Note

This document includes all amendments remaining before the Committee and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the Committee [23 October 2018].

Dr David Drew  
Sue Hayman  
Jenny Chapman  
Sandy Martin  
Thangam Debbonaire  
Kerry McCarthy

Caroline Lucas

Clause 1, page 1, line 4, leave out “may” and insert “must”

Member’s explanatory statement

This amendment would require the Secretary of State to provide financial assistance for the purposes listed in Clause 1.

Kerry McCarthy  
Martin Whitfield

Clause 1, page 1, line 6, at end insert “and enhances soil health”

Dame Cheryl Gillan

Clause 1, page 1, line 9, after “enhances” insert “landscape quality,”
Clause 1, page 1, line 10, after second “heritage”, insert “, including farming systems where they underpin delivery”

**Member’s explanatory statement**

This amendment would include farming systems in the land or water management activities for which financial assistance can be given in Clause 1(1)(c).

Clause 1, page 1, line 11, after “(d)”, insert “limiting greenhouse gas emissions from agriculture or horticulture or encouraging activities that reduce such emissions or remove greenhouse gas from the atmosphere, or”

**Member’s explanatory statement**

This amendment would add to the purposes for which financial assistance can be given that of limiting greenhouse gas emissions from agriculture or horticulture or encouraging activities that reduce such emissions or remove greenhouse gas from the atmosphere.

Clause 1, page 2, line 3, at end insert—

“(h) supporting agriculture and horticulture businesses to ensure public access to healthy, local, sustainably produced food.”

**Member’s explanatory statement**

This amendment would add to the purposes for which financial assistance can be given that of ensuring access to healthy, local, sustainably produced food.

Clause 1, page 2, line 3, at end insert—

“(h) supporting the delivery of improved public health outcomes.

(1A) Support under subsection (1)(h) may include, but is not limited to, measures to:

(a) increase the availability, affordability, diversity, quality and marketing of fruit and vegetables and pulses,

(b) reduce farm antibiotic and related veterinary product use, and antimicrobial resistance in harmful micro-organisms, through improved animal health and improved animal welfare,

(c) provide support for farmers to diversify out of domestic production of foods where there may be reduced demand due to health concerns,

(d) reduce harm from use of chemicals on farms, and
Agriculture Bill, continued

(e) reduce pesticide residues in food.”

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 1, page 2, line 3, at end insert—

“(1A) No financial assistance may be given by the Secretary of State in relation to the purpose under subsection (1)(f) unless the practice for which financial assistance is to be given pays full regard to the welfare requirements of animals as sentient beings.”

Member’s explanatory statement
This amendment would ensure that any financial assistance provided in relation to ‘the health and welfare of livestock’ purpose in Clause 1 recognises the welfare requirements of animals as sentient beings.

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 1, page 2, line 3, at end insert—

“(1A) No financial assistance may be given by the Secretary of State in relation to the purpose under subsection (1)(e) unless the practice for which financial assistance is to be given pays full regard to the welfare requirements of animals as sentient beings.

(a) any part of retained EU law (within the meaning of section 6 of the European Union (Withdrawal) Act 2018) relating to the protection of the environment which has not ceased to have effect as a result of any agreement between the UK and the European Union setting the terms of the UK’s withdrawal from the European Union, and

(b) any standards which were enforceable by an EU entity or a public authority anywhere in the UK before exit day, including principles contained in Article 191 of TFEU, and which will be enforceable by an entity or public authority in England after exit day.

(c) the principles contained in Article 191 of TFEU, for the purposes of this subsection, are—

(i) the precautionary principle as it relates to the environment,

(ii) the principle that preventive action should be taken to avert environmental damage,

(iii) the principle that environmental damage should as a priority be rectified at source, and

(iv) the principle that the polluter should pay.”

Member’s explanatory statement
This amendment would ensure that any financial assistance provided in relation to ‘environmental hazards’ would ensure that environmental principles continue to apply in the UK after exit day.
Clause 1, page 2, line 4, leave out subsection (2), and insert—

“(2) The Secretary of State may also give financial assistance for or in connection with any of the following purposes—

(a) starting, or improving the productivity of, an agricultural, horticultural or forestry activity;

(b) supporting businesses or communities in rural areas; and

(c) supporting persons who are involved in the production, processing, marketing or distribution of products deriving from an agricultural, horticultural or forestry activity.”

**Member’s explanatory statement**

This amendment would extend to England the powers provided to Welsh Ministers in Schedule 3 paragraph 1(2)(a) and (c).

Mr Philip Dunne
Colin Clark
Chris Davies

Clause 1, page 2, line 4, leave out subsection (2) and insert—

“(2) The Secretary of State may also give financial assistance for or in connection with any of the following purposes—

(a) supporting businesses or communities in rural areas;

(b) starting, or improving the productivity of, an agricultural, horticultural or forestry activity;

(c) supporting persons who are involved in the production, processing, marketing or distribution of products deriving from an agricultural, horticultural or forestry activity;

(d) supporting the production of such part of the nation’s food and other agricultural produce as it is desirable to produce in the United Kingdom.”

Kerry McCarthy
Caroline Lucas
Zac Goldsmith

Clause 1, page 2, line 6, at end insert—

(2A) The Secretary of State shall also give financial assistance for, or in connection with, the purpose of establishing, maintaining and expanding agro-ecological farming systems, including organic farming.

**Member’s explanatory statement**

This amendment would ensure that new schemes support agro-ecological farming systems, including organic, as a way of delivering the purposes in clause 1. Agroecology is recognised by the UN Food and Agriculture Organisation as the basis for evolving food systems that are equally strong in environmental, economic, social and agronomic dimensions.
Clause 1, page 2, line 6, at end insert—

“(2A) Financial assistance under subsections (1) and (2) may only be given to—

(a) persons who are involved in the production of products deriving from an agricultural or horticultural or forestry activity, (including recognised producers organisations, associations of recognised producer organisations and recognised interbranch organisations as established in part 6 or as recognised under the CMO Regulation at the date of enactment of this Act); or

(b) those with an interest in agricultural land, where the financial assistance relates directly to that land.”

Clause 1, page 2, line 18, at end insert—

“(5) The Secretary of State must hold a public consultation on—

(a) how “productivity” should be defined for the purposes of giving financial assistance under subsection (2); and

(b) the definition of “improving productivity” in subsection (4).

(6) In the consultation under subsection (5), the Secretary of State must consult—

(a) persons, or bodies representing persons, who are in any part of an agri-food supply chain, within the meaning of section 13(3);

(b) persons, or bodies representing persons, who are—

(i) engaged in horticulture;

(ii) consumers of horticultural products; or

(iii) in the supply chain between persons described in sub-paragraphs (i) and (ii).

(c) persons, or bodies representing persons, who are—

(i) engaged in forestry;

(ii) consumers of forestry products; or

(iii) in the supply chain between persons described in sub-paragraphs (i) and (ii);

(d) persons, or bodies representing persons, who are not engaged in agriculture, horticulture or forestry but who advocate particular methods of managing land or water in a way that protects or improves the environment,

and may consult any other person or body the Secretary of State thinks fit.
Agriculture Bill, continued

(7) No financial assistance may be given under subsection (2) until the Secretary of State has laid before both Houses of Parliament a report setting out—

(a) in summary form, the views expressed in the consultation held under subsection (5); and

(b) the definitions of “productivity” and “improving productivity” which the Secretary of State proposes to adopt for the purposes of giving financial assistance under subsection (2), with his or her reasons for doing so.”

