Starmer  
 Owen Smith  
 Jenny Chapman  
 Matthew Pennycook

Paul Blomfield

Ms Harriet Harman

346

Clause 8, page 6, line 30, at end insert “including those arising under the British-Irish Agreement 1998”

***Member’s explanatory statement***

*This amendment would allow Ministers to make regulations to fulfil obligations arising out of the British-Irish Agreement (which commits to implementation of the Multi-Party Agreement).*

Stephen Kinnock  
 Hywel Williams

314

Clause 8, page 6, line 30, 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 2 of Schedule 2.”

***Member’s explanatory statement***

*This amendment would prevent a Minister of the Crown from making provision to prevent or remedy any breach of international obligations to the extent that the provision would be within the devolved competence of the Welsh Ministers.*

Caroline Lucas

110

Clause 8, page 6, line 31, leave out subsection (2)

***Member’s explanatory statement***

*This amendment seeks to restrict the delegated powers granted to Ministers by Clause 8.*

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**European Union (Withdrawal) Bill, *continued***

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

**31**

Clause 8, page 6, line 32, at end insert “, apart from amending or modifying this Act”

***Member’s explanatory statement***

*This amendment would remove the proposed capacity of Ministers in Clause 8 to modify and amend the Act itself via delegated powers.*

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

**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.”

***Member’s explanatory statement***

*This amendment is intended to ensure that the UK continues to meet international air quality standards after withdrawal from the EU.*

Tom Brake  
Sir Vince Cable  
Mr Alistair Carmichael  
Mary Creagh  
Jamie Stone  
Layla Moran

Angela Smith

Wera Hobhouse

Tim Farron

**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).”

***Member’s explanatory statement***

*This amendment is intended to maintain the provisions of the Good Friday Agreement after the UK leaves the EU.*

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 European Union (Withdrawal) Bill, *continued*

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

Caroline Lucas

365

Clause 8, page 6, line 36, leave out “or”  
*Member’s explanatory statement*  
*This amendment is preparatory to Amendment 367.*

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

Caroline Lucas

366

Clause 8, page 6, line 37, after “revoke”, insert “, or otherwise modify the effect of,”  
*Member’s explanatory statement*  
*This amendment would ensure that the restriction in this paragraph could not be undermined by the use of legislation which does not amend the text of the Human Rights Act but modifies its effect.*

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

Ian Blackford  
 Stephen Kinnock  
 Jamie Stone  
 Wera Hobhouse

Mr Alistair Carmichael  
 Ann Coffey  
 Mike Gapes  
 Martin Whitfield

Tom Brake  
 Susan Elan Jones  
 Mrs Madeleine Moon  
 Albert Owen

159

Clause 8, page 6, line 38, at end insert “, or  
 (e) modify the Scotland Act 1998 or the Government of Wales Act 2006.”  
*Member’s explanatory statement*  
*This amendment would prevent the powers of a Minister of the Crown under Clause 8 of the Bill to ensure compliance with international obligations from being exercised to amend the Scotland Act 1998 or the Government of Wales Act 2006.*

Stephen Kinnock  
 Hywel Williams

319

Clause 8, page 6, line 38, at end insert “, or  
 (e) modify the Government of Wales Act 2006.”  
*Member’s explanatory statement*  
*This amendment would prevent the Government of Wales Act 2006 from being amended by regulations under Clause 8.*



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**European Union (Withdrawal) Bill, *continued***

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

Caroline Lucas

367

Clause 8, page 6, line 38, at end insert “, or

- (e) amend, repeal or revoke, or otherwise modify the effect of, any other law relating to equality or human rights.”.

***Member’s explanatory statement***

*This amendment would broaden the restriction in this subsection to protect all legislation relating to equality and human rights (and not only the Human Rights Act 1998).*

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  
 Kerry McCarthy  
 Heidi Allen  
 Angela Smith  
 Tom Brake  
 Sir Edward Davey  
 Susan Elan Jones  
 Mike Gapes  
 Kate Green  
 Martin Whitfield  
 Stephen Timms

12

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”

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**European Union (Withdrawal) Bill, *continued***

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

26

Clause 8, page 6, line 38, at end insert—

- “(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.”

***Member’s explanatory statement***

*This amendment would prevent the Government’s using delegated powers under Clause 8 to reduce rights or protections.*

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

Catherine McKinnell  
Ms Angela Eagle  
Mrs Madeleine Moon  
Ann Coffey  
Wera Hobhouse  
Patrick Grady

Stella Creasy  
Ian Murray  
Helen Hayes  
Jamie Stone  
Martin Whitfield  
Tulip Siddiq

Ms Karen Buck  
Stephen Doughty  
Mr David Lammy  
Mike Gapes  
Paul Farrelly  
Stephen Timms

97

Clause 8, page 6, line 38, at end insert—

- “(e) limit the scope or weaken standards of environmental protection.”

***Member’s explanatory statement***

*This Amendment ensures that the power to make regulations in Clause 8 may not be exercised to reduce environmental protection.*

Caroline Lucas  
Mr David Lammy  
Wera Hobhouse  
Paul Farrelly

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.”

***Member’s explanatory statement***

*This amendment seeks to prevent the delegated powers granted to Ministers by clause 8 being used*

111

**European Union (Withdrawal) Bill, continued**

*to weaken or abolish existing EU-derived legal rights, such as those on workers' rights, equality, and environmental protection.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Angela Crawley  
Hywel Williams

Martyn Day

Douglas Chapman

**267**

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.”

**Member's explanatory statement**

*This amendment would prevent the powers in Clause 8 being used to amend Equality Act 2010 legislation.*

Ian Blackford  
Patrick Grady  
Stuart C. McDonald  
Joanna Cherry  
Wera Hobhouse  
Martyn Day

Douglas Chapman

**270**

Clause 8, page 6, line 38, at end insert—

“(e) remove, reduce or otherwise limit the rights of EU citizens resident in the UK.”

