



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Wednesday 2 January 2019

New Amendments handed in are marked thus ★

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

Amendments tabled since the last publication: NC17 and NC18

CONSIDERATION OF BILL (REPORT STAGE)

AGRICULTURE BILL, AS AMENDED

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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

Kerry McCarthy
Martin Whitfield
Darren Jones
Caroline Lucas
Mary Creagh
Alex Sobel

Stella Creasy
Tonia Antoniazzi
Dr Rupa Huq
Angela Smith
Kate Green
Mrs Madeleine Moon
James Frith

Stephen Timms
Matt Western
Mr David Lammy
Daniel Zeichner
Debbie Abrahams
John Grogan
Dr Sarah Wollaston

Ian Murray
Ruth Cadbury
Catherine West
Stephen Doughty
Owen Smith
Stephen Twigg
Mr George Howarth

NC1

To move the following Clause—

Agriculture Bill, *continued*

“Ratification of international trade agreements

- (1) An international trade agreement shall not be ratified unless it enables the United Kingdom to require imports to—
 - (a) comply with the standards laid down by primary and subordinate legislation in the United Kingdom regarding food safety, the environment and animal welfare, or
 - (b) have been produced to standards that are no lower than the legislative standards of the United Kingdom in protecting food safety, the environment and animal welfare.
- (2) In this section “international trade agreement” has the same meaning as in section 2(2) of the Trade Act 2018.”

Member’s explanatory statement

This new clause would prevent the Government from entering into trade agreements that allow food imports that do not meet the UK’s environmental, animal welfare and food safety standards.

Neil Parish
 Sir Hugo Swire
 Fiona Bruce
 Mr Ian Liddell-Grainger
 Scott Mann

NC2

To move the following Clause—

“Agriculture: definition and principles

- (1) For the purposes of this Act, agriculture shall be taken to mean any activity which entails the cultivation of land or plants or the breeding of animals to provide food, fuel or other products to sustain life.
- (2) Agriculture shall include—
 - (a) arable farming,
 - (b) animal husbandry,
 - (c) horticulture, and
 - (d) forestry.
- (3) Agriculture shall be undertaken in accordance with the principles of—
 - (a) increasing production and productivity,
 - (b) achieving security of food supply, and
 - (c) providing consumers with food at reasonable prices with a fair price for the farmer.
- (4) Any person undertaking an agricultural activity shall, as far as possible, pay regard to the development of new technology and practices in promoting the principles under subsection (3).”

Member’s explanatory statement

This new clause would clearly define what agriculture is and would enshrine the concept of agriculture in the legislation.

Agriculture Bill, *continued*

Neil Parish
 Sir Hugo Swire
 Fiona Bruce
 Mr Ian Liddell-Grainger
 Scott Mann

NC3

To move the following Clause—

“Level of food production: duty on Secretary of State

It shall be the duty of the Secretary of State to ensure that food production in England does not fall to a level which puts at risk the supply of food to the population.”

Member’s explanatory statement

This new clause would protect food security and ensure its affordability for the population. This includes ensuring that enough home-grown food is produced if the UK experiences tensions with trading partners.

Neil Parish
 Kerry McCarthy
 Dr Sarah Wollaston
 Mrs Sheryll Murray
 John Grogan
 Angela Smith

David Simpson
 Fiona Bruce
 Scott Mann

Sir Hugo Swire
 Mr Ian Liddell-Grainger
 Zac Goldsmith

Julian Sturdy
 Mr Philip Dunne

NC4

To move the following Clause—

“Import of agricultural goods

- (1) Agricultural goods may be imported into the UK only if the standards to which those goods were produced were as high as, or higher than, standards which at the time of import applied under UK law relating to—
 - (a) animal welfare,
 - (b) protection of the environment, and
 - (c) food safety.
- (2) “Agricultural goods”, for the purposes of this section, means—
 - (a) any livestock within the meaning of section 1(4),
 - (b) any plants or seeds, within the meaning of section 15(6),
 - (c) any product derived from livestock, plants or seeds.”

 Agriculture Bill, *continued*

Deidre Brock
Alan Brown

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.”