Member’s explanatory statement
This amendment would require the Secretary of State to consult on the definition of “productivity” and “improving productivity” and report on that consultation before giving any financial assistance for that purpose under Clause 1(2).

Kerry McCarthy
Caroline Lucas
Martin Whitfield

Clause 1, page 2, line 18, at end insert—

“(5) Financial assistance under subsection (1) for protecting or improving the welfare of livestock shall only be given to farmers who have—

(a) demonstrated that their livestock welfare practice meets or exceeds the higher animal welfare standard specified by the Secretary of State for the welfare of livestock, or

(b) given, to the satisfaction of the Secretary of State, an undertaking to achieve the higher animal welfare standard specified by the Secretary of State for the welfare of livestock.

(6) Any standard specified by the Secretary of State for the purposes of subsection (5) must set standards that are higher than those required by legislation governing the welfare of livestock.”

Member’s explanatory statement
This amendment would ensure that public money is only be used to support genuinely high standards of animal welfare. The Government has confirmed it will define a ‘higher animal welfare standard’ by 2020.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

Clause 2, page 2, line 27, at end insert—

“(3A) It shall be a condition for receipt of financial assistance under section 1 that the person in receipt can demonstrate that—

(a) their existing and proposed land or livestock management practices, or

(b) their proposed land or livestock management practices; meet any regulatory standards specified by the Secretary of State and which are in force at the time that the management practices are carried on.

(3B) The regulatory standards specified by the Secretary of State under subsection (3A) may (among other things) include standards relating to—

(a) health or welfare of humans, livestock or wild creatures,

(b) soil health,
Agriculture Bill, continued

(c) air quality,
(d) quality of water in any inland waterway.”

Member’s explanatory statement
This amendment would require the recipients of financial assistance for the purposes in clause 1 of the Bill to demonstrate that their existing and proposed land or livestock management practices meet minimum regulatory standards.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 2, page 2, line 31, after “delegate” insert “administrative”

Member’s explanatory statement
This amendment would ensure that the actual design and purpose of schemes is not delegated to non-governmental bodies or organisations.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

Clause 2, page 2, line 35, at end insert—
“(6A) The Secretary of State must set targets for the reduction of waste food and food products and must by regulations require recipients of financial assistance under section 1 to take steps to avoid and reduce waste of food and food products.”

Member’s explanatory statement
This amendment would require the Secretary of State to set targets for reducing food waste and to make regulations requiring recipients of financial assistance to avoid and reduce food waste.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 2, page 2, line 38, after “given” insert “provided that the information is collected and processed in accordance with the relevant data protection legislation.

For the purposes of this subsection “relevant data protection legislation” means Regulation (EU) of the European Parliament and of the Council (General Data Protection Regulation) and the Data Protection Act 2018.”

Member’s explanatory statement
This amendment would make it explicit that any regulations must comply with data protection principles.
Clause 2, page 2, line 42, at end insert—
“(8A) Information specified under subsection (8) must be proportionate and limited to protect the interests of the individuals and businesses concerned.”

Member’s explanatory statement
This amendment would ensure that no more information is published about recipients of financial assistance than is absolutely necessary in the circumstances.

Clause 3, page 3, line 5, leave out “may” and insert “must”

Member’s explanatory statement
This amendment would require the Secretary of State to make regulations for the checking, enforcing and monitoring of financial assistance in Clause 3.

Clause 3, page 3, line 25, leave out subsection (h)

Member’s explanatory statement
It is disproportionate to create criminal offences for failing to meet the rules of a financial assistance scheme. There are no specific offences for breach of the current CAP scheme rules. Breaches could be sanctioned through the application of penalties without the need for new criminal offences.
Agriculture Bill, continued

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 5, page 4, line 41, at end insert—

“(5) The power under subsection (2) includes the power to vary and increase direct payments during the agricultural transition period.”

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 6, page 5, line 6, at end insert—

“(8A) Regulations under this section must set out explicit timescales for the payment of the direct payments or delinked payments that are due to entitled persons.”

Member’s explanatory statement

This amendment would ensure that those entitled to payments received those payments within guaranteed timescales to help ensure certainty of cash flow.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 6, page 5, line 6, leave out subsection (2)

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 6, page 5, line 9, leave out “negative” and insert “affirmative”
George Eustice

Clause 6, page 5, line 9, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
This amendment and Amendments 3, 4, 5, 7, 8, 12, 13, 18, 19, 22, 23, 26, 27, 39 and 40 insert pointers into provisions of the Bill which require regulations to be made using the negative resolution procedure. The pointers are to the requirement (as inserted by Amendment 14) to use the affirmative resolution procedure instead, if the regulations make (by virtue of Clause 29(3)(c)) supplementary, incidental, consequential, transitional or saving provision modifying primary legislation.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 7, page 5, line 12, leave out “either or both of”

George Eustice

★ Clause 7, page 5, line 16, leave out paragraph (b) and insert—

“(b) making delinked payments in relation to England with respect to the whole or part of that period (in place of direct payments under the basic payment scheme in relation to England).”

Member’s explanatory statement
Clause 7(1)(b) enables regulations to introduce delinked payments in place of direct payments under the basic payment scheme for the whole or part of the agricultural transition period for England. This drafting amendment ensures that clause 7(1)(b) works as intended even if those direct payments have terminated otherwise than by virtue of the regulations introducing delinked payments. In that case the regulations would not need to make provision for the termination of those direct payments, as suggested by the current text. They would however be able to revoke the spent legislation about the basic payment scheme.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 7, page 5, line 18, at end insert—

“(c) increasing or varying direct payments in relation to England over the whole or part of the agricultural transition period for England.”

Member’s explanatory statement
This amendment would ensure that the Secretary of State is empowered to increase payments during the transition period if that is necessary in the circumstances, for example to utilise any unspent monies or to protect the industry from harm.
Agriculture Bill, continued

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 7, page 5, line 36, at end insert—
“(e) make provision setting out rules for determining the status in relation to those persons who have received delinked payments where the agricultural transition period has been extended in accordance with section 5(2).”

Member’s explanatory statement
This amendment would clarify the status of claimants (in terms of whether they would be entitled to return to receiving direct payment) if the direct payments scheme is extended and therefore creating the possibility (under such regulation) to enable those who have opted to take de/inked payments to return, or otherwise.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 7, page 6, line 13, leave out subsection (8)

Member’s explanatory statement
This is unnecessary as it can be done as part of the phasing out under Clause 7, the greening rules can be simplified but the payment itself can continue. If this clause remains then there is nothing to prevent the ceasing of greening payments altogether, even though the explanatory notes suggest that the intention is to remove greening requirements but pay the greening monies as part of the direct payment.

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 9, page 7, line 10, leave out “negative” and insert “affirmative”

George Eustice

Clause 9, page 7, line 10, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2
Clause 9, page 7, line 10, at end insert—
“(6) Before making regulations modifying legislation under this section, the Secretary of State must consult persons who, in his or her opinion, are representative of the sector to which the regulations will apply, or who may otherwise be affected.”

