



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Thursday 14 December 2017

New Amendments handed in are marked thus ★

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

COMMITTEE OF THE WHOLE HOUSE

EUROPEAN UNION (WITHDRAWAL) BILL

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This document includes all remaining amendments and includes any withdrawn amendments at the end.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.

*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—

European Union (Withdrawal) Bill, *continued*

“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.

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.”

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.

European Union (Withdrawal) Bill, *continued*

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

Martyn Day

76

Schedule 5, page 37, leave out paragraph 4

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.

 European Union (Withdrawal) Bill, *continued*

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 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
 Mr Peter Bone

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’.

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
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 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 Shaker
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

European Union (Withdrawal) Bill, *continued*

(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.

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;”

European Union (Withdrawal) Bill, *continued*

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);

“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
Mr Peter Bone

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.

 European Union (Withdrawal) Bill, *continued*

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.

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

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.

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.

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.

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 Kinnoch
 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.

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.

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.

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.”

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;

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.

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 System
 on matters relating to the safety and welfare of children and young people.
- (3) The Secretary of State shall lay before Parliament a strategy for seeking continued participation in the European Arrest Warrant, in relation to the promotion of the safety and welfare of children and young people.”

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.

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

Angela Smith
Tulip Siddiq

Heidi Alexander
Helen Hayes

Stephen Doughty
Chuka Umunna

European Union (Withdrawal) Bill, continued

Catherine McKinnell	Mike Gapes	Mr George Howarth
Jo Swinson	Caroline Lucas	Mr Barry Sheerman
Lisa Nandy	Stephen Kinnock	Ian Murray
Seema Malhotra	Mr David Lammy	Layla Moran
Martin Whitfield	Paul Farrelly	Neil Coyle
Stephen Timms		

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.

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

Angela Smith	Heidi Alexander	Stephen Doughty
Tulip Siddiq	Helen Hayes	Chuka Umunna
Catherine McKinnell	Mike Gapes	Mr George Howarth
Jo Swinson	Caroline Lucas	Mr Barry Sheerman
Lisa Nandy	Stephen Kinnock	Ian Murray
Seema Malhotra	Susan Elan Jones	Mr David Lammy
Martin Whitfield	Paul Farrelly	Stephen Timms
Diana Johnson		

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.

European Union (Withdrawal) Bill, *continued*

- (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.

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.”

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.”

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.”

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.”

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;

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.

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.”

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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.”

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

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.

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.

 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.

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.

 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.

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.

 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.

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
Geraint Davies

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.

 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.

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.

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.

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

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

The following Notices were withdrawn on 12 September 2017:

14 (duplicate of 10) and 125 (duplicate of 62)

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