Deidre Brock
Alan Brown

NC6

To move the following Clause—

“International trade agreements

- (1) A Minister of the Crown may not lay a copy of an international trade agreement before Parliament under section 20(1) of the Constitutional Reform and Governance Act 2010 unless the agreement—
 - (a) includes an affirmation of the United Kingdom’s rights and obligations under the SPS Agreement, and

Agriculture Bill, *continued*

- (b) prohibits the importation into the United Kingdom of agricultural and food products in relation to which the relevant standards are lower than the relevant standards in the United Kingdom.
- (2) In subsection (1)—
 - “international trade agreement” means—
 - (a) an agreement that is or was notifiable under—
 - (i) paragraph 7(a) of Article XXIV of the General Agreement on Tariffs and Trade, part of Annex 1A to the WTO Agreement (as modified from time to time), or
 - (ii) paragraph 7(a) of Article V of the General Agreement on Trade in Services, part of Annex 1B to the WTO Agreement (as modified from time to time), or
 - (b) an international agreement that mainly relates to trade, other than an agreement mentioned in sub-paragraph (i) or (ii);
 - “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;
 - “relevant standards” means standards relating to environmental protection, plant health and animal welfare applying in connection with the production of agricultural and food products;
 - “SPS Agreement” means the agreement on the Application of Sanitary and Phytosanitary Measures, part of Annex 1A to the WTO Agreement (as modified from time to time);
 - “WTO Agreement” means the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994.”

Deidre Brock
Alan Brown

NC7

To move the following Clause—

“Agricultural payments to the Scottish Ministers

After exit day, the Secretary of State must make available to the Scottish Ministers each year sums which are at least equivalent to the sums made available to the Scottish Ministers in the year prior to exit day for the purpose of expenditure under—

- (a) the European Agricultural Guarantee Fund, and
 - (b) the European Agricultural Fund for Rural Development,
- (both established under Article 3 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy).”

 Agriculture Bill, *continued*

Caroline Lucas
Edward Miliband
Mary Creagh

NC8

To move the following Clause—

“Carbon emissions: net-zero and interim targets

- (1) When considering the provision of financial assistance under sections 1(1) and 1(2) of this Act, the Secretary of State shall ensure that the likely impact of that funding is compatible with the achievement of any emissions reduction target set out in subsection (2) or (3).
- (2) It is the duty of the Secretary of State to—
 - (a) set an emissions reduction target for the net UK carbon account for agriculture and related land use for the year 2050 which is at least 100% lower than the 1990 baseline, and
 - (b) ensure that the target is met.
- (3) The Secretary of State must, within six months of this Bill receiving Royal Assent, publish interim emissions reductions targets for agriculture and related land use that align with budgetary periods as they relate to carbon budgets.
- (4) It is the duty of the Secretary of State to ensure that the net UK carbon account for agriculture and related land use for a budgetary period does not exceed any interim emissions reduction target published under subsection (3).
- (5) The Secretary of State must, within twelve months of this Bill receiving Royal Assent, publish a statement of the policies to be delivered in order to meet the interim emissions reduction targets published under subsection (3).
- (6) In this section—
 - (a) “net UK carbon account” shall have the meaning given in section 27 of the Climate Change Act 2008, and
 - (b) “budgetary periods” and “carbon budgets” shall have the meaning given in section 4 of the Climate Change Act 2008.”

Member’s explanatory statement

This new clause would have the effect of setting a target of net-zero green-house gas emissions for agriculture and related land use in the UK by 2050 at the latest. It would place a duty on the Secretary of State to publish interim emissions reduction targets that align with the Climate Change Act 2008 - and a duty to publish, within twelve months of the Act being passed, policy proposals to ensure those targets are met.

Sir Hugo Swire
Neil Parish
Mr Ian Liddell-Grainger

NC9

To move the following Clause—

“Smallholdings estates

- (1) Every smallholdings authority which immediately before the commencement of Part 1 of this Act holds any land for the purposes of smallholdings shall review the authority’s smallholdings estate and shall, before the end of the period of eighteen months beginning with the commencement of Part 1 of this Act, submit to the Minister proposals with respect to the future management of that estate for the purposes of providing—

Agriculture Bill, *continued*

- (a) opportunities for persons to be farmers on their own account;
 - (b) education or experience in environmental land management practices;
 - (c) opportunities for increasing public access to the natural environment and understanding of sustainable farming; and
 - (d) opportunities for innovation in sustainable land management practices.
- (2) No land held by a smallholdings authority as a smallholding immediately before commencement of Part 1 of this Act is to be conveyed, transferred, leased or otherwise disposed of otherwise than—
- (a) in connection with the purposes listed in subsection (1); and
 - (b) in accordance with proposals submitted under subsection (1).
- (3) For the purposes of this section, “smallholdings authority” has the same meaning as in section 38 of the Agriculture Act 1970.”