Member’s explanatory statement
This amendment would ensure there are checks and balances on the use of Ministerial powers.

George Eustice

Clause 10, page 7, line 26, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 11, page 7, line 35, leave out “simplifying or improving” and insert “making a change or changes which the Secretary of State believes to be necessary to”

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 11, page 8, line 19, leave out “negative” and insert “affirmative”

George Eustice

Clause 11, page 8, line 19, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2
Clause 11, page 8, line 19, at end insert—

“(5) Before making regulations modifying legislation under this section, the Secretary of State must consult persons who, in his or her opinion, are representative of the sector to which the regulations will apply, or who may otherwise be affected.”

*Member’s explanatory statement*

This amendment would ensure that there are checks and balances on the use of Ministerial powers in relation to rural development that would be granted under Clause 11.

Clause 17, page 12, line 35, leave out “may” and insert “must”

*Member’s explanatory statement*

This amendment would require the Secretary of State to make and publish a declaration if the Secretary of State considers that there are exceptional market conditions in accordance with Clause 17.

* Clause 17, page 12, leave out lines 39 to 44 and insert—

“(2) In this Part “exceptional market conditions” exist—

(a) where—

(i) there is a severe disturbance in agricultural markets or a serious threat of a severe disturbance in agricultural markets, and

(ii) the disturbance or threatened disturbance has, or is likely to have, a significant adverse effect on agricultural producers in England in terms of the prices achievable for one or more agricultural products, or

(b) if, on the day after exit day, the United Kingdom has not entered, or secured an agreement to enter, into a customs union with the EU.”
Agriculture Bill, continued

George Eustice

Clause 17, page 13, line 14, leave out “decisions” and insert “conditions”

*Member’s explanatory statement*

The text of the Bill should have referred to “conditions” (not “decisions”). This amendment corrects that drafting error.

George Eustice

Clause 19, page 14, line 38, at end insert “(unless section 29(4A) applies)”

*Member’s explanatory statement*

See the Explanatory Statement for Amendment 2

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

Clause 20, page 15, line 18, leave out “may” and insert “must”

*Member’s explanatory statement*

This amendment would require the Secretary of State to make regulations for marketing standards, such as labelling, packaging, classification in Clause 20.

Jenny Chapman
Dr David Drew
Sue Hayman
Sandy Martin
Thangam Debbonaire

Clause 20, page 16, line 2, at end insert—

“(2A) Regulations under this section may not amend or repeal any part of retained EU law (within the meaning of section 6 of the European Union (Withdrawal) Act 2018) relating to—

(a) the protection of the environment, or

(b) consumer rights.”
Clause 20, page 16, line 17, after “section” insert “may only be made following a public consultation and”

**Member’s explanatory statement**
This amendment would ensure that there are checks and balances on the use of Ministerial powers and that Ministers may not make regulations that deviate from retained EU law without consultation with industry experts.

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George Eustice

Clause 21, page 16, line 24, at end insert “(unless section 29(4A) applies)”

**Member’s explanatory statement**
See the Explanatory Statement for Amendment 2

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Deidre Brock

Clause 22, page 16, line 30, leave out “to the Secretary of State”

**Member’s explanatory statement**
See explanatory statement for Amendment 59.

George Eustice

Clause 22, page 16, line 33, leave out “a single agricultural sector” and insert “one or more agricultural sectors”

**Member’s explanatory statement**
This amendment changes one of the conditions for applying to become a recognised producer organisation so that the condition is met if each member of the organisation is an agricultural producer operating in any one or more of the agricultural sectors listed in Part 2 of Schedule 1 to the Bill (rather than each member being required to operate in the same sector).

George Eustice

Clause 22, page 16, line 39, leave out paragraph (d)

**Member’s explanatory statement**
This amendment removes the condition for applying to become a recognised producer organisation relating to the legal form of the organisation.

Deidre Brock

Clause 22, page 17, line 5, leave out “to the Secretary of State”
Clause 22, page 17, line 9, leave out “a single agricultural sector” and insert “one or more agricultural sectors”

Member’s explanatory statement

This amendment changes one of the conditions for applying to become a recognised association of producer organisations so that the condition is met if each member of the association is a recognised producer organisation operating in any one or more of the agricultural sectors listed in Part 2 of Schedule 1 to the Bill (rather than each member being required to operate in the same sector).

Deidre Brock

Clause 22, page 17, line 13, leave out “to the Secretary of State”

Deidre Brock

Clause 22, page 17, line 31, at end insert—

“( ) An application under subsection (1), (3) or (5) is to be made to and determined by—

(a) the appropriate authority for the part of the United Kingdom in which the applicant has its registered office or principal place of business, or

(b) where the applicant is made up of producers, producer organisations or, as the case may be, businesses operating in more than one part of the United Kingdom, the appropriate authority for any of those parts.”

Member’s explanatory statement

This amendment would require organisations of agricultural producers, associations of recognised producer organisations, and organisations of agricultural businesses to apply for recognition to the appropriate authority in the country of the UK where the applicant is principally based.

Deidre Brock

Clause 22, page 17, line 38, leave out “The Secretary of State” and insert “The appropriate authority to which an application is made under this section”

Deidre Brock

Clause 22, page 18, line 5, at end insert—

““appropriate authority” means—

(a) in relation to England, Wales or Northern Ireland, the Secretary of State,

(b) in relation to Scotland, the Scottish Ministers;”
George Eustice

Schedule 1, page 27, line 18, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2

Deidre Brock

Clause 23, page 18, line 30, leave out “the Secretary of State” and insert “an appropriate authority (within the meaning given in section 22(11))”

Member’s explanatory statement
This amendment would require the delegation of functions to require permission from the appropriate authority (as set out in amendment 61).

Deidre Brock

Clause 24, page 18, line 37, leave out “the Secretary of State” and insert “an appropriate authority (within the meaning given in section 22(11))”

Member’s explanatory statement
This amendment would allow regulations to give the power to delegate functions to an appropriate authority (as set out in amendment 61).

Deidre Brock

Clause 24, page 19, line 5, at end insert—

“( ) Regulations under section 22 or 23 containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

Member’s explanatory statement
This amendment would ensure that regulations under section 22 or 23 containing provision that extend to Scotland may be made only with the consent of Scottish Ministers.

George Eustice

Clause 24, page 19, line 7, after “unless” insert “section 29(4A) applies or”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2
Agriculture Bill, continued

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

Clause 25, page 19, line 21, leave out “may” and insert “must”

*Member’s explanatory statement*

This amendment would require the Secretary of State to make regulations for fair dealing obligations in Clause 25.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 25, page 19, line 22, leave out “the first”

*Member’s explanatory statement*

This amendment would require the Secretary of State to make regulations for fair dealing obligations in Clause 25.

