



**SUPPLEMENT TO THE VOTES AND PROCEEDINGS**

**Wednesday 15 November 2017**

**COMMITTEE OF THE WHOLE HOUSE  
PROCEEDINGS**

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**EUROPEAN UNION (WITHDRAWAL) BILL**

*[SECOND DAY]*

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**GLOSSARY**

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

*The following terms are used:*

*Agreed to:* agreed without a vote.

*Agreed to on division:* agreed following a vote.

*Negatived:* rejected without a vote.

*Negatived on division:* rejected following a vote.

*Not called:* debated in a group of amendments, but not put to a decision.

*Not moved:* not debated or put to a decision.

*Question proposed:* debate underway but not concluded.

*Withdrawn after debate:* moved and debated but then withdrawn, so not put to a decision.

*Not selected:* not chosen for debate by the Chair.

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

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

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

Valerie Vaz

Caroline Lucas

Paul Farrelly

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

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

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

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

*Withdrawn after debate*    **NC2**

To move the following Clause—

**“Retaining Enhanced Protection**

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

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

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

Stephen Kinnock  
Dr Philippa Whitford  
Martyn Day  
Ann Coffey

Chris Bryant  
Tulip Siddiq  
Paul Farrelly

Angela Smith  
Martin Whitfield  
Neil Coyle

*Not called*    **NC15**

To move the following Clause—

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

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

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

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

Ruth Cadbury  
 Ms Karen Buck  
 Stephen Doughty  
 Mr Kenneth Clarke  
 Stephen Kinnock  
 Chris Bryant  
 Paul Farrelly  
 Wera Hobhouse

Catherine McKinnell  
 Ms Angela Eagle  
 Mrs Madeleine Moon  
 Rushanara Ali  
 Ann Coffey  
 Susan Elan Jones  
 Patrick Grady  
 Tim Farron

Stella Creasy  
 Ian Murray  
 Helen Hayes  
 Mr David Lammy  
 Seema Malhotra  
 Martin Whitfield  
 Tom Brake  
 Stephen Timms

*Negated on division* **NC25**

To move the following Clause—

**“Treatment of retained law**

- (1) Following the commencement of this Act, no modification may be made to retained EU law save by primary legislation, or by subordinate legislation made under this Act.
- (2) By regulation, the Minister may establish a Schedule listing technical provisions of retained EU law that may be amended by subordinate legislation.
- (3) Regulations made under subsection (2) will be subject to an enhanced scrutiny procedure including consultation with the public and relevant stakeholders.
- (4) Regulations may only be made under subsection (2) to the extent that they will have no detrimental impact on the UK environment.
- (5) Delegated powers may only be used to modify provisions of retained EU law listed in any Schedule made under subsection (2) to the extent that such modification will not limit the scope or weaken standards of environmental protection.”

Frank Field  
 Ruth Smeeth  
 Mr Ronnie Campbell  
 Gareth Snell  
 Kelvin Hopkins  
 Gordon Henderson

Kate Hoey

*Not called* **NC50**

To move the following Clause—

**“Continuing validity in the United Kingdom of European Union law**

- (1) The European Communities Act 1972 shall continue to have effect in the United Kingdom after the date on which the United Kingdom leaves the European Union as if the United Kingdom continued to be bound by the Treaties.
- (2) Accordingly all such rights, powers, liabilities, obligations and restrictions created or arising by or under the Treaties, and all such remedies as provided for by or under the Treaties, as in accordance with the Treaties are without further

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

enactment given legal effect or used in the United Kingdom shall continue to be recognised and available in law, and be enforced, allowed and followed accordingly.

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

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Frank Field  
Ruth Smeeth  
Mr Ronnie Campbell  
Gareth Snell  
Kelvin Hopkins  
Gordon Henderson

Kate Hoey

*Not called* NC51

To move the following Clause—

**“Duty of review of European Union law**

- (1) The Prime Minister must lay before Parliament within six months of the date of the United Kingdom leaving the European Union, and at least once a year thereafter, a review of all European Union legislation and decisions still applicable to the United Kingdom, with proposals for re-enactment, replacement or repeal by the United Kingdom Parliament of any provisions of European Union law, with or without modification, as United Kingdom legislation.
- (2) The House of Commons may appoint or designate one or more select committees to consider any report under subsection (1).”