Member’s explanatory statement

This new clause would limit the disposal of smallholdings (“county farms”) by local authorities and would require local authorities to review their holding and submit proposals for future management to provide opportunities to extend access to farming, education, and innovation.

Caroline Lucas

NC10

To move the following Clause—

“Application of pesticides: limitation on use to protect human health

- (1) The Secretary of State shall by regulations make provision for prohibiting the application of any pesticide for the purpose of agriculture near—
 - (a) any building used for habitation,
 - (b) any building or open space used for work or recreation, or
 - (c) any public or private building where members of the public may be present including, but not limited to, schools, nurseries, and hospitals.
- (2) Regulations under this section may specify a minimum distance to be maintained during the application of any pesticide between the place of application and any place under subsection (1)(a) to (c).
- (3) For the purposes of this section—
 - “agriculture” has the meaning given in section 15(6), and
 - “public building” includes any building used for the purposes of education.
- (4) Regulations under this section are subject to affirmative resolution procedure.”

Member’s explanatory statement

This new clause would have the effect of protecting members of the public from hazardous health impacts arising from the application of chemical pesticides near buildings and spaces used by the public.

 Agriculture Bill, *continued*

Caroline Lucas
Kerry McCarthy
Zac Goldsmith

NC11

To move the following Clause—

“Reducing use and impacts of pesticides

- (1) The Secretary of State must, within six months of Royal Assent being given to this Act, publish a policy statement setting out proposals for encouraging the adoption of integrated pest management practices in England.
- (2) The Secretary of State must, within one year of Royal Assent being given to this Act, set targets for—
 - (a) a reduction in pesticide use in England, and
 - (b) a reduction in the toxic load placed upon the environment in England as a result of the use of pesticides in the management of livestock or land or water.
- (3) The Secretary of State shall, when measuring pesticide use for the purpose of subsection (2)(a), measure (among other things)—
 - (a) the frequency of use of any pesticide, and
 - (b) the extent of any area treated with a pesticide.
- (4) The Secretary of State shall, when measuring for the purpose of subsection (2)(b) the toxic load placed upon the environment, measure (among other things)—
 - (a) any impact upon the environment which is wholly or partly attributable to the use of a pesticide in the management of livestock or land or water, and
 - (b) any impact upon human or animal health which is wholly or partly attributable to the use of a pesticide in the management of livestock or land or water.
- (5) For the purposes of this section—

“integrated pest management practices” include any practice for managing the growth and health of crops which relies wholly or significantly on ecological pest control mechanisms and which uses a pesticide or pesticides only when economically and ecologically justified

“toxic load placed upon the environment” shall mean any harmful impact upon the environment or human or animal health which is wholly or partly attributable to the use of a pesticide.”

Neil Parish
Fiona Bruce
Mr Ian Liddell-Grainger

NC12

To move the following Clause—

“Agricultural products: negotiating mandate for relevant international trade agreements

- (1) The Secretary of State shall not open negotiations on any element of a proposed international trade agreement which concerns trade in agricultural products unless each of the conditions in this section have been satisfied in respect of that agreement.

Agriculture Bill, continued

- (2) The first condition is that a Minister of the Crown shall have laid before Parliament a draft of a negotiating mandate relating to the proposed trade agreement, setting out—
 - (a) the principles to underpin the proposed negotiations, and
 - (b) the desired outcomes from the proposed negotiations.
- (3) The principles under subsection (2)(a) shall include, but are not limited to, the steps which the Government intends to take in order to seek to ensure that no agricultural product may be imported into the UK under the agreement unless the standards to which any such product is produced are at least as high as standards specified by primary or subordinate legislation in the United Kingdom relating to—
 - (a) the health and welfare of livestock,
 - (b) protection of the environment, and
 - (c) supply and sale of food or drink which is provided for consumers by an agri-food supply chain.
- (4) The second condition is that the House of Commons has approved by resolution a motion—
 - (a) setting out a proposed negotiating mandate for any part of the proposed trade agreement which concerns trade in agricultural products, and
 - (b) authorising the Secretary of State to enter negotiations on that part or those parts of the proposed trade agreement on the basis of that mandate.
- (5) The third condition is that the House of Lords has debated the proposed agreement.
- (6) A motion under subsection (4) shall be drafted in terms which permit amendment.
- (7) For the purposes of this section, “agricultural product” shall mean any product which falls within an agricultural sector listed in Part 2 of Schedule 1.

