



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Thursday 22 February 2018

New Amendments handed in are marked thus ★

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

Amendments tabled since the last publication: NC4 to NC5

CONSIDERATION OF BILL (REPORT STAGE)

TRADE BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

Anna Soubry
Mr Kenneth Clarke
Mr Chris Leslie
Kate Green
Rushanara Ali
Chuka Umunna

Mr Ben Bradshaw
Caroline Lucas
Heidi Alexander
Gareth Thomas
Ruth Cadbury
Tulip Siddiq
Ann Coffey
Seema Malhotra

Stephen Doughty
Mr David Lammy
Ian Murray
Martin Whitfield
Darren Jones
Stella Creasy
Peter Kyle
Mike Gapes

Wes Streeting
Wera Hobhouse
Liz Kendall
Maria Eagle
Alison McGovern
Angela Smith
Phil Wilson
Stephen Kinnock

Trade Bill, *continued*

Geraint Davies	Stephen Timms	Mrs Madeleine Moon
Neil Coyle	Mary Creagh	Catherine McKinnell
Anna Turley	Mrs Louise Ellman	Tom Brake
Kerry McCarthy	Daniel Zeichner	Dame Margaret Hodge
Catherine West	Luciana Berger	Liz Saville Roberts
Hywel Williams	Ben Lake	Jonathan Edwards
Mr Dominic Grieve	Stephen Hammond	Jeremy Lefroy
Antoinette Sandbach	Mr Jonathan Djanogly	Tim Farron

NC1

To move the following Clause—

“EU customs union

- (1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the UK to participate after exit day in a customs union with the EU in the same terms as existed before exit day.
- (2) Exit day shall have the meaning set out in section 14 of the European Union (Withdrawal) Act 2018.”

Wera Hobhouse

NC2

To move the following Clause—

“Review of the impact on the UK economy

- (1) Before the end of the initial five year period, the Secretary of State must publish and lay before both Houses of Parliament an assessment of the impact of all international trade agreements implemented under section 2 of this Act on—
 - (a) the economy of the United Kingdom,
 - (b) the economy of the different parts of the United Kingdom and different regions of England, and
 - (c) individual economic sectors.
- (2) The assessment in subsection (1) must so far as practicable analyse the expected difference in outcomes between the international trade agreements implemented under section 2 of this Act and those international trade agreements to which the United Kingdom would have been a signatory had it continued to participate in the EU Customs Union.
- (3) In this section—

“the initial five year period” has the same meaning as in section 2(8)(a),

“parts of the United Kingdom” means—

 - (a) England,
 - (b) Scotland,
 - (c) Wales, and
 - (d) Northern Ireland

“regions of England” has the same meaning as that used by the Office for National Statistics.”

Trade Bill, *continued*

Caroline Lucas
 Kerry McCarthy
 Hannah Bardell
 Liz Saville Roberts
 Kate Green
 Mr David Lammy

Patrick Grady

NC3

☆ To move the following Clause—

“Free trade agreements: Parliamentary scrutiny and consent

- (1) The Secretary of State shall not commence negotiations relating to a free trade agreement unless—
 - (a) a Minister of the Crown has laid before Parliament a sustainability impact assessment conducted by a credible body independent of government following consultation with—
 - (i) each devolved authority,
 - (ii) public bodies, businesses, trade unions and non-governmental organisations which, in the opinion of the Minister, have a relevant interest, and
 - (iii) the public,
 and the assessment shall include both qualitative and quantitative assessments of the potential impacts of the proposed trade agreement, including social, economic, environmental, gender, human rights, labour, development and regional impacts,
 - (b) a Minister of the Crown has laid before Parliament a draft of a negotiating mandate relating to the proposed trade agreement, setting out—
 - (i) all fields and sectors to be included in the proposed negotiations,
 - (ii) the principles to underpin the proposed negotiations,
 - (iii) any limits on the proposed negotiations, and
 - (iv) the desired outcomes from the proposed negotiations, and
 - (c) the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out a proposed negotiating mandate and authorising the Secretary of State to enter negotiations on the proposed trade agreement on the basis of that mandate, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons.
- (2) The United Kingdom may not become a signatory to a free trade agreement unless—
 - (a) during the course of the negotiations, the text of the trade agreement as so far agreed or consolidated has been made publicly available within ten working days of the close of each negotiating round,
 - (b) between each round of negotiations, all documents relating to the negotiations have been made available for scrutiny by select committees in both Houses of Parliament,
 - (c) upon conclusion of the negotiations, the House of Commons has approved by resolution a motion, drafted in terms which permit amendment, setting out the text of the trade agreement as negotiated and authorising the Secretary of State to sign the proposed agreement, and the House of Lords has approved a resolution in the same terms as that approved by the House of Commons, and

Trade Bill, *continued*

- (d) the text of the trade agreement includes provision for a review of the operation and impacts of the agreement no later than ten years after the day on which the agreement comes into force.”

