



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Wednesday 13 June 2018

**PROCEEDINGS
ON CONSIDERATION OF LORDS AMENDMENTS**

EUROPEAN UNION (WITHDRAWAL) BILL

[FIRST AND SECOND DAYS]

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

FIRST DAY

Lords Amendment No. **110**

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

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European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **128**

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. **37**

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. **39**

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. **125**

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. 19

As an Amendment to the Lords Amendment:—

Tom Brake
 Sir Vince Cable
 Tim Farron
 Sir Edward Davey
 Wera Hobhouse
 Layla Moran

Jamie Stone
 Jo Swinson
 Christine Jardine
 Hywel Williams
 Mike Gapes
 Mr Ben Bradshaw

Caroline Lucas
 Owen Smith
 Norman Lamb
 Catherine West
 Mr Roger Godsiff

Jonathan Edwards
 Mr Alastair Carmichael
 Geraint Davies
 Neil Coyle
 Mr David Lammy

Not called (a)

Page 6, line 10, at end insert—

“() Any resolution considered by the House of Commons under subsection (5)(a) may include the option to hold a referendum on whether the United Kingdom should accept the outcome of negotiations between the Government and the EU under Article 50 (2) of the Treaty of European Union, or seek to remain in the EU by revoking the notification of withdrawal from the EU under Article 50.”

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Secretary David Davis

To move the following Amendments to the Bill in lieu of the Lords Amendment:—

Secretary David Davis

Agreed to (a)

Page 8, line 43, at end insert the following Clause—

“Parliamentary approval of the outcome of negotiations with the EU

(1) The withdrawal agreement may be ratified only if—

5

(a) a Minister of the Crown has laid before each House of Parliament—

(i) a statement that political agreement has been reached,

(ii) a copy of the negotiated withdrawal agreement, and

(iii) a copy of the framework for the future relationship,

10

(b) the negotiated withdrawal agreement and the framework for the future relationship have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown,

(c) a motion for the House of Lords to take note of the negotiated withdrawal agreement and the framework for the future relationship has been tabled in the House of Lords by a Minister of the Crown and—

(i) the House of Lords has debated the motion, or

European Union (Withdrawal) Bill, *continued*

- 15 (ii) the House of Lords has not concluded a debate on the motion before the end of the period of five sitting days beginning with the first sitting day after the day on which the House of Commons passes the resolution mentioned in paragraph (b), and
- 20 (d) an Act of Parliament has been passed which contains provision for the implementation of the withdrawal agreement.
- (2) So far as practicable, a Minister of the Crown must make arrangements for the motion mentioned in subsection (1)(b) to be debated and voted on by the House of Commons before the European Parliament decides whether it consents to the withdrawal agreement being concluded on behalf of the EU in accordance with Article 50(2) of the Treaty on European Union.
- 25 (3) Subsection (4) applies if the House of Commons decides not to pass the resolution mentioned in subsection (1)(b).
- (4) A Minister of the Crown must, within the period of 28 days beginning with the day on which the House of Commons decides not to pass the resolution, make a statement setting out how Her Majesty’s Government proposes to proceed in relation to negotiations for the United Kingdom’s withdrawal from the EU under Article 50(2) of the Treaty on European Union.
- 30 (5) A statement under subsection (4) must be made in writing and be published in such manner as the Minister making it considers appropriate.
- 35 (6) This section does not affect the operation of Part 2 of the Constitutional Reform and Governance Act 2010 (ratification of treaties) in relation to the withdrawal agreement.
- (7) In this section—
- 40 “framework for the future relationship” means the document or documents identified, by the statement that political agreement has been reached, as reflecting the agreement in principle on the substance of the framework for the future relationship between the EU and the United Kingdom after withdrawal;
- 45 “negotiated withdrawal agreement” means the draft of the withdrawal agreement identified by the statement that political agreement has been reached;
- “ratified”, in relation to the withdrawal agreement, has the same meaning as it does for the purposes of Part 2 of the Constitutional Reform and Governance Act 2010 in relation to a treaty (see section 25 of that Act);
- 50 “sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day);
- “statement that political agreement has been reached” means a statement made in writing by a Minister of the Crown which—
- 55 (a) states that, in the Minister’s opinion, an agreement in principle has been reached in negotiations under Article 50(2) of the Treaty on European Union on the substance of—
- (i) the arrangements for the United Kingdom’s withdrawal from the EU, and
- 60 (ii) the framework for the future relationship between the EU and the United Kingdom after withdrawal,
- (b) identifies a draft of the withdrawal agreement which, in the Minister’s opinion, reflects the agreement in principle so far as relating to the arrangements for withdrawal, and
- 65 (c) identifies one or more documents which, in the Minister’s opinion, reflect the agreement in principle so far as relating to the framework.”