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Mr Dominic Grieve  
Tom Brake  
Sir Vince Cable  
Jo Swinson  
Sir Edward Davey  
Robert Neill

Seema Malhotra  
Lady Hermon

Mr David Lammy  
Antoinette Sandbach

Layla Moran  
Anna Soubry

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

Kate Green  
Paul Farrelly  
Stephen Hammond

Caroline Lucas  
Ann Coffey  
Stephen Timms

Tulip Siddiq  
Mike Gapes

*Not called* NC55

To move the following Clause—

**“Treatment of retained law (No. 2)**

- (1) Following the day on which this Act is passed, no modification may be made to retained EU law except by primary legislation, or by subordinate legislation made under this Act.
- (2) The Secretary of State must by regulations establish a schedule listing technical provisions of retained EU law that may be amended by subordinate legislation.
- (3) Subordinate legislation to which subsection (2) applies must be subject to an enhanced scrutiny procedure, to be established by regulations made by the Secretary of State after approval in draft by both Houses of Parliament, which must include consultation with the public and relevant stakeholders.
- (4) Delegated powers may be used only to modify provisions of retained EU law listed in any Schedule made under subsection (2) to the extent that such modification will not limit the scope or weaken standards of equalities, environmental and employment protection, and consumer standards.”

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

Mr David Lammy  
Tulip Siddiq  
Ann Coffey

Kerry McCarthy  
Vernon Coaker  
Mike Gapes

Caroline Lucas  
Paul Farrelly  
Matt Rodda

*Negated on division* NC58

To move the following Clause—

**“Retaining Enhanced Protection (No. 2)**

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

- (a) employment entitlement, rights and protection;
  - (b) equality entitlements, rights and protection;
  - (c) health and safety entitlement, rights and protection;
  - (d) consumer standards; and
  - (e) environmental standards and protection.”
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**European Union (Withdrawal) Bill, *continued***

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

*Not called*    **200**

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

Hywel Williams  
Liz Saville Roberts  
Jonathan Edwards  
Ben Lake  
Wera Hobhouse

*Not called*    **87**

Clause 2, page 1, line 19, at end insert “or any enactment to which subsection (2A) applies.

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

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

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

*Not called*    **201**

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

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

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

*Clause agreed to.*

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**European Union (Withdrawal) Bill, continued***NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 3, CLAUSE 3*

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

*Not called 217*

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

Robert Neill  
Stephen Hammond  
Wes Streeting

*Not called 356*

Clause 3, page 2, line 22, at end insert—

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

*Clause agreed to.*

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

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

Angela Smith  
Stephen Gethins  
Jo Swinson  
Mike Gapes

Patrick Grady  
Daniel Zeichner  
Sir Edward Davey  
Layla Moran

Peter Grant  
Sir Vince Cable  
Seema Malhotra  
Dr Philippa Whitford

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

Martyn Day  
Darren Jones  
Jamie Stone  
Mary Creagh

Paul Farrelly  
Catherine McKinnell  
Norman Lamb  
Stephen Timms

Ann Coffey  
Angus Brendan MacNeil  
Tulip Siddiq

*Negated on division* **NC30**

To move the following Clause—

**“EU Protocol on animal sentience**

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

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Mary Creagh  
Ann Coffey  
Mike Gapes  
Caroline Lucas

*Not called* **NC60**

To move the following Clause—

**“Retention of principles of EU environmental law**

- (1) On and after exit day the environmental principles of European Union law become principles of United Kingdom law in accordance with this section.
  - (2) The “environmental principles of EU law” are the principles set out in Article 191 of the Treaty on the Functioning of the European Union (the precautionary principle; the principle that preventive action should be taken; the principle that environmental damage should as a priority be rectified at source and that the polluter should pay).
  - (3) A court or tribunal interpreting or applying an enactment must, so far as it is possible to do so, construe or apply the enactment in a manner that is compatible with the environmental principles of EU law.
  - (4) A public authority must, in the exercise of its functions, have regard to the environmental principles of EU law.”
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**European Union (Withdrawal) Bill, *continued***

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

Martin Whitfield  
 Paul Farrelly

Geraint Davies  
 Mike Gapes

Vernon Coaker  
 Stephen Timms  
*Negated on division* **NC67**

To move the following Clause—

**“Environmental protection: principles under Article 191 of TFEU**

- (1) Principles contained in Article 191 of TFEU in relation to environmental protection and listed in subsection (2) shall continue to be recognised and applied on and after exit day.
- (2) The principles are—
  - (a) the precautionary principle as it relates to the environment,
  - (b) the principle that preventive action should be taken to avert environmental damage,
  - (c) the principle that environmental damage should as a priority be rectified at source, and
  - (d) the principle that the polluter should pay.”