**Member's explanatory statement**

*This amendment would prevent the powers in Clause 8 being used to remove, reduce or otherwise limit the rights of EU citizens resident in the UK.*

Ian Blackford  
Patrick Grady  
Douglas Chapman  
Stewart Malcolm McDonald  
Martyn Day

**273**

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.”

**Member's explanatory statement**

*This amendment would prevent the powers in Clause 8 being used to make provision which could pose a threat to national security.*

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**European Union (Withdrawal) Bill, *continued***

Mary Creagh  
Mike Gapes  
Kerry McCarthy

292

Clause 8, page 6, line 38, at end insert—

“(e) impose or increase taxation”

***Member’s explanatory statement***

*This amendment would prevent the imposition or increase of a tax by regulations made under Clause 8 to comply with international obligations.*

Jeremy Corbyn  
Mr Nicholas Brown  
Keir Starmer  
Owen Smith  
Jenny Chapman  
Matthew Pennycook

Paul Blomfield  
Mike Gapes  
Ms Harriet Harman

Vernon Coaker  
Hywel Williams  
Mr David Lammy

Paul Farrelly  
Stephen Timms

347

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.”

***Member’s explanatory statement***

*This amendment is intended to ensure that the power to make regulations to fulfil obligations arising out of the British-Irish Agreement could not be used in a manner incompatible with those obligations.*

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

390

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).”

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**European Union (Withdrawal) Bill, *continued***

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

Ian Blackford  
 Stephen Kinnock  
 Jamie Stone  
 Wera Hobhouse  
 Paul Farrelly

Mr Alistair Carmichael  
 Ann Coffey  
 Mike Gapes  
 Martin Whitfield

Tom Brake  
 Susan Elan Jones  
 Mrs Madeleine Moon  
 Martyn Day

162

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.”

***Member’s explanatory statement***

*This amendment would require a Minister of the Crown to first seek the consent of the Scottish Ministers or the Welsh Ministers before making any regulations under Clause 8 on Scottish or Welsh devolved matters.*

Geraint Davies  
 Grahame Morris  
 Mohammad Yasin  
 Daniel Zeichner  
 Angus Brendan MacNeil  
 Mr David Lammy

Hugh Gaffney

Mr Roger Godsiff

352

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.”

***Member’s explanatory statement***

*This amendment would ensure that in exercising the powers under this provision, the Government maintains equivalent standards to the EU, and in particular, in making trade agreements.*

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**European Union (Withdrawal) Bill, *continued***

*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  
Tom Brake  
Sir Edward Davey  
Layla Moran  
Neil Coyle

Mr George Howarth  
Sir Vince Cable  
Ann Coffey  
Martin Whitfield  
Stephen Timms

Mary Creagh  
Jo Swinson  
Mike Gapes  
Paul Farrelly

**NC21**

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.”

***Member’s explanatory statement***

*This new clause would require Ministers to publish copies of retained direct EU legislation accompanied by ‘plain English’ and readily understandable summarising explanatory documents.*

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Ian Blackford  
Patrick Grady  
Stephen Gethins  
Kirsty Blackman  
Peter Grant  
Martyn Day

Douglas Chapman

Joanna Cherry

**77**

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
    - (ii) instruments or documents issued by or in the custody of an EU entity.”
-

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**European Union (Withdrawal) Bill, *continued***

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

Paul Farrelly

Ms Harriet Harman

Diana Johnson

**348**

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.”

***Member’s explanatory statement***

*This amendment would require the Government to publish its economic impact assessments of the policy options for withdrawal from the EU.*

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

Martyn Day

**76**

Schedule 5, page 37, leave out paragraph 4

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**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

**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.”

***Member’s explanatory statement***

*This new clause would ensure that Parliament has ratified successor arrangements for a future relationship and Treaty between the EU and UK before ‘exit day’ can be appointed by Ministers.*

---

Mr Chris Leslie  
Mr David Lammy  
Ian Murray  
Stephen Doughty  
Mike Gapes  
Catherine McKinnell

Helen Hayes  
Mary Creagh  
Mr George Howarth  
Tulip Siddiq

Mr Ben Bradshaw  
Ann Coffey  
Paul Farrelly  
Stephen Timms

Angela Smith  
Martin Whitfield  
Neil Coyle

**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.”

**Member's explanatory statement**

*This new clause would ensure that provisions allowing the UK to remain a member of the Customs Union, as currently set out in section 5 of the European Communities Act 1972 but set to be repealed by section 1 of this Act, will be enacted ahead of exit day.*

Secretary David Davis

**381**

Clause 14, page 10, line 25, leave out from “means” to “(and” in line 26 and insert “29 March 2019 at 11.00 p.m.”

**Member's explanatory statement**

*This amendment removes the power for a Minister of the Crown to appoint exit day by regulations and ensures that exit day is fixed at 29 March 2019 at 11.00 p.m. for all purposes.*

Yvette Cooper  
Ms Harriet Harman  
Norman Lamb  
Caroline Lucas  
Anna Soubry  
Helen Hayes

Mr David Lammy  
Mr Ben Bradshaw

Stephen Gethins

Mrs Madeleine Moon

**386**

Clause 14, page 10, line 25, leave out from “means” to “(and” in line 26 and insert “the time specified by an Act of Parliament approving the final terms of withdrawal of the United Kingdom from the EU”.

**Member's explanatory statement**

*This amendment would require ‘exit day’ to be specified, for all purposes, in a separate bill seeking approval for the final terms of the withdrawal of the UK from the EU. It would therefore have the effect of requiring a statute on the withdrawal terms - whatever they might be - to be passed by Parliament before ‘exit day’.*

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

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

**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”

**Member's explanatory statement**

*This amendment together with Amendments 44 and 45 would empower Parliament to control the*

**European Union (Withdrawal) Bill, continued**

*length and basic terms of transitional arrangements, and would allow Parliament to start the clock on the sunset clauses within the Bill.*

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

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

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.”

***Member’s explanatory statement***

*To prevent the creation of different exit days for different parts of the Act by SI.*

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

Caroline Lucas

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.”