European Union (Withdrawal) Bill, *continued*

As Amendments to Secretary David Davis's proposed Amendment (a) in lieu of the Lords Amendment:—

Mr Dominic Grieve

Not called (i)

★ Line 28, leave out “28” and insert “21”

Mr Dominic Grieve

Not called (ii)

★ Line 34, at end insert—

“(5A) Within seven days of a statement under subsection (4) being laid, a Minister of the Crown must move a motion in the House of Commons to seek approval of the Government's approach.

(5B) In the event of no political agreement having been reached on a withdrawal agreement by the end of 30 November 2018, a Minister of the Crown must move a motion in the House of Commons setting out how the Government intends to proceed and seeking the approval of the House for that course of action.

(5C) If no political agreement has been reached on a withdrawal agreement by the end of 15 February 2019, the Government must bring the matter before both Houses of Parliament within five days and must follow any direction in relation to the negotiations under Article 50(2) of the Treaty of European Union which has been—

(a) approved by a resolution of the House of Commons, and

(b) the subject of a motion which has either been debated in the House of Lords, or upon which the House of Lords has not concluded a debate on the motion before the end of the period of five sitting days beginning with the first sitting day after the day on which the House of Commons passes the resolution mentioned in paragraph (a).”

Secretary David Davis

Agreed to (b)

Page 15, line 12, at end insert—

“() section (*Parliamentary approval of the outcome of negotiations with the EU*),”

Lords Amendment No. 52

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

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European Union (Withdrawal) Bill, *continued*

Lords Amendment No. 10

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 43

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 45

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 20

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendments 11 to 14, 18, 21 to 23, 44, 47, 102 to 107, 112, 113, 115 to 119, 121 to 124, 126, 127, 130 to 134, 136 to 140, 142 to 148, 150, 152, 154, 156 to 158, 171 and

European Union (Withdrawal) Bill, *continued*

172 agreed to.

Lords Amendment No. 25

As Amendments to the Lords Amendment:—

Secretary David Davis

Line 11, leave out “8.”

Agreed to (a)

Secretary David Davis

Line 11, leave out “17” and insert “17(1) or (5)”.

Agreed to (b)

Secretary David Davis

Line 12, leave out from “co-operation” to “, or” in line 15 and insert “provided for by the Belfast Agreement (as defined by section 98 of the Northern Ireland Act 1998)”.

Agreed to (c)

Secretary David Davis

Line 17, leave out from “feature” to end of line 22 and insert “physical infrastructure, including border posts, or checks and controls”.

Agreed to (d)

Secretary David Davis

Line 23, leave out from second “not” to end of line 24 and insert “in accordance with an agreement between the United Kingdom and the EU”.

Agreed to (e)

Lords Amendment, as amended, agreed to.

Lords Amendments 15 to 17 agreed to.