Neil Parish
 Fiona Bruce
 Mr Ian Liddell-Grainger

NC13

To move the following Clause—

“Agricultural products: Parliamentary approval of relevant parts of international trade agreements

- (1) The United Kingdom may not become a signatory to any international trade agreement of which an element concerns trade in agricultural products unless—
 - (a) upon conclusion of the negotiations, the text of any element which concerns trade in agricultural products has been laid before Parliament,
 - (b) the House of Commons has approved by resolution a motion moved by a Minister of the Crown which approves the text of any element which concerns trade in agricultural products, and
 - (c) the House of Lords has debated a motion in the same terms as that approved by the House of Commons.
- (2) A motion under subsection (1)(b) shall be framed in terms which permit amendment.

Agriculture Bill, *continued*

- (3) For the purposes of this section, “agricultural product” shall mean any product which falls within an agricultural sector listed in Part 2 of Schedule 1.
-

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

NC14

☆ 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.

Agriculture Bill, continued

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

NC15

☆ To move the following Clause—

“Financial assistance: agricultural tenancies

- (1) Where in respect of a tenancy of an agricultural holding a tenant is restricted by the terms of the tenancy agreement in relation to any activity for which financial assistance has been granted under or in connection with this Act, or any environmental land management scheme established in connection with the provisions of this Act, the tenant may serve notice on the landlord to request consent for that activity.
- (2) A landlord must respond to a notice served under subsection (1) within one month.
- (3) If the landlord does not respond to a notice served under subsection (1) within one month, consent for the activity within the notice from the tenant will be deemed to have been given.
- (4) Any objection by the landlord to a notice served under subsection (1) may be referred by the tenant to arbitration or expert determination under a mechanism to be established by regulations made by the Secretary of State.
- (5) Regulations under subsection (4) shall be subject to the affirmative procedure.
- (6) “Financial assistance” under subsection (1) shall be taken to include (amongst other things)—
 - (a) any payment of financial assistance under section 1,
 - (b) any payment under the basic payment scheme, within the meaning of section 4,
 - (c) any delinked payment within the meaning of section 4 or 9 as the case may be, and
 - (d) any other form of financial assistance which may be given under this Act.”

Member’s explanatory statement

This new clause would enable a tenant to challenge a restriction in the tenancy agreement regarding the receipt of financial assistance under the terms of the Bill.

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

NC16

☆ To move the following Clause—

“Monitoring pesticide use and alternatives

- (1) The Secretary of State must, within six months of Royal Assent being given to this Act, publish proposals—

Agriculture Bill, *continued*

- (a) to monitor the use and effects of pesticides in the management of livestock or land, and
 - (b) to conduct research into alternative methods of pest control and to invest in and promote their take-up, and
 - (c) to consult on a target to reduce the use of pesticides.
- (2) The proposals shall include steps to measure—
- (a) the effect of pesticides on environmental health,
 - (b) the effect of pesticides on human health,
 - (c) the frequency with which individual pesticides are applied,
 - (d) the areas to which individual pesticides are applied, and
 - (e) the take-up of alternative methods of pest control by land use and sector.
- (3) “Environmental health” in subsection (2)(a) includes the health of flora, fauna, land, air or any inland water body.
- (4) “Human health” in subsection (2)(b) means the health of farmers, farmworkers and their families, operators, bystanders, rural residents and the general public.”

Member’s explanatory statement

This new clause would require the Secretary of State to publish proposals to monitor the impact of pesticides, to conduct research into alternative methods of pest control, to promote their take-up, and to consult on proposals to set a target to reduce the use of pesticides.

Zac Goldsmith

NC17

- ★ To move the following Clause—

“Mandatory labelling of animal products as to farming method

- (1) Meat, meat products, milk, dairy products and egg products shall be labelled as to the method of farming.
- (2) The Secretary of State shall make regulations that (among other things) lay down—
 - (a) the labelling terms to be used for meat, meat products, milk, dairy products and egg products;
 - (b) the conditions that must be met for the use of each labelling term;
 - (c) the required size, legibility and placement of labels;
 - (d) the circumstances in which products containing, meat, eggs, milk or dairy products may be exempt from the requirement set out in subsection (1) due to the low proportion of these items that are included in the product.
- (3) For the purposes of this section—
 - “dairy products” means butter, cheese, ice cream and yoghurt and products that include milk or skimmed milk powder;
 - “egg products” means products that include eggs;
 - “meat products” means products that include meat.
- (4) Regulations under this section are subject to affirmative resolution procedure.”