***Member’s explanatory statement***

*This amendment defines “law relating to equality or human rights” for the purposes of other amendments which would broaden protection provided by the Bill from interference with the Human Rights Act to include other provisions about human rights and equality.*

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**European Union (Withdrawal) Bill, *continued***

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

384

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”.

***Member’s explanatory statement***

*This amendment provides a definition of pending cases for the purposes of Clause 6.*

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

Ms Harriet Harman

Diana Johnson

349

Clause 14, page 10, line 46, leave out “for a term of more than 2 years”

***Member’s explanatory statement***

*This amendment would prevent Ministers using delegated powers to create criminal offences which carry custodial sentences.*

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

353

Clause 14, page 10, line 48, at end insert—

““retained case law” means—

- (a) retained domestic case law, and
- (b) retained EU case law;”

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

354

Clause 14, page 11, line 2, at end insert—

““retained domestic 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);

**European Union (Withdrawal) Bill, continued**

“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
- (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 law” means anything which, on or after exit day, continues to be, or forms part of, domestic law by virtue of section 2, 3 or 4 or subsection (3) or (6) above (as that body of law is added to or otherwise modified by or under this Act or by other domestic law from time to time);

“retained general principles of EU law” means the general principles of EU law, 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
- (b) are not excluded by section 5 or Schedule 1,

(as those principles are modified by or under this Act or by other domestic law from time to time).”

Secretary David Davis

**382**

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 11.00 p.m. on 29 March 2019 or (as the case may be) to beginning with 11.00 p.m. on that day.”

***Member’s explanatory statement***

*This amendment is consequential on amendment 381 and ensures that references to exit day in the Bill and other legislation operate correctly in relation to the time as well as the date of the United Kingdom’s withdrawal from the EU.*

Yvette Cooper  
Ms Harriet Harman  
Norman Lamb  
Caroline Lucas  
Anna Soubry  
Helen Hayes

**387**

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”.

***Member’s explanatory statement***

*This amendment is consequential on Amendment 386 and ensures that references to exit day in the Bill and other legislation operate correctly in relation to the time as well as the date of the United Kingdom’s withdrawal from the EU.*

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**European Union (Withdrawal) Bill, *continued***

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

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

**44**

Clause **14**, page **11**, line **25**, leave out “a Minister of the Crown” and insert “Parliament”

***Member’s explanatory statement***

*This amendment together with Amendments 43 and 45 would empower Parliament to control the length and basic terms of transitional arrangements, and would allow Parliament to start the clock on the sunset clauses within the Bill.*

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

Valerie Vaz  
Mr David Lammy  
Helen Hayes  
Ann Coffey  
Jamie Stone  
Hugh Gaffney  
Stephen Timms

Caroline Lucas  
Ian Murray  
Stephen Kinnock  
Steve McCabe  
Mike Gapes  
Martin Whitfield  
Ms Harriet Harman

Paul Farrelly  
Catherine McKinnell  
Mr George Howarth  
Seema Malhotra  
Wera Hobhouse  
Vernon Coaker

**45**

Clause **14**, page **11**, line **30**, leave out “a Minister of the Crown” and insert “Parliament”

***Member’s explanatory statement***

*This amendment together with Amendments 43 and 44 would empower Parliament to control the length and basic terms of transitional arrangements, and would allow Parliament to start the clock on the sunset clauses within the Bill.*

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**European Union (Withdrawal) Bill, *continued***

Tom Brake  
Hywel Williams  
Stephen Kinnock  
Tim Farron  
Peter Grant  
Caroline Lucas

372

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).”

***Member’s explanatory statement***

*This amendment would allow Ministers to amend the definition of “law relating to equality or human rights” inserted by Amendment 371.*

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**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  
Mike Gapes  
Mr Clive Betts

Ian Murray  
Helen Hayes  
Mary Creagh  
Martin Whitfield

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.”

***Member’s explanatory statement***

*This new clause would ensure that the current consultative role that UK local government currently have via the EU Committee of the Regions would be replicated in the UK after exit day.*

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**European Union (Withdrawal) Bill, *continued***

Mr Chris Leslie  
 Stephen Timms  
 Mike Gapes  
 Chuka Umunna  
 Neil Coyle  
 Peter Kyle

Mr Ben Bradshaw  
 Paul Farrelly  
 Kerry McCarthy  
 Stephen Kinnock  
 Daniel Zeichner  
 Tulip Siddiq

Stephen Doughty  
 Mr David Lammy  
 Helen Hayes  
 Stella Creasy  
 Ann Coffey

Caroline Lucas  
 Ian Murray  
 Angela Smith  
 Mary Creagh  
 Martin Whitfield

**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.”

***Member’s explanatory statement***

*This new Clause would ensure that the UK can remain a member of the European Economic Area until such time as Ministers publish a specific assessment in the form of a White Paper setting out the costs and benefits for the UK of remaining a member after exit day.*

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Mr Chris Leslie  
 Stephen Timms  
 Mike Gapes  
 Chuka Umunna  
 Neil Coyle  
 Peter Kyle

Mr Ben Bradshaw  
 Mr David Lammy  
 Caroline Lucas  
 Helen Hayes  
 Stella Creasy  
 Catherine West

Stephen Doughty  
 Ian Murray  
 Kerry McCarthy  
 Angela Smith  
 Mary Creagh  
 Tulip Siddiq

Paul Farrelly  
 Mike Gapes  
 Catherine McKinnell  
 Rushanara Ali  
 Ann Coffey  
 Martin Whitfield

**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—

**European Union (Withdrawal) Bill, *continued***

- (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 for the duration of transitional arrangements, which shall be not less than two years after exit day.”

