EUROPEAN UNION (WITHDRAWAL) BILL
[FIFTH DAY]

GLOSSARY

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

The following terms are used:

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

NEW CLAUSES AND NEW SCHEDULES RELATING TO CLAUSE 10 OR SCHEDULE 2,
CLAUSE 10, SCHEDULE 2

Lady Hermon
Pat McFadden
Joanna Cherry
Vernon Coaker
Paul Farrelly
Conor McGinn
Heidi Alexander Mr Ben Bradshaw Mary Creagh
Rachel Reeves Alison McGovern Chuka Umunna
Liz Kendall Mr Gavin Shuker Wes Streeting
Kate Green Chris Bryant Mr David Lammy
Withdrawn after debate  NC70

“Northern Ireland: the Belfast principles

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

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

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

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

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

(b) the powers under paragraph 13(b) of Schedule 7 to this Act to make supplementary, incidental, consequential, transitional, transitory or saving provision (including provision restating any retained EU law in a clearer or more accessible way) may not be exercised to do anything beyond the minimum changes strictly required only as a direct consequence of the withdrawal of the United Kingdom from the EU.

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

Jeremy Corbyn
Mr Nicholas Brown
Keir Starmer
Owen Smith
Jenny Chapman
Matthew Pennycook
Paul Blomfield
Mike Gapes
Ann Coffey
Vernon Coaker
Ms Harriet Harman
Not called 338

Clause 10, page 7, line 14, at end insert—
“(2) But regulations made under Schedule 2 must not be incompatible with the full provisions of the British – Irish Agreement 1998 and the Multi-party agreement (the Belfast/Good Friday Agreement) to which it gives effect, including—
(a) the preservation of institutions set up relating to strands 1, 2 and 3 of the Good Friday Agreement,
(b) human rights and equality,
(c) the principle of consent, and
(d) citizenship rights.”

Clause agreed to.

Stephan Kinnock
Ann Coffey
Hywel Williams
Not called 307

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

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day
Douglas Chapman
Not called 209

Schedule 2, page 16, line 13, leave out “appropriate” and insert “necessary”.

Stephan Kinnock
Hywel Williams
Not called 308

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

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European Union (Withdrawal) Bill, continued

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

Not called

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

Not called

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

Not called

Schedule 2, page 17, line 9, at end insert—
“(3) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Negatived on division
Schedule 2, page 17, line 13, at end insert—
“(2) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”

Schedule 2, page 17, line 20, at end insert—
“(2) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

5A No regulations may be made under this Part by the Scottish Ministers or the Welsh Ministers acting alone so far as the regulations—
(a) are to come into effect before exit day, or
(b) remove (whether wholly or partly) reciprocal arrangements of the kind mentioned in section 7(2)(c) or (e),
unless the regulations are, to that extent, made after consulting with a Minister of the Crown.”
European Union (Withdrawal) Bill, continued

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

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

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

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

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

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

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

Not called 309

Ian Blackford
Peter Grant
Joanna Cherry
Patrick Grady
Martyn Day

Not called 212

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

Stephen Kinnock
Hywel Williams

Not called 310

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

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

Not called 213

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

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

Not called 287

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

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

Not called 288

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

Stephen Kinnock
Hywel Williams

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

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

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

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

Schedule 2, page 22, line 25, leave out paragraph 15

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

Schedule 2, page 22, line 32, at end insert—
“(3) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.”
European Union (Withdrawal) Bill, continued

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

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

Requirement for consultation in certain circumstances

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

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

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

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

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

(2) In sub-paragraph (1)—

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

“quota arrangements” has the meaning given in paragraph 16(3).”

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

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

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

Ian Blackford
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

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

Stephen Doughty
Stephen Gethins
Ian Murray
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

Schedule 2, page 23, line 35, leave out “80(8)” and insert “80”

Stephen Kinnock
Ann Coffey
Hywel Williams

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

Not called 180
Not called 181
Not called 182
Not called 311
European Union (Withdrawal) Bill, continued

Not called 214

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

Not called 312

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

Not called 215

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

Not called 289

Schedule 2, page 24, line 32, after “or revoke”, insert “, or otherwise modify the effect of,”

Not called 290

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

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

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

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

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

Schedule 2, page 25, line 28, at end insert—
“(3) This paragraph does not apply to regulations made under this Part by the Scottish Ministers or the Welsh Ministers.

Requirement for consultation in certain circumstances

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

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

Schedule 2, page 25, line 31, at end insert—
“PART [ ]

WELSH MINISTERS—POWER TO MAKE CONSEQUENTIAL AND TRANSITIONAL PROVISION

[ ] (1) The Welsh Ministers may by regulations make such provision as is essential in consequence of this Act.

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

(3) In sub-paragraph (2), “enactment” does not include—

(a) primary legislation passed or made after the end of the Session in which this Act is passed, or

(b) any provision of the Government of Wales Act 2006.

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

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

Schedule agreed to.

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

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

Negatived on division NC17

To move the following Clause—

“Withdrawal Agreement Payment to the European Union

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

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

Mr David Lammy

Negatived on division NC80

To move the following Clause—

“Transparency of the financial settlement

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

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

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

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

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

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

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

Clause agreed to.

Schedule 4, page 32, line 35, leave out “(among other things)”
European Union (Withdrawal) Bill, continued

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

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

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

Vernon Coaker
Ann Coffey
Mike Gapes
Stephen Timms
Ms Harriet Harman
Mr David Lammy

Negatived on division 339

Schedule 4, page 33, line 3, at end insert—

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

Stephen Timms
Daniel Zeichner
Tom Brake
Sir Vince Cable
Jo Swinson
Sir Edward Davey

Ann Coffey
Norman Lamb
Mike Gapes
Wera Hobhouse
Mr David Lammy
Ann Coffey

Not called 340

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

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

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

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

Schedule agreed to.

Progress reported.