Lords Amendment No. 26

As Amendments to the Lords Amendment:—

European Union (Withdrawal) Bill, *continued*

Liz Saville Roberts
Ian Blackford
Hywel Williams
Jonathan Edwards
Ben Lake
Kirsty Blackman

Patrick Grady
Caroline Lucas

Deirdre Brock

Stephen Gethins

Not called (a)

Page 7, line 1, leave out from “to” to end and add “(5) and insert—

- “(1) In section 29(2)(d) of the Scotland Act 1998 (no competence for Scottish Parliament to legislate incompatibly with EU law), omit “or with EU law”.
- (2) In section 108A (2) (e) of the Government of Wales Act 2006 (no competence for National Assembly for Wales to legislate incompatibly with EU law), omit “or with EU law”.
- (3) In section 6 (2) (d) of the Northern Ireland Act (no competency for the Assembly to legislate incompatibly with EU law, omit “is incompatible with EU law”.”.”

To move the following consequential Amendments to the Bill:—

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

Page 28, leave out Schedule 3.

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

Page 64, Schedule 8, leave out paragraphs 29 and 30.

As Amendments to the Lords Amendment:—

Ian Blackford
Kirsty Blackman
Patrick Grady
Deidre Brock
Stephen Gethins
Liz Saville Roberts

Hywel Williams
Caroline Lucas

Jonathan Edwards

Ben Lake

Not called (b)

Page 7, line 3, leave out from first “law)” to end of subsection (2) and insert “omit “or with EU law””

European Union (Withdrawal) Bill, *continued*

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (c)

Page 8, leave out lines 1 to 8 and insert—

- “(3) A Minister of the Crown must not lay for approval before each House of Parliament of the United Kingdom a draft of the statutory instrument containing regulations under this section unless—
- (a) the Scottish Parliament has given consent to the laying of the draft, or
 - (b) if the Scottish Parliament has refused to consent, or has not given consent within the 40 day period, a Minister of the Crown has reasonable grounds for believing that the regulations are required for the purpose of giving effect to any international obligations.”

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (d)

Page 8, leave out lines 9 to 18

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (e)

Page 8, leave out lines 34 to 37 and insert—

- “(9) Any regulations under this section which are in force at the end of the period of three years beginning with the time at which they came into force are revoked in their application to any Act of the Scottish Parliament which receives Royal Assent after the end of that period.”

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (f)

Page 9, leave out lines 18 to 23 and insert—

- “(4) A Minister of the Crown must not lay for approval before each House of Parliament of the United Kingdom a draft of the statutory instrument containing regulations under this section unless—
- (a) the National Assembly of Wales has given consent to the laying of the draft, or
 - (b) if the National Assembly of Wales has refused to consent, or has not given consent within the 40 day period, a Minister of the Crown has reasonable grounds for believing that the regulations are required for the purpose of giving effect to any international obligations.”

European Union (Withdrawal) Bill, *continued*

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (g)

Page 9, leave out lines 24 to 33

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (h)

Page 10, leave out lines 1 to 4 and insert—

- “(10) Any regulations under this section which are in force at the end of the period of three years beginning with the time at which they came into force are revoked in their application to any Act of the Assembly which receives Royal Assent after the end of that period.”

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (i)

Page 10, leave out lines 27 to 33 and insert—

- “(3) A Minister of the Crown must not lay for approval before each House of Parliament of the United Kingdom a draft of the statutory instrument containing regulations under this section unless—
- (a) the Assembly has given consent to the laying of the draft, or
 - (b) if the Assembly has refused to consent, or has not given consent within the 40 day period, a Minister of the Crown has reasonable grounds for believing that the regulations are required for the purpose of giving effect to any international obligations.”

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (j)

Page 10, leave out lines 34 to 44

Jeremy Corbyn
Lesley Laird
Keir Starmer
Tony Lloyd
Mr Nicholas Brown

Not called (k)

Page 11, leave out lines 11 to 14 and insert—

- “(9) Any regulations under this section which are in force at the end of the period of three years beginning with the time at which they came into force are revoked in

European Union (Withdrawal) Bill, *continued*

their application to any Act of the Assembly which receives Royal Assent after the end of that period.”

Lords Amendment agreed to.

Lords Amendment No. 27

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 28

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 29

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

European Union (Withdrawal) Bill, *continued*

Lords Amendment agreed to.

Lords Amendment No. 30

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 31

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 46

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendments 46 and 48 agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. 49

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 50

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendments 50 and 54 to 58 agreed to.

