



House of Commons

Wednesday 4 September 2019

COMMITTEE OF THE WHOLE HOUSE

New Amendments handed in are marked thus ★

EUROPEAN UNION (WITHDRAWAL) (No. 6) BILL

AMENDMENTS TABLED BY 3.30 PM

Richard Graham
Tom Tugendhat
Jeremy Lefroy
Paul Masterton
Sarah Newton

19

- ★ Clause 1, page 1, line 3, leave out subsections (1) to (3) and insert—
- “(1A) After this Act has been passed, but no later than 21 October 2019, the Prime Minister of State must make arrangements for—
- (a) motion to the effect that the House of Commons has approved an agreement with the European Union under Article 50(2) of the Treaty on European Union, to be moved in the House of Commons by a Minister of the Crown; and
 - (b) a motion for the House of Lords to take note of the agreement, to be moved in the House of Lords by a Minister of the Crown.
- (1B) If the House of Commons decides to approve the motion in paragraph (a), subsection (4) must be complied with.”

Member's explanatory statement

The intention of this Amendment is to ensure that debate takes place after the European Council meeting on 17/18 October 2019 on either the existing withdrawal agreement or any new withdrawal agreement that may have been agreed.

Sir Christopher Chope
Sir Edward Leigh
Mr Peter Bone
Nigel Mills
Sir Desmond Swayne
Sir Mike Penning

8

- ★ Clause 1, page 1, line 16, leave out subsection (2).

European Union (Withdrawal) (No. 6) Bill, *continued*

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

9

- ★ Clause 1, page 2, line 8, leave out subsection (3) and insert—
 “(3) If the condition in subsection (1) is not satisfied, subsection (4) shall apply.”

Angus Brendan MacNeil

1

- ★ Clause 1, page 2, line 10, leave out subsections (4) and (5) and insert—
 “(4) The Prime Minister must notify the European Council that he is revoking the notice of withdrawal by the UK from the European Union, given on 29 March 2017, by sending to the President of the European Council a letter in the form set out in Schedule [*Revocation: form of letter from the Prime Minister to the President of the European Council*].”

Member’s explanatory statement

This amendment would require the Prime Minister to revoke the notice of withdrawal by the UK from the European Union if neither the condition in sections 1(1) nor the condition in section 1(2) is satisfied.

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

10

- ★ Clause 1, page 2, line 10, leave out subsection (4) and insert—
 “(4) The Prime Minister shall seek to discuss with the European Council a further short extension of the period under Article 50(3) of the Treaty on European Union ending at 11.00pm on 31 October 2019 by sending to the President of the European Council a letter in the form set out in Schedule [*Form of letter from the Prime Minister to the President of the European Council (No. 2)*].”

Richard Graham
 Tom Tugendhat
 Jeremy Lefroy
 Paul Masterton
 Sarah Newton

20

- ★ Clause 1, page 2, line 12, leave out from “2019” to end of line 17.
Member’s explanatory statement
The intention of this Amendment is to ensure that if the House of Commons approves a withdrawal agreement, the Prime Minister must seek an extension of the period under Article 50(3) TEU.

 European Union (Withdrawal) (No. 6) Bill, *continued*

Stephen Kinnock
 Caroline Flint
 Sarah Champion
 Dan Jarvis
 John Mann
 Gloria De Piero

Laura Smith
 Gareth Snell
 Jon Cruddas
 Mrs Emma Lewell-Buck
 Frank Field
 Rory Stewart

Jim Fitzpatrick
 Ruth Smeeth
 Sir Kevin Barron
 Rosie Cooper
 Nick Boles
 Mr Edward Vaizey

Melanie Onn
 Stephanie Peacock
 Yvonne Fovargue
 Sir Oliver Letwin
 Norman Lamb
 Jeremy Lefroy

6

- ★ Clause 1, page 2, line 14, at end, insert “in order to debate and pass a Bill to implement the agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union, including provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019, and in particular the need for the United Kingdom to secure changes to the political declaration to reflect the outcome of those inter-party talks.”

Member’s explanatory statement

This amendment would set out as the purpose of seeking an extension under Article 50(3) TEU the passage of a Withdrawal Agreement Bill based on the outcome of the inter-party talks which concluded in May 2019 – see NC1 for contents of the Bill and Amendment XX for text of the request letter to the European Council.

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

Richard Graham
 Paul Masterton

Tom Tugendhat
 Sarah Newton

Jeremy Lefroy

11

- ★ Clause 1, page 2, line 15, leave out subsection (5).

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

12

- ★ Clause 2, page 2, line 23, leave out from “report” to end of line 24 and insert “setting out evidence that the European Union wishes to make progress in negotiations on the United Kingdom’s relationship with the European Union and is willing to compromise.”

 European Union (Withdrawal) (No. 6) Bill, *continued*

Angus Brendan MacNeil
Sir William Cash

2

- ★ Page 2, line 18, leave out Clause 2.
-

Richard Graham
Tom Tugendhat
Jeremy Lefroy
Paul Masterton
Sarah Newton

22

- ★ Clause 3, page 2, line 43, leave out subsections (1) to (3).