***Member’s explanatory statement***

*This new Clause would require the UK Government to seek transitional arrangements that would allow existing trade agreements which currently apply to the UK to be negotiated and continued for the circumstances applying after the UK has exited the EU, and would seek transitional arrangements including an associate membership of the EU Single Market for not less than two years following exit day.*

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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

**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.”

***Member’s explanatory statement***

*After exit day the European Union is likely to continue to produce legislation, regulations and decisions that would have applied to the United Kingdom if we had remained a member of the EU. This new clause would require Ministers to publish an assessment of new and developing EU laws and regulations and whether there would be benefits or costs for the UK in adopting similar legal changes to UK domestic legislation with a view to maintaining regulatory alignment with the EU as far as possible.*

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**European Union (Withdrawal) Bill, *continued***

Heidi Alexander  
 Stephen Doughty  
 Chuka Umunna  
 Paul Farrelly  
 Mr David Lammy  
 Ian Murray

Mike Gapes  
 Helen Hayes  
 Stephen Kinnock  
 Ann Coffey  
 Martin Whitfield  
 Stephen Timms

Kerry McCarthy  
 Mr Ben Bradshaw  
 Mr George Howarth  
 Mr Gavin Shuker  
 Neil Coyle

Catherine McKinnell  
 Angela Smith  
 Daniel Zeichner  
 Tulip Siddiq  
 Gareth Thomas

**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 Trade Association (EFTA) and, if so, whether it should remain a party to the EEA Agreement as a member of EFTA.”

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Kerry McCarthy  
 Caroline Lucas  
 Ian Murray  
 Mike Gapes  
 Mary Creagh  
 Mr Ben Bradshaw

Darren Jones  
 Stella Creasy  
 Stephen Doughty  
 Angela Smith  
 Ann Coffey  
 Tulip Siddiq  
 Jamie Stone  
 Wera Hobhouse

Ruth Cadbury  
 Ms Karen Buck  
 Mrs Madeleine Moon  
 Mr David Lammy  
 Mr Kenneth Clarke  
 Martin Whitfield  
 Norman Lamb

Catherine McKinnell  
 Ms Angela Eagle  
 Helen Hayes  
 Stephen Kinnock  
 Layla Moran  
 Paul Farrelly  
 Tim Farron

**NC28**

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;

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**European Union (Withdrawal) Bill, *continued***

- (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.  
(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.”

***Member’s explanatory statement***

*This new clause ensures that public authorities carrying out their duties arising by virtue of this act, must have regard to environmental principles currently enshrined in EU law.*

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**European Union (Withdrawal) Bill, *continued***

Kate Green  
Ann Coffey  
Rushanara Ali  
Mr Chris Leslie  
Stella Creasy  
Mrs Madeleine Moon

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Jo Swinson  
Lisa Nandy  
Mr David Lammy  
Martin Whitfield  
Stephen Timms

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Caroline Lucas  
Stephen Kinnock  
Layla Moran  
Vernon Coaker  
Diana Johnson

Stephen Doughty  
Chuka Umunna  
Mr George Howarth  
Mr Barry Sheerman  
Ian Murray  
Neil Coyle  
Paul Farrelly

NC31

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 Systemon 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.”

***Member’s explanatory statement***

*This new clause would require the Government to lay before Parliament a strategy for maintaining co-operation with certain EU bodies and structures after exit day for the purposes of promoting the safety and welfare of children and young people.*

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**European Union (Withdrawal) Bill, *continued***

Kate Green  
Ann Coffey  
Rushanara Ali  
Mr Chris Leslie  
Stella Creasy  
Mrs Madeleine Moon

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Jo Swinson  
Lisa Nandy  
Seema Malhotra  
Martin Whitfield  
Stephen Timms

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Caroline Lucas  
Stephen Kinnock  
Mr David Lammy  
Paul Farrelly

Stephen Doughty  
Chuka Umunna  
Mr George Howarth  
Mr Barry Sheerman  
Ian Murray  
Layla Moran  
Neil Coyle

**NC32**

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.”

***Member’s explanatory statement***

*This new clause seeks to maintain financial support after exit day for projects and programmes which would have been eligible for funding from the European Social Fund.*

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Kate Green  
Ann Coffey  
Rushanara Ali  
Mr Chris Leslie  
Stella Creasy  
Mrs Madeleine Moon

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Jo Swinson

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Caroline Lucas

Stephen Doughty  
Chuka Umunna  
Mr George Howarth  
Mr Barry Sheerman

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**European Union (Withdrawal) Bill, *continued***

Lisa Nandy  
Seema Malhotra  
Martin Whitfield  
Diana Johnson

Stephen Kinnock  
Susan Elan Jones  
Paul Farrelly

Ian Murray  
Mr David Lammy  
Stephen Timms

**NC33**

To move the following Clause—

**“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.”

***Member’s explanatory statement***

*This new clause would require the Secretary of State to lay before Parliament a strategy for mitigating any potential risks which withdrawal from the EU might present to low income families with children.*

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Peter Grant  
Patrick Grady  
Carol Monaghan  
Martyn Day

**NC40**

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.”

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Chris Law  
Peter Grant  
Patrick Grady  
Hannah Bardell  
Martyn Day

**NC41**

To move the following Clause—

**“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.”

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**European Union (Withdrawal) Bill, *continued***

Peter Grant  
Hannah Bardell  
Patrick Grady  
Kirsty Blackman  
Martyn Day  
Douglas Chapman

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.”

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Peter Grant  
Hannah Bardell  
Patrick Grady  
Carol Monaghan  
Martyn Day  
Douglas Chapman

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.”

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Joanna Cherry  
Dr Philippa Whitford  
Martyn Day  
Douglas Chapman

NC44

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;

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**European Union (Withdrawal) Bill, *continued***

- (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.”

***Member's explanatory statement***

*This new clause would require an independent evaluation of the impact of the Act upon the health and social care sector to be made after consulting the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department, service providers, those requiring health and social care services, and others.*

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Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Dr Philippa Whitford  
Martyn Day  
Douglas Chapman

Hywel Williams

**NC45**

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.”

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
Patrick Grady  
Chris Stephens  
Dr Philippa Whitford  
Martyn Day  
Douglas Chapman

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.”