Lords Amendment No. 59

As Amendments to the Lords Amendment:—

Ian Blackford
Kirsty Blackman
Patrick Grady
Deidre Brock
Stephen Gethins

Leave out lines 2 to 13

Not called (a)

Ian Blackford
Kirsty Blackman
Patrick Grady
Deidre Brock
Stephen Gethins

Line 45, leave out “(1),”

Not called (b)

European Union (Withdrawal) Bill, *continued*

Ian Blackford
Kirsty Blackman
Patrick Grady
Deidre Brock
Stephen Gethins

Not called (c)

Line 46, leave out “(1)(b),”

Ian Blackford
Kirsty Blackman
Patrick Grady
Deidre Brock
Stephen Gethins

Not called (d)

Line 46, leave out “sections 30A and 57(4) to (15) of the Scotland Act 1998,”

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendments 59 to 80 agreed to.

Lords Amendment No. **81**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendments 81 to 84 agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. 85

Liz Saville Roberts
Ian Blackford
Hywel Williams
Jonathan Edwards
Ben Lake
Kirsty Blackman

Not called

Patrick Grady Deidre Brock Stephen Gethins

To move, That this House disagrees with the Lords in their Amendment.

To move the following consequential Amendment to the Bill:—

Ian Blackford
Kirsty Blackman
Patrick Grady
Deidre Brock
Stephen Gethins

Page 28, line 25, Schedule 3, leave out from second “law” to end of line 37 *Not called*

Lords Amendment agreed to.

Lords Amendment No. 86

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **87**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **88**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **89**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **90**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **91**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **92**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **93**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **94**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **95**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **96**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **97**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **98**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **99**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **100**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **101**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendments 108, 109, 111, 114, 120, 129, 135, 141, 149, 151, 153, 155, 162, 165 and 169 agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **173**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **174**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **175**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **176**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **177**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **178**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **179**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **180**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **181**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **182**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **183**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **184**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **185**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **186**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **187**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **188**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **189**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **190**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. 191

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 192

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. 193

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. **194**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **195**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendment No. **196**

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment agreed to.

European Union (Withdrawal) Bill, *continued*

SECOND DAY

Lords Amendment No. 51

As Amendments to the Lords Amendment:—

Jeremy Corbyn
Keir Starmer
John McDonnell
Barry Gardiner
Peter Dowd
Mr Nicholas Brown

Helen Goodman

Negatived on division (a)

Line 3, leave out “an international agreement has been made which enables the United Kingdom to continue to participate in the European Economic Area after exit day” and insert “the United Kingdom has full access to the internal market of the European Union, underpinned by shared institutions and regulations, with no new impediments to trade and common rights, standards and protections as a minimum.”

Yvette Cooper
Hilary Benn
Seema Malhotra

Not called (b)

Line 5, after “Area”, insert “with appropriate safeguard measures”

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 1

As an Amendment to the Lords Amendment:—

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake

Not called (a)

Line 2, leave out “condition in subsection (3)” and insert “conditions in subsections (3) and (4)”.

European Union (Withdrawal) Bill, *continued*

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 2

As an Amendment to the Lords Amendment:—

Liz Saville Roberts
Hywel Williams
Jonathan Edwards
Ben Lake
Tom Brake

Not called (a)

Line 8, at end add—

“(4) For the purposes of subsection (3), “a customs union with the European Union” means the European Union Customs Union.”

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

To move the following Amendments to the Bill in lieu of the Lords Amendments Nos. 1 and 2:—

Secretary David Davis
Sir Oliver Letwin
Nicky Morgan
Sir William Cash
Mr Jacob Rees-Mogg
Stephen Hammond

Mr John Hayes
Antoinette Sandbach
Damian Green

Mr John Baron
Paul Masterton
Sir Bernard Jenkin

Theresa Villiers
Robert Neill
Mr Iain Duncan Smith
Agreed to (a)

Page 9, line 21, at end insert the following Clause—

“Customs arrangement as part of the framework for the future relationship

- (1) A Minister of the Crown must lay before each House of Parliament a statement in writing outlining the steps taken by Her Majesty’s Government, in negotiations under Article 50(2) of the Treaty on European Union, to seek to negotiate an agreement, as part of the framework for the United Kingdom’s future relationship

European Union (Withdrawal) Bill, *continued*

with the EU, for the United Kingdom to participate in a customs arrangement with the EU.