Member's explanatory statement

The intention of this Amendment is to remove the requirement to accept whatever extension is decided on by the European Council while preserving the flexibility in subsection (4) to agree an extension otherwise than under this Act.

Sir William Cash

25

- ★ Clause 3, page 3, line 3, leave out subsection (2).

Richard Graham
Tom Tugendhat
Jeremy Lefroy
Paul Masterton
Sarah Newton

23

- ★ Clause 3, page 3, line 19, leave out “section” and insert “Act”.

Member's explanatory statement

The Amendment is consequential on Amendment 22 leaving out subsections 3(1) to 3(3).

Sir William Cash

29

- ★ Clause 3, page 3, line 19, at end insert—

“(5) Neither subsection (1) nor subsection (2) shall apply if the European Council offers an extension subject to conditions.”

Angus Brendan MacNeil
Sir Christopher Chope
Sir Edward Leigh
Mr Peter Bone
Nigel Mills
Sir Desmond Swayne

Sir Mike Penning

3

- ★ Page 2, line 42, leave out Clause 3.
-

 European Union (Withdrawal) (No. 6) Bill, *continued*

Sir William Cash 26

- ★ Clause 4, page 3, line 21, leave out subsection (1).

Sir William Cash

- ★ Clause 4, page 3, line 23, after “substitute” insert “, subject to authority granted by an Act of Parliament,” 27

Angus Brendan MacNeil
 Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne

Sir Mike Penning

- ★ Page 3, line 20, leave out Clause 4. 4

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

- ★ Clause 5, page 3, line 31, leave out subsection (3). 15

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

- ★ Clause 5, page 3, line 35, leave out subsection (5) and insert— 16
- “(5) This section comes into force on the day on which this Act is passed.
- (5A) The remaining provisions of this Act come into force on such day or days as the Secretary of State may by regulations made by statutory instrument appoint.
- (5B) No regulations may be made under subsection (5A) unless a draft of the statutory instrument containing them has been laid before Parliament and approved by a resolution of each House of Parliament.”

European Union (Withdrawal) (No. 6) Bill, *continued*

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

17

★ Clause 5, page 3, line 35, leave out from “force” to end and insert “on 22 October 2019.”

Stephen Kinnock
 Caroline Flint
 Sarah Champion
 Dan Jarvis
 John Mann
 Gloria De Piero

Laura Smith
 Gareth Snell
 Jon Cruddas
 Mrs Emma Lewell-Buck
 Frank Field
 Rory Stewart

Jim Fitzpatrick
 Ruth Smeeth
 Sir Kevin Barron
 Rosie Cooper
 Nick Boles
 Mr Edward Vaizey

Melanie Onn
 Stephanie Peacock
 Yvonne Fovargue
 Sir Oliver Letwin
 Norman Lamb
 Jeremy Lefroy

NC1

★ To move the following Clause—

“Publication of Withdrawal Agreement Bill

- (1) The Prime Minister must within the period of five days, not including any Saturday, Sunday or bank holiday, beginning with the day on which this Act is passed publish a copy of a draft Bill to implement the Withdrawal Agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union.
- (2) The draft Bill must include provisions reflecting the outcome of inter-party talks as announced by the Prime Minister on 21 May 2019, and in particular—
 - (a) provision for the Government to seek to conclude alternative arrangements to replace the backstop by December 2020;
 - (b) a commitment that, should the backstop come into force, the Government will ensure that Great Britain will stay aligned with Northern Ireland and to incorporate in United Kingdom law paragraph 50 of the 2017 joint report from the negotiators of the European Union and the United Kingdom Government on progress during phase 1 of negotiations under Article 50 TEU on the United Kingdom’s orderly withdrawal from the European Union (TF50 (2017) 19);
 - (c) provision for the negotiating objectives and final treaties for the United Kingdom’s future relationship with the European Union to be approved by the House of Commons;
 - (d) legislation on workers’ rights to guarantee workers’ rights in the future in the United Kingdom will be no less favourable than comparable workers’ rights in the European Union;
 - (e) provisions ensuring that there will be no change in the level of environmental protection applicable in the United Kingdom after the United Kingdom leaves the European Union, and to establish an

European Union (Withdrawal) (No. 6) Bill, *continued*

- independent office of environmental protection, able to uphold standards and enforce compliance;
- (f) a requirement for the United Kingdom to seek as close to frictionless trade in goods with the European Union as possible, while outside the single market and ending free movement;
 - (g) a requirement for the United Kingdom to keep up to date with European Union rules for goods and agri-food products that are relevant to checks at the border in order to protect employment that depends on just-in-time supply chains;
 - (h) a customs compromise for the House of Commons to decide upon;
 - (i) an opportunity for a decision to be made by the House of Commons whether the implementation of the withdrawal agreement should be subject to a referendum; and
 - (j) a duty for Ministers of the Crown to secure changes to the political declaration to reflect the provisions in this subsection.”

Member’s explanatory statement

This New Clause would require the publication of a Withdrawal Agreement Bill incorporating the ten headline points from the inter-party talks which concluded in May 2019.