Deidre Brock

Clause 25, page 19, line 23, at end insert—

“( ) Regulations under this section containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

*Member’s explanatory statement*

This amendment would require that regulations containing provisions that extend to Scotland may be made only with the consent of Scottish Ministers.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

★ Clause 25, page 19, line 24, leave out “the first”

*Member’s explanatory statement*

This amendment would require the Secretary of State to make regulations for fair dealing obligations in Clause 25.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

Clause 25, page 20, line 9, at end insert—

“(aa) for the identity of any person who has made a complaint relating to alleged non-compliance to be held in confidence and not disclosed during any investigation into their complaint;”

*Member’s explanatory statement*

This amendment would provide for the confidentiality of persons who raise complaints under the fair dealing obligations provided by Clause 25.
Agriculture Bill, continued

Dr David Drew  
Sue Hayman  
Jenny Chapman  
Sandy Martin  
Thangam Debbonaire

Clause 25, page 20, line 9, at end insert—
“(aa) for an investigation to be launched where there are reasonable grounds to suspect that there is non-compliance;”

Member’s explanatory statement
This amendment would provide for investigations to be undertaken under the fair dealing obligations provided by Clause 25 where there are reasonable suspicions, but no complaint has been made.

George Eustice

Clause 25, page 20, line 24, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2

Deidre Brock

Clause 25, page 20, line 24, at end insert—
“( ) Before making regulations under this section, the Secretary of State must consult persons—
(a) who are representative of—
(i) producers of, or
(ii) first purchasers of,
the agricultural products to which the regulations will apply, or
(b) who may otherwise be affected by the regulations.”

Member’s explanatory statement
This amendment would ensure that before making regulations the Secretary of State be required to consult with representatives of the producers and first purchasers.

Dr David Drew  
Sue Hayman  
Jenny Chapman  
Sandy Martin  
Thangam Debbonaire

★ Clause 25, page 20, line 28, leave out “first”

Deidre Brock

Clause 26, page 20, line 36, at end insert—
“( ) Regulations under this section containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

Member’s explanatory statement
This amendment would require that the power to make regulations extending to Scotland can only be exercised with the consent of Scottish Ministers.
Agriculture Bill, continued

Deidre Brock

Clause 26, page 20, line 44, leave out from “support” to end of line 2 on page 21

Member’s explanatory statement
This amendment would remove the role of the Secretary of State as final arbiter in dispute resolution.

Deidre Brock

Clause 26, page 21, line 26, leave out subsection (6)

Member’s explanatory statement
This amendment would remove the requirement to provide information to the Secretary of State.

Tonia Antoniazzi
Martin Whitfield
Ben Lake

★ Clause 26, page 22, line 2, at end insert—
“(8A) For the avoidance of doubt, nothing in this clause shall affect the devolution of any power under—
(a) the Wales Act 1998, the Wales Act 2014 or the Wales Act 2017,
(b) the Scotland Act 1998 or the Scotland Act 2016, or
(c) the Northern Ireland Act 1998.”

Mr Philip Dunne
Colin Clark
Chris Davies

Schedule 3, page 30, line 17, at end insert—
“(2A) Financial assistance under subparagraphs (1) and (2) may only be given to—
(a) persons who are involved in the production of products deriving from an agricultural or horticultural or forestry activity, (including recognised producers organisations, associations of recognised producer organisations and recognised interbranch organisations as established in part 6 or as recognised under the CMO Regulation at the date of enactment of this Act); or
(b) those with an interest in agricultural land, where the financial assistance relates directly to that land.”

George Eustice

Schedule 3, page 33, line 21, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2
Schedule 3, page 33, line 21, at end insert—

“6A (1) The Welsh Ministers may by regulations make provision for and in connection with reducing the national and net direct payments ceilings for Wales that would otherwise apply in 2020 by up to 15%.

(2) For this purpose—

the “national direct payments ceiling for Wales” is the sum representing the share allocated to Wales of the amount specified for the United Kingdom in Annex II of the Direct Payments Regulation (table of national ceilings);

the “net direct payments ceiling for Wales” is the sum representing the share allocated to Wales of the amount specified for the United Kingdom in Annex III of the Direct Payments Regulation (table of net ceilings).

(3) Regulations under this paragraph cannot be made after the end of 2020.

(4) Regulations under this paragraph are subject to affirmative resolution procedure.”

Member’s explanatory statement

This amendment makes the same provision for Wales as that made by NC2 for England.

George Eustice

Schedule 3, page 33, line 21, at end insert—

“6B (1) The Welsh Ministers may by regulations modify legislation governing the basic payment scheme to make provision for and in connection with securing that the basic payment scheme continues to operate in relation to Wales for one or more years beyond 2020 (subject to any provision made under paragraph 7).

(2) The power conferred by sub-paragraph (1) includes power to provide for the direct payments ceiling for Wales for any relevant year to be determined, in a specified manner, by the Welsh Ministers.

(3) Provision made by virtue of sub-paragraph (2)—

(a) must require a determination in respect of a relevant year to be published as soon as practicable after it has been made, and

(b) may confer functions on any person in connection with, or with the making of, a determination in respect of a relevant year.

(4) In this paragraph—

“the direct payments ceiling for Wales” is the national ceiling of the kind referred to in Article 6 of the Direct Payments Regulation that is applicable in relation to Wales for any relevant year;

“relevant year” means a year within the agricultural transition period for Wales in respect of which direct payments under the basic payment scheme fall to be made in relation to Wales;

“specified” means specified in regulations under this paragraph.

(5) Regulations under this paragraph are subject to affirmative resolution procedure.”

Member’s explanatory statement

This amendment makes the same provision for Wales as that made by NC3 for England.
Agriculture Bill, continued

George Eustice

Schedule 3, page 33, line 28, leave out paragraph (b) and insert—

“(b) making delinked payments in relation to Wales with respect to the whole or part of that period (in place of direct payments under the basic payment scheme in relation to Wales).”

Member’s explanatory statement
This amendment makes the same provision for Wales as that made by Amendment 91 for England.

George Eustice

Schedule 3, page 35, line 22, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2

George Eustice

Schedule 3, page 36, line 14, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2

George Eustice

Schedule 3, page 40, line 32, leave out “may”

Member’s explanatory statement
This amendment makes clear that paragraph 16(2) of Schedule 3 is intended to set out the only circumstances in which the Welsh Ministers may make a declaration stating that there are exceptional market conditions. The amendment brings the provision for Wales into line with that for England.

George Eustice

Schedule 3, page 41, line 5, leave out “decisions” and insert “conditions”

Member’s explanatory statement
This amendment corrects the same error as that corrected by Amendment 6.

George Eustice

Schedule 3, page 42, line 31, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2

George Eustice

Schedule 3, page 44, line 33, at end insert “(unless section 29(4A) applies)”

Member’s explanatory statement
See the Explanatory Statement for Amendment 2
Schedule 4, page 44, line 39, leave out “paragraph 2” and insert “paragraphs 2 to 2C”

**Member’s explanatory statement**

This amendment is consequential on Amendments 36 to 38 which insert three new paragraphs into Part 1 of Schedule 4. The amendment provides that expressions explained or defined in paragraph 1 also apply in relation to those new paragraphs.