***Member’s explanatory statement***

*This new clause would require the Secretary of State to carry out a public consultation within six months of the passing of the Act, assessing the impact of not having an EU withdrawal deal on workers in the EU who are UK citizens, and on workers in the UK who are EU citizens.*

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Ian Blackford  
Patrick Grady  
Neil Gray  
Dr Philippa Whitford  
Martyn Day  
Douglas Chapman

NC47

To move the following Clause—

**“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.”

***Member’s explanatory statement***

*This new clause would require the Secretary of State to publish within six months of the passing of this Act an assessment of the impact of leaving the EU on social and medical care provision for disabled people living in the UK.*

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**European Union (Withdrawal) Bill, *continued***

Mr Chris Leslie  
Mr George Howarth  
Ian Murray  
Mike Gapes  
Mr David Lammy  
Angela Smith

Dr Philippa Whitford  
Paul Farrelly

Martin Whitfield  
Tulip Siddiq

Martyn Day  
Stephen Timms

**NC48**

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.”

***Member’s explanatory statement***

*This new clause would require the UK Government to seek to maintain existing mutual recognition agreements and to publish a plan for UK notified bodies (such as the British Standards Institute) to continue to perform conformity assessments for medical devices and public health-related products deriving both within the UK and from across the EU.*

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Frank Field  
Ruth Smeeth  
Mr Ronnie Campbell  
Gareth Snell  
Gordon Henderson  
Kate Hoey

**NC52**

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.
- (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 (Withdrawal) Bill, *continued***

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  
Mr David Lammy  
Mr Gavin Shaker  
Stephen Doughty  
Paul Farrelly

Helen Hayes  
Angela Smith  
Kate Green  
Tulip Siddiq  
Neil Coyle

Mike Gapes  
Anna Soubry  
Dr Philippa Whitford  
Martin Whitfield

**NC54**

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”

***Member’s explanatory statement***

*This new clause would ensure that the objectives set out by the Prime Minister in her Florence speech are given the force of law and, if no implementation and transition period is achieved in negotiations, then exit day may not be triggered by a Minister of the Crown. The appointment of an ‘exit day’ would therefore require a fresh Act of Parliament in such circumstances.*

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**European Union (Withdrawal) Bill, *continued***

Peter Grant  
 Caroline Lucas  
 Stephen Doughty  
 Jo Swinson  
 Tom Brake  
 Kerry McCarthy

Layla Moran  
 Mr Nigel Evans  
 Andrew Rosindell  
 Martin Vickers  
 Dr Philippa Whitford

Mike Gapes  
 Robert Neill  
 Paul Flynn  
 Lady Hermon  
 Alistair Carmichael

Martyn Day  
 Angus Brendan MacNeil  
 Carol Monaghan  
 Joanna Cherry  
 Mr Stephen Hepburn

**NC56**

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.”

***Member’s explanatory statement***

*The purpose of this new clause is to ensure that the Bill does not remove or prejudice rights (for instance in the financial services field) which, as a result of the UK’s (and Gibraltar’s) common membership of the EU, could be exercised in the UK by a person from or established in Gibraltar, where that right existed immediately before exit day.*

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**European Union (Withdrawal) Bill, *continued***

Mr Chris Leslie  
 Dr Philippa Whitford  
 Martyn Day  
 Neil Coyle  
 Stephen Timms  
 Helen Hayes

Mr David Lammy

**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 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.”

***Member’s explanatory statement***

*This new clause would (a) commit the Government to seeking to replicate in the withdrawal agreement the framework for mutual recognition of professional qualifications the UK has at present and (b) allow competent UK authorities to continue to recognise EU qualifications as equivalent to their UK counterparts.*

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Mary Creagh  
 Caroline Lucas  
 Martyn Day  
 Kerry McCarthy  
 Helen Hayes

**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.”

***Member’s explanatory statement***

*This new clause would ensure that after withdrawal from the EU, the UK continued to participate in the Regulation for the Registration, Evaluation, Authorisation and Restriction of Chemicals.*

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**European Union (Withdrawal) Bill, *continued***

Robert Neill  
Stephen Hammond  
Wes Streeting

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.”

***Member’s explanatory statement***

*This new clause would require a Minister to report before exit day on the Government’s progress in negotiating mutual market access for financial and professional services*

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Robert Neill  
Stephen Hammond  
Wes Streeting

NC72

To move the following Clause—

**“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.”

***Member’s explanatory statement***

*This new clause would require a Minister to report before exit day on the Government’s progress in negotiating mutual recognition of controls on food and feed imports. It would also require the Government to permit, so far as possible, full cost recovery for authorities carrying out border inspections of food or feed.*

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**European Union (Withdrawal) Bill, *continued***

Tom Brake  
 Stephen Kinnock  
 Tim Farron

NC76

To move the following Clause—

**“Non-regression of equality law**

- (1) Any EU withdrawal related legislation must be accompanied by a statement made by a Minister of the Crown certifying that in the Minister’s opinion the legislation does not remove or reduce protection under or by virtue of the Equality Acts 2006 and 2010.
- (2) In subsection (1) “EU withdrawal related legislation” means—
  - (a) any statutory instrument under this Act;
  - (b) any statutory instrument made by a Minister of the Crown wholly or partly in connection with the United Kingdom’s withdrawal from the EU; and
  - (c) any Bill presented to Parliament by a Minister of the Crown which is wholly or partly connected to the United Kingdom’s withdrawal from the EU.”

***Member’s explanatory statement***

*This new clause would ensure that legislation in connection with withdrawal from the EU does not reduce protections provided by equality law.*

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Jess Phillips  
 Stephen Timms  
 Caroline Lucas  
 Liz Saville Roberts  
 Ms Harriet Harman  
 Dr Philippa Whitford

Rushanara Ali  
 Ms Marie Rimmer  
 Catherine West  
 Ian Blackford  
 Hywel Williams  
 Jo Swinson  
 Carolyn Harris  
 Ellie Reeves

Stephen Kinnock  
 Yvette Cooper  
 Sarah Champion  
 Alison Thewliss  
 Tom Brake  
 Stella Creasy  
 Nicky Morgan  
 Stephen Doughty

Mr David Lammy  
 Tim Farron  
 Helen Hayes  
 Stuart C. McDonald  
 Mr Alistair Carmichael  
 Deidre Brock  
 Mr Chris Leslie  
 Diana Johnson

NC77

To move the following Clause—

**“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,

**European Union (Withdrawal) Bill, *continued***

- (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.”