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

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

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

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

*Not called* **93**

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

European Union (Withdrawal) Bill, *continued*

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

Jamie Stone  
 Douglas Chapman

Wera Hobhouse

Martyn Day

*Negatived on division* 70

Clause 4, page 2, line 47, at end insert—

“(1A) Rights, powers, liabilities, obligations, restrictions, remedies and procedures under subsection (1) shall include directly effective rights contained in the following Articles of, and Protocols to, the Treaty on the Functioning of the European Union—

Non-discrimination on ground of nationality	Article 18
Citizenship rights	Article 20 (except article 20(2)(c))
Rights of movement and residence deriving from EU citizenship	Article 21(1)
Establishes customs union, prohibition of customs duties, common external tariff	Article 28
Prohibition on customs duties	Article 30
Prohibition on quantitative restrictions on imports	Article 34
Prohibition on quantitative restrictions on exports	Article 35
Exception to quantitative restrictions	Article 36
Prohibition on discrimination regarding the conditions under which goods are procured	Article 37(1) and (2)
Free movement of workers	Article 45(1), (2) and (3)
Freedom of establishment	Article 49
Freedom to provide services	Article 56
Services	Article 57
Free movement of capital	Article 63
Competition	Article 101(1)
Abuse of a dominant position	Article 102
Public undertakings	Article 106(1) and (2)
State aid	Article 107(1)

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

Commission consideration of plans re: state aid	Article 108(3)
Internal taxation	Article 110
Non-discrimination in indirect taxes	Articles 111 to 113
Economic co-operation	Articles 120 to 126
Equal pay	Article 157
European Investment Bank (EIB)	Article 308 (first and second subparagraphs)
Combating fraud on the EU	Article 325(1) and (2)
Disclosure of information and national security	Article 346
EIB	Protocol 5 - Articles 3, 4, 5, 7(1), 13, 15, 18(4), 19(1) and (2), 20(2), 23(1) and (4), 26, 27 (second and third subparagraphs)
Privileges and immunities of the EIB	Protocol 7 - Article 21”

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

Angela Smith  
Tulip Siddiq  
Catherine McKinnell  
Caroline Lucas  
Tom Brake  
Sir Edward Davey  
Seema Malhotra  
Chris Bryant  
Wera Hobhouse  
Stephen Timms

Heidi Alexander  
Helen Hayes  
Mike Gapes  
Mr Barry Sheerman  
Sir Vince Cable  
Stephen Kinnock  
Catherine West  
Mr David Lammy  
Martin Whitfield

Stephen Doughty  
Chuka Umunna  
Jo Swinson  
Lisa Nandy  
Jo Swinson  
Ian Murray  
Jamie Stone  
Layla Moran  
Paul Farrelly

*Not called* 148

Clause 4, page 2, line 47, at end insert—

“(1A) Rights, powers, liabilities, obligations, restrictions, remedies and procedures under subsection (1) shall include directly effective rights and obligations contained in the United Nations Convention on the Rights of the Child.”

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 European Union (Withdrawal) Bill, *continued*

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

Ruth Cadbury  
 Ms Karen Buck  
 Mrs Madeleine Moon  
 Mr David Lammy  
 Jamie Stone  
 Wera Hobhouse  
 Paul Farrelly  
 Angus Brendan MacNeil

Catherine McKinnell  
 Ms Angela Eagle  
 Helen Hayes  
 Ann Coffey  
 Chris Bryant  
 Tulip Siddiq  
 Patrick Grady  
 Tim Farron

Stella Creasy  
 Stephen Doughty  
 Angela Smith  
 Seema Malhotra  
 Mike Gapes  
 Martin Whitfield  
 Norman Lamb  
 Stephen Timms

*Not called* 94

Clause 4, page 3, line 4, leave out paragraph (b)

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

Ruth Cadbury  
 Ms Karen Buck  
 Mrs Madeleine Moon  
 Ann Coffey  
 Mike Gapes  
 Martin Whitfield  
 Norman Lamb  
 Stephen Timms

Catherine McKinnell  
 Ms Angela Eagle  
 Helen Hayes  
 Jamie Stone  
 Wera Hobhouse  
 Paul Farrelly  
 Angus Brendan MacNeil

Stella Creasy  
 Stephen Doughty  
 Mr David Lammy  
 Chris Bryant  
 Tulip Siddiq  
 Patrick Grady  
 Tim Farron

*Not called* 95

Clause 4, page 3, line 9, at end insert—

- “(4) Where, following the United Kingdom’s exit from the EU, no specific provision has been made in respect of an aspect of EU law applying to the UK or any part of the United Kingdom immediately prior to the United Kingdom’s exit from the EU, that aspect of EU law shall continue to be effective and enforceable in the United Kingdom with equivalent scope, purpose and effect as immediately before exit day.
- (5) Where, following the United Kingdom’s exit from the EU, retained EU law is found to incorrectly or incompletely transpose the requirements of EU legislation in force on exit day, a Minister of the Crown shall make regulations made subject to an enhanced scrutiny procedure so as to ensure full transposition of the EU legislation.”

*Clause agreed to.*

*Progress reported.*