- (2) The statement under subsection (1) must be laid before both Houses of Parliament before the end of 31 October 2018.”

Secretary David Davis
Sir Oliver Letwin
Nicky Morgan
Sir William Cash
Mr Jacob Rees-Mogg
Stephen Hammond

Mr John Hayes
Antoinette Sandbach
Damian Green

Mr John Baron
Paul Masterton
Sir Bernard Jenkin

Theresa Villiers
Robert Neill
Mr Iain Duncan Smith
Agreed to (b)

Page 15, line 13, at end insert—

“() section (*Customs arrangement as part of the framework for the future relationship*),”.

Lords Amendment No. 5

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 53

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Secretary David Davis

To move the following Amendment to the Bill in lieu of the Lords Amendment:—

European Union (Withdrawal) Bill, *continued*

Secretary David Davis

Agreed to (a)

Page 64, line 15, leave out “3 months” and insert “three years”

Lords Amendment No. 4

Secretary David Davis

Agreed to on division

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Lords Amendment No. 3

Secretary David Davis

Agreed to on division

Sir Oliver Letwin
Zac Goldsmith
Richard Benyon
Justine Greening
Sir Bernard Jenkin

Sir Nicholas Soames
Antoinette Sandbach
Derek Thomas
Mrs Sheryll Murray
Dr Sarah Wollaston
Mr Kenneth Clarke

Peter Aldous
Mrs Anne Main
Dr Matthew Offord
John Penrose
Colin Clark
Vicky Ford

Alex Chalk
Mr Simon Clarke
Mr Andrew Mitchell
Dame Caroline Spelman
Jeremy Lefroy
Andrew Selous

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

European Union (Withdrawal) Bill, *continued*

To move the following Amendments to the Bill in lieu of the Lords Amendment:—

Secretary David Davis
 Sir Oliver Letwin
 Zac Goldsmith
 Richard Benyon
 Justine Greening
 Sir Bernard Jenkin

Sir Nicholas Soames
 Antoinette Sandbach
 Derek Thomas
 Mrs Sheryll Murray
 Dr Sarah Wollaston
 Mr Kenneth Clarke

Peter Aldous
 Mrs Anne Main
 Dr Matthew Offord
 John Penrose
 Colin Clark
 Vicky Ford

Alex Chalk
 Mr Simon Clarke
 Mr Andrew Mitchell
 Dame Caroline Spelman
 Jeremy Lefroy
 Andrew Selous

Agreed to (c)

Page 9, line 21, at end insert the following Clause—

“Maintenance of environmental principles etc.

- (1) The Secretary of State must, within the period of six months beginning with the day on which this Act is passed, publish a draft Bill consisting of—
 - (a) a set of environmental principles,
 - (b) a duty on the Secretary of State to publish a statement of policy in relation to the application and interpretation of those principles in connection with the making and development of policies by Ministers of the Crown,
 - (c) a duty which ensures that Ministers of the Crown must have regard, in circumstances provided for by or under the Bill, to the statement mentioned in paragraph (b),
 - (d) provisions for the establishment of a public authority with functions for taking, in circumstances provided for by or under the Bill, proportionate enforcement action (including legal proceedings if necessary) where the authority considers that a Minister of the Crown is not complying with environmental law (as it is defined in the Bill), and
 - (e) such other provisions as the Secretary of State considers appropriate.
- (2) The set of environmental principles mentioned in subsection (1)(a) must (however worded) consist of—
 - (a) the precautionary principle so far as relating to the environment,
 - (b) the principle of preventative action to avert environmental damage,
 - (c) the principle that environmental damage should as a priority be rectified at source,
 - (d) the polluter pays principle,
 - (e) the principle of sustainable development,
 - (f) the principle that environmental protection requirements must be integrated into the definition and implementation of policies and activities,
 - (g) public access to environmental information,
 - (h) public participation in environmental decision-making, and
 - (i) access to justice in relation to environmental matters.”