Sir Christopher Chope
Sir Edward Leigh
Mr Peter Bone
Nigel Mills
Sir Desmond Swayne
Sir Mike Penning

NC2

★ To move the following Clause—

“Entry into force: requirement for assurance

No provision of this Act shall come into force unless or until the Prime Minister is satisfied that he has received assurance from the President of the European Council stating without reservation that the European Union accepts the decision of the people of the United Kingdom to leave the European Union, and therefore that in the absence of mutually agreed terms for the UK’s withdrawal it will facilitate such a withdrawal without conditions until such time as alternative arrangements are put in place.”

European Union (Withdrawal) (No. 6) Bill, *continued*

Sir Christopher Chope
 Sir Edward Leigh
 Mr Peter Bone
 Nigel Mills
 Sir Desmond Swayne
 Sir Mike Penning

NC3

★ To move the following Clause—

“Entry into force: prior requirement

No provision of this Act shall come into force unless or until the Prime Minister has received a written communication from the President of the European Council stating without reservation that the European Union accepts the decision of the people of the United Kingdom to leave the European Union, and therefore that in the absence of mutually agreed terms for the UK’s withdrawal it will facilitate such a withdrawal without conditions until such time as alternative arrangements are put in place.”

Sir William Cash

NC4

★ To move the following Clause—

“Dissolution of Parliament

If Parliament is dissolved at any time after the passing of this Act and Her Majesty has not opened the new Parliament before 19 October 2019, this Act is to have effect as if references in the preceding provisions of this Act to 19 October 2019 were references to 28 October.”

Stephen Kinnock
 Caroline Flint
 Sarah Champion
 Dan Jarvis
 John Mann
 Gloria De Piero

Laura Smith
 Gareth Snell
 Jon Cruddas
 Mrs Emma Lewell-Buck
 Frank Field
 Rory Stewart

Jim Fitzpatrick
 Ruth Smeeth
 Sir Kevin Barron
 Rosie Cooper
 Nick Boles
 Mr Edward Vaizey

Melanie Onn
 Stephanie Peacock
 Yvonne Fovargue
 Sir Oliver Letwin
 Norman Lamb
 Jeremy Lefroy

7

★ Schedule, page 4, line 10, at end insert “I wish to make clear to European Council colleagues that the purpose of this proposed extension is for the UK Parliament to debate and pass a Bill to implement the agreement between the United Kingdom and the European Union under Article 50(2) of the Treaty on European Union, including provisions reflecting the outcome of inter-party talks as announced by the Prime Minister

European Union (Withdrawal) (No. 6) Bill, continued

on 21 May 2019, and in particular the need for the United Kingdom to secure changes to the political declaration to reflect the outcome of those inter-party talks.”

Member's explanatory statement

This amendment would require the Prime Minister to set out in the letter to the President of the European Council seeking an extension under Article 50(3) TEU that the reason for seeking an extension is to pass a Withdrawal Agreement Bill based on the outcome of the inter-party talks which concluded in May 2019 — see NCI for contents of the Bill.

Angus Brendan MacNeil
Sir Christopher Chope
Sir Edward Leigh
Mr Peter Bone
Nigel Mills
Sir Desmond Swayne

Sir Mike Penning
Jeremy Lefroy

Richard Graham
Paul Masterton

Tom Tugendhat
Sarah Newton

5

★ Page 4, line 2, leave out Schedule.

Angus Brendan MacNeil

NS1

★ To move the following Schedule—

“REVOCATION: FORM OF LETTER FROM THE PRIME MINISTER TO THE PRESIDENT OF THE EUROPEAN COUNCIL

“Dear Mr President

The UK Parliament has passed the European Union (Withdrawal) (No.2) Act 2019. Its provisions now require Her Majesty's Government to notify the European Council that the notice of withdrawal by the UK from the European Union, given on 29 March 2017, is revoked.

I am writing therefore to inform the European Council that I am revoking the notice of withdrawal by the UK from the European Union, given on 29 March 2017.

Yours sincerely,

Prime Minister of the United Kingdom of Great Britain and Northern Ireland.””

Member's explanatory statement

This new Schedule is linked to Amendment 1.

European Union (Withdrawal) (No. 6) Bill, *continued*

Sir Christopher Chope
Sir Edward Leigh
Mr Peter Bone
Nigel Mills
Sir Desmond Swayne
Sir Mike Penning

NS2

★ To move the following Schedule—

“FORM OF LETTER FROM THE PRIME MINISTER TO THE PRESIDENT OF THE EUROPEAN
COUNCIL

“Dear Mr President

The UK Parliament has passed the European Union (Withdrawal) (No. 2) Act 2019. Its provisions now require Her Majesty’s Government to seek to discuss an extension of the period provided under Article 50(3) of the Treaty on European Union, including as applied by Article 106a of the Euratom Treaty, currently due to expire at 11.00pm GMT on 31 October 2019.

I am writing therefore to inform the European Council that the United Kingdom wishes to discuss a further short extension to the period provided under Article 50(3) of the Treaty on European Union, including as applied by Article 106a of the Euratom Treaty.

Yours sincerely,

Prime Minister of the United Kingdom of Great Britain and Northern
Ireland.””