Schedule 4, page 45, line 5, leave out paragraph (a) and insert—

“(a) a basic payment for farmers (see Chapter 1 of Title III),”

**Member’s explanatory statement**

This amendment and Amendment 30 make clear that references in paragraphs 2 to 2B of Schedule 4 to the “basic payment scheme” include arrangements (if any) for direct payments to include a voluntary redistributive payment or payment for areas with natural constraints. Neither of these payments is currently made in Northern Ireland, but the amendments mean that if they are made in future years, the power to make provision for the purpose of simplifying or improving the operation of the basic payment scheme could include provision about these payments.

Schedule 4, page 45, line 8, at end insert—

“( ) if a decision to make such payments is taken, a redistributive payment (see Chapter 2 of Title III), and

( ) if provision under paragraph 2(1)(b) is made, a payment for areas with natural constraints.”

**Member’s explanatory statement**

See the Explanatory Statement for Amendment 29.

Schedule 4, page 45, line 8, at end insert—

“( ) The “coupled support scheme” is the voluntary coupled support scheme under the Direct Payments Regulation as the Regulation applies in relation to Northern Ireland (see Chapter 1 of Title IV of the Regulation).”

**Member’s explanatory statement**

This amendment defines “coupled support scheme” which is the subject of Amendment 38.

Schedule 4, page 45, line 18, at end insert—

“( ) The “legislation governing the coupled support scheme” is—

(a) the following retained direct EU legislation—

(i) the Direct Payments Regulation so far as relating to the coupled support scheme,

(ii) any Council Delegated Regulation, or Commission Delegated Regulation, made under the Direct Payments Regulation and so far as relating to the coupled support scheme,

(iii) any other retained direct EU legislation which relates to the coupled support scheme, and
Agriculture Bill, continued

(b) any subordinate legislation relating to retained direct EU legislation falling within paragraph (a).”

Member’s explanatory statement
This amendment defines “legislation governing the coupled support scheme” which is the subject of Amendment 38.

George Eustice

Schedule 4, page 45, line 19, leave out sub-paragraph (4)

Member’s explanatory statement
This amendment removes the definition of “direct payment” because it is not needed: the only references to direct payments in paragraphs 2 to 2B refer to them as being payments under the basic payment scheme.

George Eustice

Schedule 4, page 45, line 32, leave out “II” and insert “III”

Member’s explanatory statement
This amendment corrects a cross reference to the Direct Payments Regulation.

George Eustice

Schedule 4, page 45, line 40, at end insert—

(b) ensuring all payment entitlements, or all payment entitlements within a region, have, or over a period of time reach or move towards, a uniform unit value.

In paragraph (b) the reference to “payment entitlements” has the same meaning as in the legislation governing the basic payment scheme.”

Member’s explanatory statement
This amendment makes clear that changes to the basic payment scheme made in order to improve or simplify the scheme can include making changes that will continue the taking of steps towards reaching a flat rate of payment.

George Eustice

Schedule 4, page 45, line 42, at end insert—

“2A (1) DAERA may by regulations make provision for and in connection with reducing the national and net direct payments ceilings for Northern Ireland that would otherwise apply in 2020 by up to 15%.

(2) For this purpose—

the “national direct payments ceiling for Northern Ireland” is the sum representing the share allocated to Northern Ireland of the amount specified for the United Kingdom in Annex II of the Direct Payments Regulation (table of national ceilings); 

the “net direct payments ceiling for Northern Ireland” is the sum representing the share allocated to Northern Ireland of the amount specified for the United Kingdom in Annex III of the Direct Payments Regulation (table of net ceilings).

(3) Regulations under this paragraph cannot be made after the end of 2020.
Agriculture Bill, continued

(4) Regulations under this paragraph are subject to affirmative resolution procedure.”

Member’s explanatory statement
The new paragraph 2A inserted by this amendment makes the equivalent provision for Northern Ireland as that made by NC2 for England.

George Eustice

Schedule 4, page 45, line 42, at end insert—

“2B (1) DAERA may by regulations modify legislation governing the basic payment scheme to make provision for and in connection with securing that the basic payment scheme continues to operate in relation to Northern Ireland for one or more years beyond 2020.

(2) The power conferred by sub-paragraph (1) includes power to provide for the direct payments ceiling for Northern Ireland for any relevant year to be determined, in a specified manner, by DAERA.

(3) Provision made by virtue of sub-paragraph (2)—

(a) must require a determination in respect of a relevant year to be published as soon as practicable after it has been made, and

(b) may confer functions on any person in connection with, or with the making of, a determination in respect of a relevant year.

(4) In this paragraph—

“the direct payments ceiling for Northern Ireland” is the national ceiling of the kind referred to in Article 6 of the Direct Payments Regulation that is applicable in relation to Northern Ireland for any relevant year;

“relevant year” means a year in respect of which direct payments under the basic payment scheme fall, as a result of provision under sub-paragraph (1), to be made in relation to Northern Ireland;

“specified” means specified in regulations under this paragraph.

(5) Regulations under this paragraph are subject to affirmative resolution procedure.”

Member’s explanatory statement
The new paragraph 2B inserted by this amendment makes the equivalent provision for Northern Ireland as that made by NC3 for England.

George Eustice

Schedule 4, page 45, line 42, at end insert—

“2C (1) DAERA may by regulations modify legislation governing the coupled support scheme for or in connection with—

(a) making provision for the continuation, in relation to Northern Ireland, of the option to make payments under the scheme after any time at which, without the provision, the option would terminate;

(b) making changes DAERA considers will simplify or improve the scheme so far as it operates, or could be operated, in relation to Northern Ireland.

(2) Regulations under this paragraph are subject to affirmative resolution procedure.”
Member’s explanatory statement
The new paragraph 2C inserted by this amendment provides a power to make regulations modifying the Direct Payments Regulation and connected legislation, as it applies in Northern Ireland and so far as relating to the coupled support scheme, so that the option to operate a voluntary coupled support scheme may be continued into the future and the scheme simplified or improved.

George Eustice

Schedule 4, page 46, line 16, at end insert “(unless section 29(4A) applies)”  
Member’s explanatory statement
See the Explanatory Statement for Amendment 2

George Eustice

Schedule 4, page 54, line 15, at end insert “(unless section 29(4A) applies)”  
Member’s explanatory statement
See the Explanatory Statement for Amendment 2

George Eustice

Clause 29, page 23, line 3, at end insert—  
“(4A) Regulations which—  
(a) contain provision made by virtue of subsection (3)(c) modifying primary legislation, and  
(b) would, apart from this subsection, be subject to negative resolution procedure,  
are subject to affirmative resolution procedure.”
Member’s explanatory statement
This amendment provides that regulations under Clause 29(3)(c) which make supplementary, incidental, consequential, transitional or saving provision modifying primary legislation are subject to the affirmative resolution procedure.

George Eustice

Clause 29, page 23, line 35, at end insert—  
“( ) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies in relation to the laying of a document before the Northern Ireland Assembly by virtue of this section as it applies in relation to the laying of a statutory document under an enactment (as defined in that Act).”
Member’s explanatory statement
Section 41(3) of the Interpretation Act (Northern Ireland) 1954 provides mechanics for the laying of certain documents before the Northern Ireland Assembly. This amendment makes clear that those mechanics apply to the laying of regulations or draft regulations under the Bill.
Agriculture Bill, continued

George Eustice

Clause 30, page 24, line 3, leave out from “legislation” to end of line 4 and insert “means an instrument made under primary legislation or under retained direct EU legislation.”