European Union (Withdrawal) Bill, *continued*

Mary Creagh
 Anna Turley
 Daniel Zeichner
 Gareth Thomas
 Martin Whitfield
 Peter Kyle

Liz Kendall
 Ann Coffey
 Tulip Siddiq
 Catherine West
 Matt Western
 Angela Smith
 Caroline Lucas

Alex Sobel
 Seema Malhotra
 Geraint Davies
 Chuka Umunna
 Mike Gapes
 Catherine McKinnell

Kate Green
 Mrs Madeleine Moon
 Rushanara Ali
 Stephen Doughty
 Ruth Cadbury
 Darren Jones

Not called (e)

Page 9, line 21, at end insert the following Clause—

“Environmental Governance and Enforcement after leaving the EU

- (1) Before making regulations specifying exit day under section 14, the Secretary of State must prepare and publish proposals for a new public body (the ‘Environmental Protection Agency’) which will have the purposes, powers and form specified in this section.
- (2) The Environmental Protection Agency shall at minimum have the following purposes—
 - (a) to enforce the implementation of environmental law by public authorities,
 - (b) to uphold environmental rights,
 - (c) to oversee implementation of environmental law,
 - (d) to produce and receive reports about the condition of the environment,
 - (e) to provide citizens with a free and accessible way of raising complaints relating to alleged breaches of environmental law,
 - (f) to provide advice and information to Ministers about how best to implement policies promoting environmental principles, and
 - (g) to conduct investigations into matters relating to the environment as requested by select committees of the House of Commons, committees of the House of Lords, or petitions received by the House of Commons.
- (3) The Secretary of State must set out the steps he will take to ensure the Environmental Protection Agency shall have at minimum the following powers—
 - (a) to conduct thematic inquiries into systematic failures to implement or comply with environmental law by public authorities,
 - (b) to issue formal notices to public authorities requiring action,
 - (c) to apply—
 - (i) in England, Wales and Northern Ireland, to the county court for an injunction compelling or restraining action by a public authority, and
 - (ii) in Scotland, to the Sheriff for an interdict prohibiting or compelling action by a public authority,
 - (d) to issue structural injunctions requiring Ministers to take steps to ensure Government policy does not conflict with the environmental principles,
 - (e) to fine public authorities for failures to comply with structural injunctions.
- (4) The Secretary of State must take steps to ensure that the Environmental Protection Agency is constituted in such a way that—

European Union (Withdrawal) Bill, *continued*

- (a) it may discharge its duties without interference from Ministers or other public authorities,
 - (b) it is primarily accountable to Parliament,
 - (c) it receives a level of funding necessary to carry out its duties, and
 - (d) a Minister of the Crown may not change the Environmental Protection Agency’s constitution.
- (5) The Secretary of State must take steps to ensure that a set of robust environmental principles are clearly set out, enforced and that where any public authority fails to comply with the environmental principles the Environmental Protection Agency may use powers listed under subsection (3) to enforce compliance as soon as is practicable.
- (6) In this section, ‘the environmental principles’ means a set of objectives for government policy and the activities and policies of public authorities, including but not limited to—
- (a) the sustainable development principle, which requires that the policies and activities of public authorities do not harm the ability of future generations to meet their needs,
 - (b) the precautionary principle, which requires that where there are threats of serious or irreversible environmental damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation,
 - (c) the prevention principle, which requires preventative action to be taken to avert environmental damage,
 - (d) the polluter pays principle, which requires the cost of pollution control and remediation to be borne by those who have caused the pollution,
 - (e) the rectification at source principle, which requires that environmental damage should as a priority be rectified by targeting its original cause and taking preventive action at source, and
 - (f) the integration principle, which requires that environmental protection requirements must be integrated into the definition and implementation of policies and activities.”