***Member’s explanatory statement***

*This new clause calls for the Government to lay a report before Parliament laying out how cross-border action to end violence against women and girls will continue after exit day, assessing the extent of current European Union funding for work to end violence against women and girls, and setting out the Government’s plans to provide comparable resources.*

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Frank Field

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.”

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Diana Johnson

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
 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.”

***Member’s explanatory statement***

*This new clause would require the Secretary of State to lay before Parliament a strategy for*

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**European Union (Withdrawal) Bill, *continued***

*supporting the UK wind energy sector in its ability to export competitively to markets in the EU following exit day, and to do this within six months of any vote in the House of Commons on the terms of withdrawal.*

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Diana Johnson

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).”

***Member’s explanatory statement***

*This new clause would require the Secretary of State, within six months of any vote in the House of Commons on the terms of withdrawal, to lay before Parliament a strategy setting out its intentions for the UK higher education sector’s future participation in current and future EU research, collaboration and student exchange programmes following exit day. This strategy would have to set out the long-term impact that the withdrawal agreement will have on the UK’s future participation, and set out the extent to which UK Government funds would mitigate this impact.*

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**European Union (Withdrawal) Bill, *continued***

Kerry McCarthy

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.
- (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.”

***Member’s explanatory statement***

*This new clause would enshrine in domestic law the principles underlying Article 174 (Title XVIII) of the Treaty on the Functioning of the European Union.*

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Robert Neill  
Stephen Hammond  
Wes Streeting

362

Schedule 8, page 49, line 4, after “document” insert “(not including a contract)”.

***Member’s explanatory statement***

*The amendment would make clear that the Bill does not modify the interpretation of contracts relating to EU law.*

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**European Union (Withdrawal) Bill, *continued***

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

Catherine McKinnell  
Ms Angela Eagle  
Mrs Madeleine Moon  
Ann Coffey  
Wera Hobhouse  
Patrick Grady  
Layla Moran

Stella Creasy  
Ian Murray  
Helen Hayes  
Mr Dominic Grieve  
Martin Whitfield  
Angus Brendan MacNeil

Ms Karen Buck  
Stephen Doughty  
Mr David Lammy  
Mike Gapes  
Paul Farrelly  
Tim Farron

**102**

Schedule 8, page 50, line 2, leave out paragraph 3

***Member's explanatory statement***

*This amendment would remove the additional power provided in paragraph 3.*

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

Ian Blackford  
Stephen Kinnock  
Mike Gapes  
Wera Hobhouse  
Martyn Day

Tom Brake  
Ann Coffey  
Mr David Lammy  
Martin Whitfield

Mr Alistair Carmichael  
Susan Elan Jones  
Mrs Madeleine Moon  
Albert Owen

**189**

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"

***Member's explanatory statement***

*This amendment and Amendment 190 are in consequence of Amendment 165 as no restriction relating to retained EU law on the making of subordinate legislation by the Scottish Ministers and the Welsh Ministers would apply.*

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

Catherine McKinnell  
Ms Angela Eagle  
Mrs Madeleine Moon  
Ann Coffey  
Wera Hobhouse  
Patrick Grady  
Layla Moran

Stella Creasy  
Ian Murray  
Helen Hayes  
Mr Dominic Grieve  
Martin Whitfield  
Angus Brendan MacNeil

Ms Karen Buck  
Stephen Doughty  
Mr David Lammy  
Mike Gapes  
Paul Farrelly  
Tim Farron

**103**

Schedule 8, page 50, line 41, leave out paragraph 5

***Member's explanatory statement***

*This amendment would remove the future powers to make subordinate legislation in paragraph 5.*

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**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

**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”

***Member’s explanatory statement***

*This amendment and Amendment 189 are in consequence of Amendment 165 to Schedule 3 as no restriction relating to retained EU law on the making of subordinate legislation by the Scottish Ministers and the Welsh Ministers will apply.*

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  
 Jonathan Edwards  
 Patrick Grady  
 Jamie Stone  
 Tulip Siddiq

Stephen Doughty  
 Paul Farrelly  
 Catherine McKinnell  
 Hywel Williams  
 Ben Lake  
 Kirsty Blackman  
 Wera Hobhouse

**64**

Schedule 8, page 54, leave out paragraphs 12 to 17

***Member’s explanatory statement***

*This amendment would retain the provisions of the European Economic Area Act 1993 as part of domestic legislation beyond exit day.*

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

Ian Blackford  
 Stephen Kinnock  
 Mrs Madeleine Moon  
 Martyn Day

Tom Brake  
 Ann Coffey  
 Wera Hobhouse

Mr Alistair Carmichael  
 Mike Gapes  
 Martin Whitfield

**191**

Schedule 8, page 55, leave out lines 8 to 13 and insert—

“(a) in paragraph (a), omit sub-paragraph (ii), and

**European Union (Withdrawal) Bill, continued**

(b) in paragraph (b), omit “or with EU law”.”

**Member’s explanatory statement**

*This amendment would amend the Criminal Procedure (Scotland) Act 1995 on the right of the Advocate General to take part in proceedings in consequence of removing the restriction on the competence of the Scottish Parliament and Scottish Government by Amendments 164 and 165 to Clause 11 and Schedule 3.*

Stephen Kinnock

**380**

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.”