Member’s explanatory statement
This amendment expands the definition of subordinate legislation that is already in the Bill to include legislation which is made under primary legislation made by the devolved legislatures.

George Eustice

Clause 31, page 24, line 9, leave out paragraph (c)

Member’s explanatory statement
Schedule 5 to the Bill amends the CMO Regulation in consequence of provision contained in the Bill. Clause 31 sets out which provision that is. Nothing in Schedule 5 is consequential on the provision mentioned in paragraph (c). This amendment therefore omits paragraph (c) from the list in Clause 31.

Colin Clark
Chris Davies

Clause 34, page 25, line 15, at end insert—

“( ) Part (Red Meat Levy) extends to England and Wales and Scotland only.”

Member’s explanatory statement
The amendment relates to NC4 which is expected to form a Part of its own (under the heading “Red Meat Levy”) rather than being inserted in an existing Part of the Bill. The amendment provides for the new Part to form part of the law of England and Wales and Scotland only, because nothing in it relates to Northern Ireland.
To move the following Clause—

“Duty of Secretary of State to monitor and report on food insecurity

(1) The Secretary of State must lay before each House of Parliament a draft of an order, under section 6(1)(b) of the Statistics and Registration Service Act 2007, to make provision for official statistics for the monitoring of household food insecurity in the United Kingdom, including provision for the inclusion in the annual Living Costs and Food Survey of food insecurity questions.

(2) For the purposes of this section “food insecurity” means a person’s state in which consistent access to adequate food is limited by a lack of money and other resources at times during the year.

(3) Before laying a draft order under subsection (1) the Secretary of State must—

(a) consult the Scottish Ministers, the Welsh Ministers, the relevant Northern Ireland department, and such other persons (in addition to the Board) as the Secretary of State considers appropriate, and

(b) have due regard to international best practice on food insecurity, including but not limited to the United States Household Food Security Survey.

(4) As soon as practicable after the publication each year of Living Costs and Food Survey data, the Secretary of State must publish an annual report on food insecurity.

(5) The Secretary of State’s annual report must include—

(a) an assessment of trends in food insecurity, broken down by different parts of the United Kingdom and different regions of England, and

(b) a summary of actions to be taken in areas of high food insecurity by the UK Government, the Scottish Government, the Welsh Government or the Northern Ireland Executive.

(6) The Secretary of State must consult the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department before preparing a report under subsection (4).

(7) The Secretary of State must lay before Parliament a copy of each report prepared under subsection (4).

(8) In this section—

“parts of the United Kingdom” means—

(a) England,

(b) Scotland,

(c) Wales,
Agriculture Bill, continued

(d) Northern Ireland;
“regions of England” has the same meaning as that used by the Office for National Statistics.”

George Eustice

To move the following Clause—

“Power to reduce the direct payments ceilings for England in 2020 by up to 15%”

(1) The Secretary of State may by regulations make provision for and in connection with reducing the national and net direct payments ceilings for England that would otherwise apply in 2020 by up to 15%.

(2) For this purpose—

the “national direct payments ceiling for England” is the sum representing the share allocated to England of the amount specified for the United Kingdom in Annex II of the Direct Payments Regulation (table of national ceilings);

the “net direct payments ceiling for England” is the sum representing the share allocated to England of the amount specified for the United Kingdom in Annex III of the Direct Payments Regulation (table of net ceilings).

(3) Regulations under this section cannot be made after the end of 2020.

(4) Regulations under this section are subject to affirmative resolution procedure.”

Member’s explanatory statement

The provisions in EU legislation for inter-pillar transfers of up to 15% of the national ceiling for direct payments to the budget for rural development scheme payments will not apply in relation to the 2020 scheme year. The new Clause enables a reduction of up to 15% of the share allocated to England of the UK’s direct payment ceiling for 2020 under the Direct Payments Regulation.

George Eustice

To move the following Clause—

“Power to provide for the continuation of the basic payment scheme beyond 2020”

(1) The Secretary of State may by regulations modify legislation governing the basic payment scheme to make provision for and in connection with securing that the basic payment scheme continues to operate in relation to England for one or more years beyond 2020 (subject to any provision made under section 7).

(2) The power conferred by subsection (1) includes power to provide for the direct payments ceiling for England for any relevant year to be determined, in a specified manner, by the Secretary of State.

(3) Provision made by virtue of subsection (2)—

(a) must require a determination in respect of a relevant year to be published as soon as practicable after it has been made, and
Agriculture Bill, continued

(b) may confer functions on any person in connection with, or with the making of, a determination in respect of a relevant year.

(4) In this section—

“the direct payments ceiling for England” is the national ceiling of the kind referred to in Article 6 of the Direct Payments Regulation that is applicable in relation to England for any relevant year; “relevant year” means a year within the agricultural transition period for England in respect of which direct payments under the basic payment scheme fall to be made in relation to England; “specified” means specified in regulations under this section.

(5) Regulations under this section are subject to affirmative resolution procedure.”

Member’s explanatory statement

The current text of the Direct Payments Regulation relating to the basic payment scheme only covers years up to 2020. The new clause allows regulations to make provision continuing the basic payment scheme beyond 2020 during the agricultural transition period for England, although this is subject to clause 7 which provides for the phasing out or termination of the basic payment scheme during the transition period. The new clause also makes clear that this includes power to provide for the relevant national ceiling for England to be determined outside the Direct Payments Regulation, rather than simply being specified in it.

Colin Clark
Chris Davies

To move the following Clause—

“Red meat levy: payments between levy bodies in Great Britain

(1) A scheme made in accordance with this section may—

(a) make provision for amounts of red meat levy collected by the levy body for one country in Great Britain to be paid to the levy body for another such country, or

(b) amend, suspend or revoke an earlier scheme made under this section.

(2) A scheme under this section may make provision about—

(a) the method by which the amount of a payment is to be calculated,

(b) who is to determine the amount of a payment,

(c) when a payment is to be made,

(d) how a payment is to be made,

(e) how a payment is to be applied by the levy body which receives it, and

(f) the duration of the scheme;

and in this subsection “payment” means any payment which is to be made under the scheme by any levy body.

(3) The method of calculating the amount of a payment may include calculation by reference to any matters specified in the scheme, including—

(a) the number of animals—

(i) in respect of which red meat levy was imposed by the levy body making the payment in a given period, and

(ii) which have a given connection with the country of the levy body which is to receive the payment;
(b) the administrative costs of implementing the scheme for the levy bodies involved in the payment.

(4) A scheme under this section may make supplementary, incidental or consequential provision (including provision conferring functions).

(5) A levy body must comply with—
   (a) any requirement imposed on it by a scheme under this section, and
   (b) any direction given to it under such a scheme.

(6) A scheme under this section is to be made jointly by—
   (a) the Secretary of State, if it involves the levy body for England, and
   (b) the Scottish Ministers, if it involves the levy body for Scotland, and
   (c) the Welsh Ministers, if it involves the levy body for Wales.

(7) A scheme under this section must be published in such manner as may be determined by the authorities making it.