Member’s explanatory statement

Clause 22 enables the Secretary of State to make labelling regulations. This new clause would require the Secretary of State to make labelling regulations that require meat and meat products, milk and dairy products, and egg products, including those which have been produced intensively,

Agriculture Bill, continued

to be labelled as to farming method. Eggs are not included as legislation already requires eggs to be labelled as to farming method.

Zac Goldsmith

NC18

★ To move the following Clause—

“Export of farmed animals for slaughter or fattening

- (1) A person commits an offence if the person exports to any country outside the United Kingdom a farmed animal for slaughter or fattening.
- (2) A person commits an offence if the person arranges or facilitates the export to any country outside the United Kingdom of a farmed animal for slaughter or fattening.
- (3) Subsections (1) and (2) do not apply to the export of a farmed animal from Northern Ireland to the Republic of Ireland provided that the animal—
 - (a) was born in Northern Ireland, and
 - (b) is to be slaughtered in the Republic of Ireland within eighteen months of arrival in the Republic of Ireland.
- (4) A person guilty of an offence under sub sections (1) or (2) is liable on summary conviction—
 - (a) in England and Wales, to imprisonment for a term not exceeding 51 weeks, to a fine or to both;
 - (b) in Scotland, to imprisonment for a term not exceeding 12 months, to a fine not exceeding level 5 on the standard scale, or to both;
 - (c) in Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding level 5 on the standard scale or to both.
- (5) In relation to an offence committed before section 281(5) of the Criminal Justice Act 2003 comes into force, the reference in subsection (4)(a) to 51 weeks is to be read as a reference to 6 months.
- (6) For the purpose of this section “fattening” means the keeping of an animal so that it gains weight in readiness for slaughter.
- (7) This section extends to England and Wales, Scotland and Northern Ireland.
- (8) This section shall come into force on “exit day”, where “exit day” shall have the same meaning as in section 20 of the European Union (Withdrawal) Act 2018.”

Member’s explanatory statement

This Clause would prohibit the export from the UK of farm animals for slaughter or fattening. It includes an exception to this prohibition in respect of genuine cross-border movements from Northern Ireland to the Republic of Ireland.

Agriculture Bill, *continued*

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

36

☆ 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.

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

37

☆ Clause 1, page 1, line 7, at end insert—

“(aa) “supporting agriculture and horticulture businesses in enabling public access to healthy food that is farmed sustainably, including food produced through whole farm agroecological systems.”

Member’s explanatory statement

This amendment would add to the purposes for which financial assistance can be given, that of ensuring access to healthy food produced sustainably including through whole farm agroecological systems.

Caroline Lucas
Dr Sarah Wollaston
Alex Cunningham

11

Clause 1, page 2, line 1, leave out “supporting” and insert “enhancing”

Member’s explanatory statement

This amendment would have the effect of ensuring that financial assistance could be provided to improve the accessibility of existing public rights of way. It would also ensure that financial assistance could be provided for the creation of new public access opportunities where these are most needed.

Neil Parish
Sir Hugo Swire
Fiona Bruce
Mr Ian Liddell-Grainger
Scott Mann

5

Clause 1, page 2, line 3, after “enhances” insert “landscape quality,”

Member’s explanatory statement

This amendment would ensure that the mechanics of the bill are aligned with the delivery of the 25 Year Environment Plan with regard to landscape enhancement. Without this amendment, cultural and/or natural heritage enhancement could be delivered out of context, reducing the beauty of landscapes.

Agriculture Bill, *continued*

Kerry McCarthy
Zac Goldsmith
Caroline Lucas
Darren Jones
Dr Sarah Wollaston

Clause 1, page 2, line 8, at end insert—

“(h) establishing and maintaining whole farm agroecological systems.”

1

Angela Smith

Clause 1, page 2, line 8, at end insert—

“(h) supporting rural development.”

Member’s explanatory statement

This amendment would provide the Secretary of State with the ability to make payments for measures which are currently funded via the Rural Development Programme.

9

Helen Goodman
Sir Nicholas Soames
Tim Farron
Richard Benyon
Ruth George
Simon Hart

Sir Patrick McLoughlin
Mr Ian Liddell-Grainger

Antoinette Sandbach

Scott Mann

Clause 1, page 2, line 8, at end insert—

“(h) supporting upland landscapes and communities.”

Member’s explanatory statement

This amendment would provide the Secretary of State with the power to give financial assistance for the purpose of supporting upland landscapes and communities in England.