Secretary David Davis
 Sir Oliver Letwin
 Zac Goldsmith
 Richard Benyon
 Justine Greening
 Sir Bernard Jenkin

Sir Nicholas Soames
 Antoinette Sandbach
 Derek Thomas
 Mrs Sheryll Murray
 Dr Sarah Wollaston
 Mr Kenneth Clarke

Peter Aldous
 Mrs Anne Main
 Dr Matthew Offord
 John Penrose
 Colin Clark
 Vicky Ford

Alex Chalk
 Mr Simon Clarke
 Mr Andrew Mitchell
 Dame Caroline Spelman
 Jeremy Lefroy
 Andrew Selous

Agreed to (d)

Page 15, line 13, at end insert—

“() section (Maintenance of environmental principles etc.),”

European Union (Withdrawal) Bill, *continued*

Lords Amendment No. 24

Secretary David Davis

Agreed to

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment disagreed to.

Secretary David Davis

To move the following Amendments to the Bill in lieu of the Lords Amendment:—

Secretary David Davis

Agreed to (a)

Page 9, line 21, at end insert the following Clause—

“Family unity for those seeking asylum or other protection in Europe

- (1) A Minister of the Crown must seek to negotiate, on behalf of the United Kingdom, an agreement with the EU under which, after the United Kingdom’s withdrawal from the EU, in accordance with the agreement—
- 5 (a) an unaccompanied child who has made an application for international protection to a member State may, if it is in the child’s best interests, come to the United Kingdom to join a relative who is aged 18 or over and—
- (i) is a lawful resident of the United Kingdom, or
- 10 (ii) has made a protection claim which has not been decided, and
- (b) an unaccompanied child in the United Kingdom, who has made a protection claim, may go to a member State to join a relative there, in equivalent circumstances.
- (2) For the purposes of subsection (1)(a)(i) a person is not a lawful resident of the United Kingdom if the person requires leave to enter or remain in the United Kingdom but does not have it.
- 15 (3) For the purposes of subsection (1)(a)(ii), a protection claim is decided—
- (a) when the Secretary of State notifies the claimant of the Secretary of State’s decision on the claim, unless the claimant appeals against the decision, or
- 20 (b) if the claimant appeals against the Secretary of State’s decision on the claim, when the appeal is disposed of.
- (4) In this section—
- 25 “application for international protection” has the meaning given by Article 2(h) of Directive 2011/95/EU of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted;
- 30 “protection claim” has the same meaning as in Part 5 of the Nationality, Immigration and Asylum Act 2002 (see section 82(2) of that Act);
- “relative”, in relation to an unaccompanied child, means—
- (a) a spouse or civil partner of the child or any person with whom the child has a durable relationship that is similar to marriage or civil
- 35 partnership, or

European Union (Withdrawal) Bill, *continued*

- 40 (b) a parent, grandparent, brother or sister of the child;
“unaccompanied child” means a person under the age of 18 (“the child”) who is not in the care of a person who—
(a) is aged 18 or over, and
(b) by law or custom of the country or territory in which the child is present, has responsibility for caring for the child.”

As Amendments to Secretary David Davis’s proposed Amendment (a) in lieu of the Lords Amendment:—

Yvette Cooper
Tim Loughton

Line 7, leave out “is aged 18 or over and”

Not called (i)

Secretary David Davis
Yvette Cooper
Tim Loughton

Line 36, after “grandparent,” insert “uncle, aunt,”

Agreed to (ii)

Secretary David Davis

Page 15, line 13, at end insert—

“() section (*Family unity for those seeking asylum or other protection in Europe*),”

Agreed to (b)

Lords Amendment No. 32

Secretary David Davis

Agreed to

To move, That this House agrees with the Lords in their Amendment.

Lords Amendment agreed to.

Lords Amendments 6 to 9, 33 to 36, 38, 40 to 42, 159 to 161, 163, 164, 166 to 168 and 170 agreed to.
