



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Monday 30 December 2019**

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*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: 11 to 19 and NC10 to NC17*

### COMMITTEE OF THE WHOLE HOUSE

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## EUROPEAN UNION (WITHDRAWAL AGREEMENT) BILL

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### NOTE

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the House [20 December 2019].**

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*CLAUSES 1 TO 6; NEW CLAUSES RELATING TO PART 1 OR 2; NEW SCHEDULES RELATING TO PART 1 OR 2*

Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

Nick Thomas-Symonds

NC4

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**European Union (Withdrawal Agreement) Bill, *continued***

To move the following Clause—

**“Extension of the implementation period**

After section 15 of the European Union (Withdrawal) Act 2018 (publication of and rules of evidence) insert—

**“15A Extension of the implementation period**

- “(1) A Minister of the Crown must seek to secure agreement in the Joint Committee to a single decision to extend the implementation period by two years, in accordance with Article 132 of the Withdrawal Agreement unless one or more condition in subsection (2) is met.
- (2) Those conditions are—
- (a) it is before 15 June 2020;
  - (b) an agreement on the future trade relationship has been concluded;
  - (c) the House of Commons has passed a motion in the form set out in subsection (3) and the House of Lords has considered a motion to take note of the Government’s intention not to request an extension.
- (3) The form of the motion mentioned in subsection (2)(c) is “That this House approves of the Government’s decision not to apply for an extension to the period for implementing the agreement between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom’s withdrawal from the EU”.
- (4) If the Joint Committee does not agree the extension specified in subsection (1) but EU representatives on the Joint Committee indicate that they would agree an extension for a shorter period, a Minister of the Crown must move a motion in the House of Commons to agree the shorter period proposed, and if that motion is agreed, a Minister of the Crown must agree that shorter extension in the Joint Committee.
- (5) Any Minister of the Crown who attends the Joint Committee may seek agreement to terminate the implementation period if a final agreement on the future trade relationship is ratified before the end of the implementation period.”

***Member’s explanatory statement***

*This new clause would restore the role for Parliament in deciding whether to extend transition to avoid a WTO Brexit.*

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*CLAUSES 7 TO 14; SCHEDULE 1; CLAUSE 15; SCHEDULE 2; CLAUSES 16 AND 17; NEW CLAUSES RELATING TO PART 3; NEW SCHEDULES RELATING TO PART 3*

Stuart C McDonald  
 Joanna Cherry  
 Patrick Grady  
 Dr Philippa Whitford

**European Union (Withdrawal Agreement) Bill, continued**

by regulations make provision—

- “(a) implementing article 18(4) of the withdrawal agreement (right of eligible citizens to residence documents proving legal status), including making provision for a physical document;
- (b) implementing article 17(4) of the EEA EFTA separation agreement (right of eligible citizens to residence documents proving legal status) including making provision for a physical document; and
- (c) implementing article 16(4) of the Swiss citizens’ rights agreement (right of eligible citizens to residence documents proving legal status).”

**Member’s explanatory statement**

*This amendment would mean that EEA and Swiss citizens residing in the UK would automatically have rights under article 18(4) of the withdrawal agreement (and equivalent provisions in the EEA EFTA and Swiss citizens rights agreements) rather than having to apply for them, and would have the right to a physical document proving their status.*

Stuart C McDonald  
Joanna Cherry  
Patrick Grady  
Dr Philippa Whitford

6

Clause 7, page 10, line 41, at end insert—

“(3A) Regulations made under this section shall apply to—

- (a) the rights of all persons eligible for leave to enter or remain in the United Kingdom by virtue of—
  - (i) the withdrawal agreement, or
  - (ii) residence scheme immigration rules (see section 17) as in force on 21 December 2019, and
- (b) such other persons as Ministers consider appropriate.

(3B) The residence scheme immigration rules (see section 17) may not be amended so as to reduce the range of persons eligible for leave to enter or remain in the United Kingdom by virtue of those rules (other than by primary legislation), but other persons may be added as Ministers consider appropriate.”

**Member’s explanatory statement**

*This amendment would ensure that the range of persons entitled under UK law to benefit from the rights set out in the Withdrawal Agreement cannot be reduced except by primary legislation.*

Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

Nick Thomas-Symonds

2

Clause 11, page 14, line 2, leave out subsection (1) and insert—

“(1) A person may appeal against a citizens’ rights immigration decision to the First-tier Tribunal.”

**Member’s explanatory statement**

*This amendment would give a right of appeal against a citizens’ rights immigration decision.*

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 European Union (Withdrawal Agreement) Bill, *continued*

Jeremy Corbyn  
 Keir Starmer  
 Paul Blomfield  
 Thangam Debbonaire  
 Valerie Vaz  
 Mr Nicholas Brown

Nick Thomas-Symonds

3

Clause 11, page 14, line 24, leave out subsections (3) and (4) and insert—

- “(3) Subject to subsection (4), while an appeal is pending, the person concerned shall be deemed to have all the rights associated with indefinite leave to remain under the residence scheme immigration rules, in particular as concerns residence, employment, access to social security benefits and other services.
- (4) Subsection (3) does not apply to an appeal against a decision falling within subsection (2)(a) or (c).
- (4A) “Pending” shall have the same meaning for the purposes of subsections (3) and (4) as in section 104 of the Nationality, Immigration and Asylum Act 2002.”