29

Neil Parish
Sir Hugo Swire
Fiona Bruce
Mr Ian Liddell-Grainger
Scott Mann

Clause 1, page 2, line 10, after first “of” insert “encouraging food production, or”

4

Angela Smith

Clause 1, page 2, line 11, at end insert—

“(2A) The Secretary of State shall, within six months of this Act being given Royal Assent, lay before Parliament a statement setting out his or her planned expenditure under subsection (2) for—

(a) financial year 2019-20, and

(b) financial year 2020-21.”

Member’s explanatory statement

This amendment would ensure that the Secretary of State details how much expenditure is planned for managed change and to improve farm productivity growth before the beginning of the agricultural transition period during which cuts to the Basic Payment Scheme will occur.

10

Agriculture Bill, *continued*

Caroline Lucas

33

☆ Clause 1, page 2, line 11, at end insert—

“(2A) The Secretary of State may also give financial assistance for or in connection with—

- (a) supporting the development of strategies to assist in the distribution of agri-food products which are locally produced and sold by micro-enterprises and community enterprises, or
- (b) developing a supply chain infrastructure for the purpose of assisting in the supply, processing and sale of agri-food products which are locally produced and sold by micro-enterprises or community enterprises.”

Member’s explanatory statement

This amendment would give financial powers to develop local food strategies and infrastructure, such as town markets, community supported agriculture projects, processing facilities, online distribution hubs, local abattoirs, etc. to support small farms and/or community agricultural businesses with the purpose of improving public access to fresh and nutritious food, improving farm viability, reducing transport associated with agricultural products and securing our domestic food supply.

Caroline Lucas

34

☆ Clause 1, page 2, line 14, at end insert—

““agri-food products” means any item of food or drink for personal consumption where the items consist of or include, or have been produced using (directly or indirectly, and whether or not exclusively), the whole or part of—

- (a) anything grown or otherwise produced in carrying on agriculture, or
- (b) any creature kept in carrying on agriculture, or
- (c) any creature or other thing taken from the wild;

“community enterprises” means businesses run by a charity, social enterprise, not-for-profit or co-operative organisation which is owned by, endorsed by, or engaging directly with local people;”

Member’s explanatory statement

This amendment relates to Amendment 33 and provides definitions of agri-food products and community enterprises as they relate to supporting local food strategies.

Kerry McCarthy
Zac Goldsmith
Caroline Lucas
Darren Jones

2

Clause 1, page 2, line 23, at end insert—

““whole farm agroecological systems” include any whole enterprise system for farming or land management which is designed to produce food and/or fuel while delivering environmental and social benefits, and may include organic farming.”

Caroline Lucas

35

☆ Clause 1, page 2, line 23, at end insert—

““locally produced and sold” means produced and offered for sale direct to the consumer within 100 miles of the point of primary production.

Agriculture Bill, continued

“micro-enterprises” means non-subsiary, independent businesses with fewer than 10 employees.”

Member’s explanatory statement

This amendment relates to Amendment 33 and provides a clear definition of “locally produced and sold” to ensure that financial support given to support local food strategies is only provided for local food products produced directly to consumers within 100 miles and is only available to non-subsiary, independent businesses with fewer than 10 employees or community agricultural enterprises, which engage with local people.

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

38

☆ Clause 1, page 2, line 23, at end insert—

“sustainably” means in a way which employs factors and practices that contribute to the quality of environment on a long-term basis and avoids the depletion of natural resources.”

Member’s explanatory statement

This amendment defines “sustainably” for the purposes of Amendment 37.

Angela Smith
Alex Cunningham

28

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

“(2A) The conditions will include obligations to meet any regulatory standards specified by the Secretary of State relating to environmental and land management practices.”

Member’s explanatory statement

This amendment would enshrine the Government’s commitment to a strong regulatory baseline in the legislation. It would ensure that compliance with existing legislation and regulations is a condition of receiving financial assistance, including compliance with landowner or occupier obligations for public rights of way under the Highways Act 1980.

Caroline Lucas

30

Clause 2, page 2, line 32, at end insert—

“(3A) The conditions shall include a requirement that financial assistance may only be given for a purpose under section 1(1) or 1(2) if the land on which any activity is to be undertaken in pursuance of that purpose, and for which the financial assistance is sought, is registered with Her Majesty’s Land Registry.”

Member’s explanatory statement

This amendment would improve land ownership transparency in England by placing a requirement on all those seeking financial assistance under Clauses 1(1) and 1(2) to have registered that land with Her Majesty’s Land Registry.

