

Memorandum on the application of Standing Order No. 830 in respect of any motion relating to a Lords Amendment for Commons Consideration of Lords Amendments stage for the European Union (Withdrawal) Bill

Lords amendments

1. The following is the Department's assessment of the amendments made to the Bill in the House of Lords. This memorandum refers to the Bill as introduced in the House of Lords on 18 January 2018 (HL Bill 79).

Summary

2. Clauses 1, 3, 5, 6, 7, 9, 10, 11, 14, 15, 17 and 19 (and schedules 1, 2, 3, 4, 7 and 8) were amended in the House of Lords, all of which continue to extend and apply to England and Wales, Scotland and Northern Ireland. Clause 8 was removed by the House of Lords.
3. None of the above changes the territorial extent or application of any part of the Bill. This assessment is presented in tabular form below.

| Provision | Extends to E & W and applies to England? | Extends to E & W and applies to Wales? | Extends and applies to Scotland? | Extends and applies to Northern Ireland? | Would corresponding provision be within the competence of the National Assembly for Wales? | Would corresponding provision be within the competence of the Scottish Parliament? | Would corresponding provision be within the competence of the Northern Ireland Assembly? | Legislative Consent Motion needed? |
|------------------------|--|--|----------------------------------|--|--|--|--|------------------------------------|
| Clause 1 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |
| Clause 3 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |
| Clause 5 & Schedule 1 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Clause 6 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |
| Clause 7 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Clause 9 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Clause 10 & Schedule 2 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |
| Clause 11 & Schedule 3 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |
| Clause 14 & Schedule 6 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Clause 15 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Clause 17 & Schedule 8 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Clause 19 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | No |
| Schedule 4 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |
| Schedule 7 | Yes | Yes | Yes | Yes | N/A | N/A | N/A | Yes (S, W, NI) |

Territorial application

4. The amendments made in the House of Lords apply in England and Wales, Scotland and Northern Ireland. There is therefore no change to the territorial application of the Bill.

Minor or consequential effects¹

5. There are no minor or consequential effects of the amendments made in the House of Lords which are relevant to this analysis.

¹ References in this statement to an effect of a provision being minor or consequential are to its being minor or consequential for the purposes of Standing Order No. 83J of the Standing Orders of the House of Commons relating to Public Business.