**Member’s explanatory statement**

*This amendment would amend the status of EU-derived domestic legislation to subordinate legislation for the purposes of the Human Rights Act 1998.*

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

Dr Sarah Wollaston  
Chuka Umunna  
Ian Murray  
Stephen Doughty  
Mr Ben Bradshaw  
Stella Creasy  
Ann Coffey  
Jamie Stone  
Kate Green  
Martin Whitfield  
Tulip Siddiq

Jeremy Lefroy  
Caroline Lucas  
Mike Gapes  
Heidi Allen  
Angela Smith  
Mr George Howarth  
Steve McCabe  
Lady Hermon  
Dr Philippa Whitford  
Martyn Day  
Kerry McCarthy

Robert Neill  
Paul Farrelly  
Catherine McKinnell  
Helen Hayes  
Mr David Lammy  
Stephen Kinnock  
Seema Malhotra  
Mr Gavin Shuker  
Wera Hobhouse  
Darren Jones

**11**

Schedule 8, page 55, line 17, leave out “primary legislation and not”

**Member’s explanatory statement**

*This amendment would remove the proposal to allow secondary legislation to be treated as primary for the purposes of the Human Rights Act 1998.*

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

Ann Coffey

Paul Farrelly

Kerry McCarthy

**140**

Schedule 8, page 58, line 16, leave out “4” and insert “3”

**Member’s explanatory statement**

*This amendment, together with Amendments 139 and 141, would restore the right to obtain damages after exit day in respect of governmental failures before exit day to comply with European Union obligations.*

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**European Union (Withdrawal) Bill, *continued***

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

Ann Coffey

Paul Farrelly

Kerry McCarthy

**141**

Schedule 8, page 58, line 24, leave out “4” and insert “3”

***Member’s explanatory statement***

*This amendment, together with Amendments 139 and 140, would restore the right to obtain damages after exit day in respect of governmental failures before exit day to comply with European Union obligations.*

Mary Creagh  
Kerry McCarthy  
Helen Hayes

**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.
- (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.”

***Member’s explanatory statement***

*This amendment would require all tertiary legislation made under powers conferred by regulations to be subject to Parliamentary control.*

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

Ian Blackford  
Stephen Kinnock  
Mike Gapes  
Martin Whitfield

Tom Brake  
Ann Coffey  
Mrs Madeleine Moon  
Albert Owen

Mr Alistair Carmichael  
Susan Elan Jones  
Wera Hobhouse  
Martyn Day

**192**

Schedule 8, page 59, leave out lines 10 to 16

***Member’s explanatory statement***

*This amendment, with Amendments 193, 194 and 195, is in consequence of Amendments 164 and 165 to Clause 11 and Schedule 3 which would remove the powers to make an Order in Council to adjust the new restriction on the legislative competence of the Scottish Parliament and the National Assembly for Wales.*

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**European Union (Withdrawal) Bill, *continued***

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

Ian Blackford  
 Stephen Kinnock  
 Mike Gapes  
 Martin Whitfield

Tom Brake  
 Ann Coffey  
 Mrs Madeleine Moon  
 Albert Owen

Mr Alistair Carmichael  
 Susan Elan Jones  
 Wera Hobhouse  
 Martyn Day

**193**

Schedule 8, page 59, leave out lines 23 to 29

***Member's explanatory statement***

*This amendment, with Amendments 192, 194 and 195, is in consequence of Amendments 164 and 165 to Clause 11 and Schedule 3 which would remove the powers to make an Order in Council to adjust the new restriction on the legislative competence of the Scottish Parliament and the National Assembly for Wales.*

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

Ian Blackford  
 Stephen Kinnock  
 Mike Gapes  
 Martin Whitfield

Tom Brake  
 Ann Coffey  
 Mrs Madeleine Moon  
 Albert Owen

Mr Alistair Carmichael  
 Susan Elan Jones  
 Wera Hobhouse  
 Martyn Day

**194**

Schedule 8, page 59, line 47, leave out from beginning to end of line 8 on page 60

***Member's explanatory statement***

*This amendment, with Amendments 192, 193 and 195, is in consequence of Amendments 164 and 165 to Clause 11 and Schedule 3 which would remove the powers to make an Order in Council to adjust the new restriction on the legislative competence of the Scottish Parliament and the National Assembly for Wales.*

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

Ian Blackford  
 Stephen Kinnock  
 Mike Gapes  
 Martin Whitfield

Tom Brake  
 Ann Coffey  
 Mrs Madeleine Moon  
 Martyn Day

Mr Alistair Carmichael  
 Susan Elan Jones  
 Wera Hobhouse

**195**

Schedule 8, page 60, leave out lines 13 to 23

***Member's explanatory statement***

*This amendment, with Amendments 192, 193 and 194, is in consequence of Amendments 164 and 165 to Clause 11 and Schedule 3 which would remove the powers to make an Order in Council to*

**European Union (Withdrawal) Bill, continued**

*adjust the new restriction on the legislative competence of the Scottish Parliament and the National Assembly for Wales.*

Hywel Williams  
Liz Saville Roberts  
Jonathan Edwards  
Ben Lake  
Joanna Cherry  
Wera Hobhouse

Martyn Day

**81**

Clause 19, page 14, line 32, at end insert—

“(a) section 1(2);”

**Member’s explanatory statement**

*This amendment is a consequential amendment resulting from Amendments 78, 79 and 80 to Clause 1 requiring the Prime Minister to reach an agreement on EEA and Customs Union membership, to gain the consent of the devolved legislatures and to report on the effect leaving the EU will have on the block grant before implementing section 1 of this Act.*

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

Layla Moran  
Mr Roger Godsiff

Jamie Stone

Norman Lamb

**120**

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 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.”

**Member’s explanatory statement**

*This amendment is intended to ensure that before March 2019 (or the end of any extension to the two-year negotiation period) a referendum on the terms of the deal has to be held and provides the text of the referendum question.*

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 European Union (Withdrawal) Bill, *continued*

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

Wera Hobhouse

Martyn Day

82

Clause 19, page 14, line 40, at beginning insert “Subject to subsection (2A)”

***Member’s explanatory statement***

*This amendment is a consequential amendment resulting from Amendments 78, 79 and 80 to Clause 1 requiring the Prime Minister to reach an agreement on EEA and Customs Union membership, gain the consent of the devolved legislatures and report on the effect leaving the EU will have on the block grant before implementing section 1 of this Act.*

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

Mike Gapes

Wera Hobhouse

Martyn Day

83

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.”