Agriculture Bill, *continued*

Gareth Thomas

32

Clause 2, page 2, line 35, at end insert—

- “(4A) Financial assistance may only be given for or in connection with a purpose under section 1(2) if the owner of the relevant land takes the action described in subsection (4B).
- (4B) The action is that the owner of the relevant land permits any person to exercise a right of access to any inland waterway or lake which forms part of that land for the purposes of open-air recreation, if and so long as the person—
- (a) exercises that right of access responsibly, and
 - (b) observes any restrictions which are imposed in—
 - (i) section 2 of,
 - (ii) Schedule 2 to, or
 - (iii) Chapter II of
 the Countryside and Rights of Way Act 2000.
- (4C) A person does not exercise a right of access responsibly if their conduct while exercising that right is not in accord with the provisions of any code of conduct issued under section 20 of the Countryside and Rights of Way Act 2000.
- (4D) For the purposes of subsections (4A) and (4B), “relevant land” means land which includes the land on which the activity under section 1(2) of this Act takes place or is to take place, or land which includes the premises on which the activity under section 1(2) of this Act takes place or is to take place, and includes any inland waterway or lake.”

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

39

☆ Clause 2, page 2, line 35, at end insert—

- “(4A) Financial assistance under subsection (1)(1)(f) for protecting or improving the health or welfare of livestock shall only be given to persons who satisfy the Secretary of State that they—
- (a) achieve, or have undertaken to achieve, standards of animal welfare which exceed the minimum requirements laid down by legislation governing welfare of livestock,
 - (b) raise animals in such a way that enables them to carry out their natural behaviours,
 - (c) do not subject livestock to any prohibited procedure (within the meaning of section 5 of the Animal Welfare Act 2006),
 - (d) do not kill livestock in any place other than in a slaughterhouse unless—
 - (i) a veterinary surgeon has certified that this is necessary due to the animal’s poor health, and
 - (ii) the method of killing is humane, and
 - (e) do not, after exit day, export animals for slaughter or fattening unless—
 - (i) the livestock is exported from Northern Ireland to the Republic of Ireland, and

Agriculture Bill, continued

- (ii) it is made a requirement of sale that the livestock shall not be re-exported by the buyer.”

Member’s explanatory statement

This amendment would set minimum baseline welfare standards for the receipt of financial assistance for protecting or improving the welfare of livestock.

Angela Smith

13

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

“(6A) The Secretary of State may not delegate any function in relation to the exercising of a discretion other than to a non-governmental departmental body which is authorised to operate throughout England and which, in the opinion of the Secretary of State, has the necessary expertise.”

Member’s explanatory statement

This amendment would ensure that all financial assistance is provided directly to individual businesses by national government or their agencies, rather than through organisations with limited geographic coverage or expertise which could lead to inconsistency of approach, increased administration costs and lack of transparency. It would not prevent these organisations being involved in setting of local priorities or the development of collaborative landscape scale projects.

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

40

☆ Clause 2, page 3, line 6, at end insert—

““exit day” shall have the meaning given in section 20 of the European Union (Withdrawal) Act 2018;

“fattening” shall mean the keeping of livestock for the purpose of the livestock gaining weight in preparation for slaughter;”

Member’s explanatory statement

This amendment is consequential on Amendment 39.

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

41

☆ Clause 2, page 3, line 7, at end insert—

““humane” shall be interpreted in accordance with paragraph 4 of Schedule 4 to the Welfare of Animals at the Time of Killing (England) Regulations 2015;

“livestock” shall have the meaning given in section 1(4) of this Act;”

Member’s explanatory statement

This amendment is consequential on Amendment 39.

 Agriculture Bill, *continued*

Neil Parish
 Sir Hugo Swire
 Fiona Bruce
 Mr Ian Liddell-Grainger

6

Clause 4, page 4, line 14, at end insert—

“(d) a payment to farmers in return for enhanced food production.”

Member’s explanatory statement

This amendment would ensure that farmers are entitled to a new basic payment scheme, which would encourage greater food production.

Angela Smith

8

Clause 9, page 6, line 29, at end insert—

“(2A) If any reduction in direct payments under the basic payment scheme is made during the agricultural transition period, a sum equivalent to the amount of any reduction in those payments must be made available for the purpose of giving financial assistance under section 1(1) or 1(2) of this Act.

(2B) When phasing out direct payments under this section, the Secretary of State shall have regard to the extent to which the power to give financial assistance under section 1 has been exercised.”