Member's explanatory statement

This new clause would ensure that all new free trade agreements are subject to parliamentary scrutiny and consent.

Jeremy Corbyn
Barry Gardiner
Mr Nicholas Brown
Christina Rees
Lesley Laird
Owen Smith

Bill Esterson

Judith Cummins

Stephanie Peacock

NC4

★ To move the following Clause—

“Convention about Parliament legislating on devolved matters

- (1) Regulations made under section 1(1) by a Minister of the Crown, may not normally make provision which would be within the devolved competence of a devolved authority unless—
- (a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), the Scottish Ministers consent, or
 - (b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), the Welsh Ministers consent, or
 - (c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning of paragraph 9 of Schedule 1), unless the Northern Ireland department has given consent.
- (2) Regulations made under section 2(1) by a Minister of the Crown, may not normally make provision which would be within the devolved competence of a devolved authority unless—
- (a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 1), the Scottish Ministers consent, or
 - (b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 1), the Welsh Ministers consent, or
 - (c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 9 of Schedule 1), unless the Northern Ireland department has given consent.
- (3) This paragraph does not apply to regulations made by the Secretary of State under—
- (a) section 35 or 58 of the Scotland Act 1998 (as amended),
 - (b) section 82 or 114 of the Government of Wales Act 2006 (as amended), or

Trade Bill, continued

(c) section 25 or 26 of the Northern Ireland Act 1998 (as amended).”

Member’s explanatory statement

This new clause would ensure that regulations made by a Minister of the Crown within devolved competence require the consent of Ministers in devolved authorities in accordance with the convention about Parliament legislating on devolved matters while making clear that this does not alter the current powers of Ministers of the Crown in respect of international agreements.

Anna Soubry
 Chuka Umunna
 Nicky Morgan
 Dr Sarah Wollaston
 Mr Jonathan Djanogly
 Stephen Hammond

NC5

★ To move the following Clause—

“Implementation of a customs union with the EU

- (1) It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the UK to participate after exit day in a customs union with the EU.
- (2) Exit day shall have the meaning set out in section 14 of the European Union (Withdrawal) Act 2018.”

Wera Hobhouse
 Tim Farron

3

Clause 2, page 2, line 29, at end insert—

- “(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if:
- (a) the provisions of that international trade agreement do not conflict with, and are consistent with—
 - (i) the provisions of the Sustainable Development Goals adopted by the United Nations General Assembly on 25 September 2015,
 - (ii) international human rights law and international humanitarian law,
 - (iii) the United Kingdom’s obligations on workers’ rights and labour standards as established by but not limited to the commitments under the International Labour Organisation’s Declaration on Fundamental Rights at Work and its Follow-up Conventions,
 - (iv) the United Kingdom’s environmental obligations in international law and as established by, but not limited to, the Paris Agreement adopted under the United Nations Framework Convention on Climate Change, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety,

Trade Bill, *continued*

- (v) existing standards for food safety and quality as set and administered by the Department of Health, the Food Standards Agency and any other public authority specified in regulations made by the Secretary of State,
 - (vi) the United Kingdom’s obligations as established by the Convention on the Elimination of All Forms of Discrimination Against Women and by the Convention on the Rights of the Child, and
 - (vii) the sovereignty of Parliament, the legal authority of UK courts, the rule of law and the principle of equality before the law.
- (b) the provisions of that international trade agreement do not in any way restrict the ability to determine whether public services at a national or local level are delivered by public sector employees, and
- (c) the Secretary of State has laid before Parliament an assessment that considers the potential economic, social, human rights and environmental impacts of the international trade agreement on the contracting parties.”

Jeremy Corbyn
John McDonnell
Mr Nicholas Brown
Barry Gardiner
Bill Esterson
Judith Cummins

5

Clause 2, page 2, line 40, at end insert—

“(7A) No regulations made under subsection (1) shall preclude the United Kingdom from participating in a customs union with the European Union following exit day.”

Member’s explanatory statement

This amendment allows for the implementation of international trade agreements while leaving open the possibility of negotiating a customs union with the EU.

Mr Chris Leslie
Caroline Lucas
Tom Brake

1

Clause 6, page 4, line 10, at end insert—

“(aa) the conduct of trade within a customs union within the meaning of section 31 of the Taxation (Cross-border Trade) Act 2018,”

Wera Hobhouse
Tim Farron

4

Schedule 2, page 12, line 5, leave out “or 2(1)”

Trade Bill, *continued*

Wera Hobhouse
Tim Farron

2

Schedule 2, page 12, line 6, at end insert—

“(1A) A statutory instrument containing regulations of a Minister of the Crown under section 2(1) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

ORDER OF THE HOUSE [9 JANUARY 2018, AS AMENDED 17 JANUARY 2018]

That the following provisions shall apply to the Trade Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 1 February 2018.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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