(8) For the purposes of this section the levy bodies for the countries in Great Britain are—
   (a) for England, the Agriculture and Horticulture Development Board;
   (b) for Scotland, Quality Meat Scotland;
   (c) for Wales, the person exercising the function of imposing levy on slaughterers under section 4 of the Red Meat Industry (Wales) Measure 2010 (nawm 3).

(9) In this section, “red meat levy” means—
   (a) in relation to the levy body for England, producer levy imposed on slaughterers under Schedule 3 to the Agriculture and Horticulture Development Board Order 2008 (SI 2008/576);
   (b) in relation to the levy body for Scotland, producer levy imposed on slaughterers under Schedule 3 to the Quality Meat Scotland Order 2008 (S.S.I 2008/77);
   (c) in relation to the levy body for Wales, the production component of levy imposed on slaughterers under the Red Meat Industry (Wales) Measure 2010.”

**Member’s explanatory statement**

This new clause enables a scheme to be made for some of the red meat levy collected by a levy body in one country within Great Britain to be paid to another levy body in Great Britain. This would reflect the fact that some cattle, sheep or pigs produced in one country may be slaughtered in another country. Without the ability to make payments under a scheme the producer levy paid in respect of those animals in the country of slaughter can only be spent on activities which benefit red meat producers in that country.

Deidre Brock  NC5

To move the following Clause—

**“Quality schemes for agricultural products and foodstuffs**

(1) Subsection (2) applies to any function of the Secretary of State under—
   (a) Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (“the EU Regulation”),
   (b) the delegated and implementing Regulations,
(c) any regulations made by the Secretary of State under the EU Regulation, and
(d) any regulations made under section 2(2) of the European Communities Act 1972 relating to the enforcement of the EU Regulation or the delegated and implementing Regulations.

(2) The Secretary of State may exercise the function only with the consent of the Scottish Ministers.

(3) In subsection (1), the “delegated and implementing Regulations” means—
(a) Commission Delegated Regulation (EU) No 664/2014 supplementing the EU Regulation with regard to the establishment of Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules,
(b) Commission Delegated Regulation (EU) No 665/2014 supplementing the EU Regulation with regard to conditions of use of the quality term “mountain product”, and
(c) Commission Implementing Regulation (EU) No 668/2014 laying down rules for the application of the EU Regulation.

(4) The references in subsection (1) to the EU Regulation and the delegated and implementing Regulations are to those instruments—
(a) as they have effect in domestic law by virtue of the European Union (Withdrawal) Act 2018, and
(b) as amended from time to time whether by virtue of that Act or otherwise.”

**Member’s explanatory statement**

This clause relates to the replacement of current EU Geographical Indicators in future UK legislation. It requires that the exercise of relevant functions conferred on the Secretary of State in this area including in relation to its enforcement, should be subject to the consent of Scottish Ministers.

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Deidre Brock

To move the following Clause—

**“Red meat levy redistribution**

(1) The Ministers shall establish a scheme for the redistribution of red meat levy in accordance with this section.

(2) The scheme shall make provision for amounts of red meat levy collected by the levy body for one country in Great Britain to be paid to the levy body for another such country.

(3) The scheme shall make provision about—
(a) how the amount of a payment is to be calculated, which shall be by reference to such matters as may be specified in the scheme,
(b) when a payment is to be made, provided that payments shall be made not less than annually and no later than three months after the end of the financial year in which the levy has been collected, and
(c) how a payment is to be made.

(4) Before making the scheme the Ministers shall consult the levy bodies.
(5) The Ministers shall publish the scheme in such manner as they may determine.

(6) A levy body must comply with any requirement imposed on it by the scheme.

(7) A payment received by a levy body in accordance with the scheme may be used by that body in the same way as levy collected by that body.

(8) The scheme may be reviewed at any time by the Ministers and shall be so reviewed at least every five years.

(9) The scheme may make supplementary, incidental or consequential provision, and may amend or repeal any earlier scheme.

(10) In this section—

“the levy bodies” means—

(a) for England, the Agriculture and Horticulture Development Board established by the Agriculture and Horticulture Development Board Order 2008 (S.I. 2008/420);

(b) for Scotland, Quality Meat Scotland established by the Quality Meat Scotland Order 2008 (S.S.I. 2008/77);

(c) for Wales, the Welsh Ministers or, where the power under section 7 of the Red Meat Industry (Wales) Measure 2010 (nawm 3) to delegate functions has been exercised by the Welsh Ministers, the person exercising the function of imposing levy on slaughterers under section 4 of that Measure 2010;

“the Ministers” means the Secretary of State, the Scottish Ministers and the Welsh Ministers, acting jointly;

“payment” means any payment which is to be made under the scheme by any levy body;

“red meat levy” means—

(a) in relation to England, producer levy imposed under Schedule 3 to the Agriculture and Horticulture Development Board Order 2008;

(b) in relation to Scotland, producer levy imposed under Schedule 3 to the Quality Meat Scotland Order 2008;

(c) in relation to Wales, the production component of levy imposed under section 4 of the Red Meat Industry (Wales) Measure 2010; and

“scheme” means a scheme established by the Ministers in accordance with this section.

Member’s explanatory statement

The new clause requires a scheme to be made by the Secretary of State, the Scottish Ministers and the Welsh Ministers for redistribution of part of the red meat levy collected by the levy bodies in Great Britain to the other levy bodies.
Agriculture Bill, continued

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

To move the following Clause—

“Environmental land management contracts

(1) The Secretary of State shall, by regulations, make provision for environmental land management contracts.

(2) A person who manages land may enter into an environmental land management contract with the Secretary of State to deliver one or more benefits under section 1(1).

(3) A person who manages land and who seeks to enter into an environmental land management contract with the Secretary of State must first submit a land management plan.

(4) The Secretary of State must approve a land management plan submitted by a person who manages land before entering into an environmental land management contract with that person.

(5) Regulations under this section may provide for—

(a) one or more persons or bodies to act on behalf of the Secretary of State for the purposes of entering into an environmental land management contract, and

(b) requirements which a land management plan must meet if it is to be approved by the Secretary of State under subsection (5).

(6) Regulations under this section are subject to affirmative resolution procedure.”

Member's explanatory statement
This new clause would require the Secretary of State to make provision for environmental land management contracts.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

To move the following Clause—

“Duty to report on international obligations

(1) The Secretary of State shall lay before both Houses of Parliament reports on the extent to which the provisions of this Act have helped the UK meet its obligations, including (but not limited to)—

(a) the UN Paris Agreement,

(b) CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora),

(c) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,

(d) the Convention on the Law of the Sea,
Agriculture Bill, continued

(e) the International Covenant on Economic, Social and Cultural Rights (ICESCR), and
(f) the UN Sustainable Development Goals.

(2) The first report under subsection (1) shall be laid no later than 31 March 2020, and subsequent reports shall be laid no later than 31 March in each calendar year.

(3) The Secretary of State shall consult with—
(a) the Scottish Ministers,
(b) the Welsh Ministers, and
(c) the Department of Agriculture, Environment and Rural Affairs in Northern Ireland
before laying a report under subsection (1).

(4) The Secretary of State shall make arrangements for a report under subsection (1) to be laid before—
(a) the Scottish Parliament, and
(b) the Welsh Assembly.”