Member’s explanatory statement

This amendment would ensure that any cuts to the Basic Payment Scheme as part of the agricultural transition period fund improvements in productivity measures for the agricultural industry alongside payments for public goods. It would also ensure that the Secretary of State is taking into account the availability of new schemes when reducing direct payments.

Neil Parish
 Sir Hugo Swire
 Fiona Bruce
 Mr Ian Liddell-Grainger

7

Clause 9, page 7, line 24, at end insert—

“(8A) The Secretary of State may, after having taken steps to phase out direct payments under the basic payment scheme, reinstitute direct payments if he or she is satisfied that—

(a) to do so would be in the interests of those persons who formerly received direct payments, and

(b) any of the criteria under subsection (8B) are met.

(8B) The criteria for the purposes of subsection (8A) are—

(a) market failure,

(b) adverse weather conditions, and

(c) threat of disease to crops or livestock or to human health.”

Agriculture Bill, *continued*

Jeremy Corbyn
Sue Hayman
Dr David Drew
Jenny Chapman
Sandy Martin
Thangam Debbonaire

42

☆ Clause 19, page 14, leave out lines 3 to 8 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.”

Deidre Brock

14

Clause 24, page 17, line 40, leave out “to the Secretary of State”

Deidre Brock

15

Clause 24, page 18, line 12, leave out “to the Secretary of State”

Deidre Brock

16

Clause 24, page 18, line 20, leave out “to the Secretary of State”

Deidre Brock

17

Clause 24, page 18, line 38, at end insert—

“(6A) 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.”

Agriculture Bill, *continued*

Deidre Brock

Clause **24**, page **18**, line **45**, leave out “The Secretary of State” and insert “The appropriate authority to which an application is made under this section” **18**

Deidre Brock

Clause **24**, page **19**, line **11**, at end insert— **19**
 ““appropriate authority” means—
 (a) in relation to England, Wales or Northern Ireland, the Secretary of State,
 (b) in relation to Scotland, the Scottish Ministers;”

Deidre Brock

Clause **25**, page **19**, line **36**, leave out “the Secretary of State” and insert “an appropriate authority (within the meaning given in section 24(11))” **20**

Deidre Brock

Clause **26**, page **20**, line **3**, leave out “the Secretary of State” and insert “an appropriate authority (within the meaning given in section 24(11))” **21**

Deidre Brock

Clause **26**, page **20**, line **14**, at end insert— **22**
 “(2A) Regulations under section 24 or 25 containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

Deidre Brock

Clause **27**, page **20**, line **33**, at end insert— **23**
 “(1A) Regulations under this section containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

Agriculture Bill, continued

Deidre Brock

24

Clause 27, page 21, line 34, at end insert—

“(9A) 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.”

Deidre Brock

25

Clause 28, page 22, line 5, at end insert—

“(1A) Regulations under this section containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

Deidre Brock

26

Clause 28, page 22, line 13, leave out from “support” to end of line 15

Deidre Brock

27

Clause 28, page 22, line 39, leave out subsection (6)

Neil Parish
Kerry McCarthy
David Simpson
Sir Hugo Swire
Julian Sturdy
Fiona Bruce

Mr Ian Liddell-Grainger

Mr Philip Dunne

12

Clause 36, page 27, line 29, at end insert—

“(2) No payment may be made under this Act unless the Secretary of State has made regulations in accordance with subsection (3) to implement a multiannual financial framework setting out the sums available under Parts 1 and 2 of this Act during the agricultural transition period.

(3) Regulations made under subsection (2) shall be made before the beginning of the agricultural transition period and shall be subject to affirmative resolution procedure.”

 Agriculture Bill, *continued*

Ben Lake
Liz Saville Roberts
Hywel Williams
Jonathan Edwards

31

Schedule 3, page 33, line 9, at end insert—

“(h) supporting upland landscapes and communities.”

Member’s explanatory statement

This amendment would provide the Welsh Ministers with the power to give financial assistance for the purpose of supporting upland landscapes and communities in Wales.

Neil Parish
Sir Hugo Swire
Fiona Bruce
Mr Ian Liddell-Grainger

3

Title, line 1, after “purposes;” insert “to encourage, maintain and enhance home-grown food production; to protect the UK’s food security;”

Member’s explanatory statement

This amendment is linked to New Clause 2 and Amendments 4 and 6 which would aim to include the importance of food production and of encouraging food production on the face of the bill and to highlight the importance of food security in post-Brexit farming policy.

 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.
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.

Agriculture Bill, *continued*

Other proceedings

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