***Member’s explanatory statement***

*This amendment would make the repeal of the European Communities Act 1972 on exit day conditional on the Prime Minister reaching an agreement for the United Kingdom to remain a member of the EEA and Customs Union.*

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

Wera Hobhouse

Martyn Day

84

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 resolutions have been passed by the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly signifying consent to the commencement of section 1.”

***Member’s explanatory statement***

*This amendment makes the repeal of the European Communities Act 1972 on exit day conditional on the Prime Minister gaining consent from the devolved legislatures.*



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**European Union (Withdrawal) Bill, *continued***

Hywel Williams  
Liz Saville Roberts  
Jonathan Edwards  
Ben Lake

85

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 EU on the National Assembly for Wales’s block grant.”

***Member’s explanatory statement***

*This amendment would require the UK Government to lay a report before the National Assembly for Wales outlining the effect of the UK’s withdrawal from the EU on Welsh finances, before exercising the power under section 1. This would allow for scrutiny of the Leave Campaign’s promise to maintain current levels of EU funding for Wales.*

Hywel Williams  
Liz Saville Roberts  
Jonathan Edwards  
Ben Lake

86

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.”

***Member’s explanatory statement***

*This amendment would require the UK Government to lay a report before Parliament and the National Assembly for Wales outlining the effect of the UK’s withdrawal from the EU Single Market and Customs Union before exercising the powers in section 1.*

Ian Blackford  
Patrick Grady  
Kirsty Blackman  
Hannah Bardell  
Martyn Day  
Douglas Chapman

219

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.”

***Member’s explanatory statement***

*This amendment would require publication of a Government report on which Scottish products will be identified with geographical indications in any future trade deal that Her Majesty’s Government negotiates after the United Kingdom’s withdrawal from the European Union.*

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**European Union (Withdrawal) Bill, *continued***

Ian Blackford  
 Patrick Grady  
 Kirsty Blackman  
 Drew Hendry  
 Martyn Day  
 Douglas Chapman

220

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.”

***Member’s explanatory statement***

*This amendment would require publication of a Government assessment of the impact of the United Kingdom’s withdrawal from the EU on Scottish businesses.*

Ian Blackford  
 Patrick Grady  
 Kirsty Blackman  
 Angus Brendan MacNeil  
 Martyn Day  
 Douglas Chapman

221

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 food and drink safety and quality standards, and has laid a copy of the assessment before Parliament.”

***Member’s explanatory statement***

*This amendment would require publication of a Government assessment of the impact of the United Kingdom’s withdrawal from the EU on food and drink safety and quality standards.*

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ORDER OF THE HOUSE [11 SEPTEMBER 2017]

That the following provisions shall apply to the European Union (Withdrawal) Bill:

*Committal*

1. The Bill shall be committed to a Committee of the whole House.

*Proceedings in Committee*

2. Proceedings in Committee of the whole House shall be completed in eight days.
3. The proceedings shall be taken on each of those days as shown in the first column of the following Table and in the order so shown.
4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

**European Union (Withdrawal) Bill, *continued*****TABLE**

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	
New Clauses and new Schedules relating to Clause 1, Clause 1	Four hours from the commencement of proceedings on the Bill on the first day
New Clauses and new Schedules relating to Clause 6, Clause 6	Eight hours from the commencement of proceedings on the Bill on the first day
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	Eight hours from the commencement of proceedings on the Bill on the second day
Third day	
New Clauses and new Schedules relating to Clause 5 or Schedule 1, Clause 5, Schedule 1	Eight hours from the commencement of proceedings on the Bill on the third day
Fourth day	
New Clauses and new Schedules relating to Clause 11 or Schedule 3, Clause 11, Schedule 3	Eight hours from the commencement of proceedings on the Bill on the fourth day
Fifth day	
New Clauses and new Schedules relating to Clause 10 or Schedule 2, Clause 10, Schedule 2	Four hours from the commencement of proceedings on the Bill on the fifth day
New Clauses and new Schedules relating to Clause 12 or Schedule 4, Clause 12, Schedule 4	Eight hours from the commencement of proceedings on the Bill on the fifth day
Sixth day	
New Clauses and New Schedules relating to Clause 7, Clause 7	Eight hours from the commencement of proceedings on the Bill on the sixth day

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**European Union (Withdrawal) Bill, *continued***

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
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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	Six hours from the commencement of proceedings on the Bill on the seventh day
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New Clauses and new Schedules relating to Clause 8, Clause 8	Eight hours from the commencement of proceedings on the Bill on the seventh day
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Eighth day

New Clauses and new Schedules relating to Clause 13 or Schedule 5, Clause 13, Schedule 5	Four hours from the commencement of proceedings on the Bill on the eighth day
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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	Eight hours from the commencement of proceedings on the Bill on the eighth day
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*Proceedings on Consideration and up to and including Third Reading*

5. Any proceedings on Consideration, any proceedings in legislative grand committee and proceedings on Third Reading shall be taken in two days in accordance with the following provisions of this Order.
6. Any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours before the moment of interruption on the second day.
7. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

*Programming committee*

8. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

*Other proceedings*

9. Any other proceedings on the Bill may be programmed.

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 12 September 2017:*

14 (duplicate of 10) and 125 (duplicate of 62)

**European Union (Withdrawal) Bill, *continued***

*The following Notices were withdrawn on 27 October 2017:*

341

*The following Notices were withdrawn on 6 November 2017:*

204

*The following Notices were withdrawn on 9 November 2017:*

375, 377, 378, 379, NC73, NC74,

*The following Notices were withdrawn on 13 November 2017:*

117

*The following Notices were withdrawn on 14 November 2017:*

112, 119

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