Member’s explanatory statement
This new clause would require the Secretary of State to report annually on the contribution made to the UK’s international obligations as a result of the provisions of the Bill.

Dr David Drew
Sue Hayman
Jenny Chapman
Sandy Martin
Thangam Debbonaire

NC9

To move the following Clause—

“Reports on impact on consumers

(1) The Secretary of State shall lay before both Houses of Parliament reports on the impact of the provisions of this Act on—
(a) the availability in England of agricultural products produced within the United Kingdom,
(b) the cost to the consumer in England of agricultural products produced within the United Kingdom, and
(c) the health and welfare of consumers in England.

(2) The first report under subsection (1) shall be laid no later than 31 March 2020, and subsequent reports shall be laid no later than 31 March in each calendar year.

(3) “Agricultural product”, for the purposes of this section, means a product that falls within a sector listed in Part 2 of Schedule 1.”

Member’s explanatory statement
This new clause would require the Secretary of State to report annually on the impact of the Bill’s provisions on food security, availability and affordability, and the impact on consumer health and welfare.
To move the following Clause—

“Annual assessment of funding for purposes
(1) The Secretary of State must report on funding for each purpose listed in section 1.
(2) A report under subsection (1) must be made for each financial year and must be laid before both Houses of Parliament no later than 31 October in the financial year following the financial year to which the report relates.
(3) The first report shall be made by 31 October 2019 and shall relate to funding in the 2018-19 financial year.
(4) A report under this section must record, on the basis of best data available—
   (a) the total sum of funding allocated to each purpose in section 1,
   (b) the source of any element of funding under subparagraph (a) which comes from public funds, and
   (c) the sums from each source under subparagraph (b).
(5) The Secretary of State must include in each report under this section—
   (a) a statement of their opinion on whether any sum recorded under subsection (4) is sufficient to meet their policy objectives in relation to each purpose; and
   (b) a statement of the Secretary of State’s intentions if, in their opinion, a sum recorded under subsection (4) was not sufficient to meet their policy objectives in relation to a purpose.
(6) For the purposes of this section, “funding” includes any payment, grant, loan or guarantee.”

Member’s explanatory statement
This new clause would require the Secretary of State to report annually on the funding allocated to each of the purposes of the Bill, on its sufficiency to meet policy objectives and on the Secretary of State’s intentions if in their opinion funding for any purpose was not sufficient.

To move the following Clause—

“UK-wide framework for agriculture
(1) A UK-wide framework for agriculture, agricultural support and land management shall, subject to subsection (2), be established jointly by—
   (a) Ministers of the Crown;
   (b) Scottish Ministers;
   (c) Welsh Ministers; and
   (d) Northern Ireland Ministers or, if there are no Northern Ireland Ministers, the Department for Agriculture, Environment and Rural Affairs in Northern Ireland.
(2) A framework under subsection (1) shall be established if it is deemed necessary, with regard to agriculture, agricultural support and land management, to—
Agriculture Bill, continued

(a) enable the functioning of the UK internal market, while allowing for policy divergence;
(b) ensure compliance with international obligations;
(c) enable the management of common resources;
(d) administer and provide access to arbitration for disputes in cases with a cross-border element; or
(e) facilitate the allocation of funding to the devolved administrations to provide financial support.

(3) A framework under subsection (1) must respect the devolution settlements and the democratic accountability of the devolved legislatures and shall—

(a) be based on established conventions and practices, including that the principle that the competence of the devolved institutions will not be adjusted without their consent;
(b) maintain, as a minimum, equivalent flexibility for tailoring policies to the specific needs of each territory as is afforded by current EU rules; and
(c) lead to a significant increase in joint decision-making powers for the devolved administrations.

(4) Decisions made under a framework established under subsection (1) shall require unanimous agreement between each of the authorities in subsection (1).”

Colin Clark
Chris Davies

Title, line 14, after “Agriculture;” insert “to make provision about red meat levy in Great Britain;”

Member’s explanatory statement
An amendment to the long title is required to cover the content of NC4 which is not covered by any of the other specific limbs of the current text.

ORDER OF THE HOUSE [10 OCTOBER 2018]

That the following provisions shall apply to the Agriculture 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 Tuesday 20 November 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.
Agriculture Bill, continued

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.

ORDER OF THE COMMITTEE [23 OCTOBER 2018, AS AMENDED ON 23 AND 25 OCTOBER]

That—

(1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 23 October) meet—

(a) at 2.00 pm on Tuesday 23 October;
(b) at 11.30 am and 2.00 pm on Thursday 25 October;
(c) at 9.25 am and 2.00 pm on Tuesday 30 October;
(d) at 11.30 am and 2.00 pm on Thursday 1 November;
(e) at 9.25 am and 2.00 pm on Tuesday 13 November;
(f) at 11.30 am and 2.00 pm on Thursday 15 November; and
(g) at 9.25 am and 2.00 pm on Tuesday 20 November;

(2) the Committee shall hear oral evidence in accordance with the following Table:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Witness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday 23 October</td>
<td>Until no later</td>
<td>Nature Friendly Farming Network;</td>
</tr>
<tr>
<td></td>
<td>than 10.55 am</td>
<td>National Trust;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>RSPB;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gilles Deprez</td>
</tr>
<tr>
<td>Tuesday 23 October</td>
<td>Until no later</td>
<td>Farmwel;</td>
</tr>
<tr>
<td></td>
<td>than 11.25 am</td>
<td>RSPCA;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>British Veterinary Association</td>
</tr>
<tr>
<td>Tuesday 23 October</td>
<td>Until no later</td>
<td>NFU;</td>
</tr>
<tr>
<td></td>
<td>than 2.30 pm</td>
<td></td>
</tr>
<tr>
<td>Tuesday 23 October</td>
<td>Until no later</td>
<td>Country Land and Business Association;</td>
</tr>
<tr>
<td></td>
<td>than 3.00 pm</td>
<td>Tenant Farmers Association</td>
</tr>
<tr>
<td>Tuesday 23 October</td>
<td>Until no later</td>
<td>Food Standards Agency;</td>
</tr>
<tr>
<td></td>
<td>than 3.30 pm</td>
<td></td>
</tr>
<tr>
<td>Tuesday 23 October</td>
<td>Until no later</td>
<td>National Farmers’ Union Cymru;</td>
</tr>
<tr>
<td></td>
<td>than 5.00 pm</td>
<td>Farmers’ Union of Wales</td>
</tr>
<tr>
<td>Thursday 25 October</td>
<td>Until no later</td>
<td>Traceability Design User Group;</td>
</tr>
<tr>
<td></td>
<td>than 12.15 pm</td>
<td>Environment Agency;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rural Payments Agency</td>
</tr>
</tbody>
</table>
(3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 22; Schedule 1; Clause 23; Schedule 2; Clauses 24 to 27; Schedule 3; Clause 28; Schedule 4; Clauses 29 to 31; Schedule 5; Clauses 32 to 36; new Clauses; new Schedules; and remaining proceedings on the Bill; and

(4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 20 November.

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NOTICES WITHDRAWN

The following Notices were withdrawn on 29 October 2018:
Amendments 54 and 55.