Stuart C McDonald

7

Clause 11, page 14, line 25, leave out “(including judicial reviews)”

***Member’s explanatory statement***

*This amendment would remove the power being provided to ministers to make regulations about judicial review of certain immigration decisions.*

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Jeremy Corbyn  
 Keir Starmer  
 Paul Blomfield  
 Thangam Debbonaire  
 Valerie Vaz  
 Mr Nicholas Brown

Nick Thomas-Symonds

NC5

To move the following Clause—

**“Protecting EU Citizens’ Rights**

- (1) This section applies to—
  - (a) European Union citizens having the right to reside permanently in the UK according to Article 15 (“Rights of permanent residence”) of the Withdrawal Agreement;
  - (b) persons to whom the provisions in (a) do not apply but who are eligible for indefinite leave to enter or remain, or limited leave to enter or remain by virtue of residence scheme immigration rules (see section 17).
- (2) A person to which this section applies has the rights and obligations provided in Article 12 and Title II Part II ‘Citizens’ Rights’ of the Withdrawal Agreement.
- (3) The Secretary of State must by regulations make provision—
  - (a) implementing article 18(4) of the withdrawal agreement (right of eligible citizens to receive a residence document), including making provision for a physical document providing proof of residence;

**European Union (Withdrawal Agreement) Bill, *continued***

- (b) implementing article 17(4) of the EEA EFTA separation agreement (right of eligible citizens to receive a residence document) including making provision for a physical document providing proof of residence;
  - (c) implementing article 16(4) of the Swiss citizens' rights agreement (right of eligible citizens to receive a residence document) including making provision for a physical document providing proof of residence.
- (4) No provision of this or any other enactment, or adopted under this or any other enactment, may be used to require European Union nationals and their family members, or nationals of Iceland, Norway, Liechtenstein and Switzerland and their family members, who reside in the United Kingdom immediately prior to the end of the implementation period, to apply for a new residence status under Article 18(1) of the Withdrawal Agreement, or to introduce a deadline for applications under residence scheme immigration rules or relevant entry clearance rules.
- (5) Residence scheme immigration rules and relevant entry clearance immigration rules may not be amended to provide that any person who benefited or is eligible to benefit under those rules on the day on which this Act is passed benefits any less than he benefited or was eligible to benefit on the day on which this Act is passed.”

***Member's explanatory statement***

*This new clause provides for all EU citizens who are resident in the UK before exit day to have the right of permanent residence, whether or not they have been exercising treaty rights, and makes sure that every person who is entitled to settled status has the same rights.*

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*CLAUSES 18 TO 23; SCHEDULE 3; CLAUSES 24 TO 37; NEW CLAUSES RELATING TO PART 4; NEW SCHEDULES RELATING TO PART 4*

Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

Nick Thomas-Symonds

1

Clause 21, page 25, leave out lines 1 and 2 and insert—

- “(2) A Minister of the Crown must, on or before 30 June 2020, publish a comprehensive economic impact assessment of the effect of the Ireland/Northern Ireland Protocol and regulations made under subsection (1) on—
- (a) the UK's Internal Market and the access of Northern Ireland goods to Great Britain and Great British goods to Northern Ireland;
  - (b) the Northern Ireland economy, including levels of imports and exports;
  - (c) fiscal and regulatory compliance of goods travelling from NI to GB and from GB to NI; and
  - (d) barriers to entry for third-country goods entering NI and GB from Ireland, the rest of the EU and third countries.
- (2A) The Secretary of State must make arrangements for—
- (a) a copy of each report published under subsection (2) to be laid before each House of Parliament, and conveyed to the Presiding Officer of each devolved legislature, by the end of the day on which it is published;

**European Union (Withdrawal Agreement) Bill, *continued***

- (b) a motion in neutral terms, to the effect that the House of Commons has considered the report, to be moved in the House of Commons by a Minister of the Crown; and
  - (c) a motion for the House of Lords to take note of the report to be tabled in the House of Lords and moved by a Minister of the Crown.
- (2B) The motions required under subsections (2A)(b) and (c) must be moved in the relevant House by a Minister of the Crown within the period of five calendar days beginning with the end of the day on which the report is laid before Parliament.
- (2C) The Secretary of State shall make a further report under subsection (2) on or before 31 October 2020 and at least every 12 months thereafter.”

***Member’s explanatory statement***

*This amendment would require the Government to deliver full transparency on the implications of the Ireland/Northern Ireland Protocol including barriers to trade between Great Britain and Northern Ireland.*

Sir Jeffrey M. Donaldson  
Sammy Wilson  
Mr Gregory Campbell  
Jim Shannon  
Ian Paisley  
Gavin Robinson

Paul Girvan

Carla Lockhart

12

- ★ Clause 21, page 25, line 4, after first “the” insert “unfettered”.

***Member’s explanatory statement***

*This amendment would require regulations to facilitate unfettered access of qualifying Northern Ireland goods to the market within Great Britain.*

Sir Jeffrey M. Donaldson  
Sammy Wilson  
Mr Gregory Campbell  
Jim Shannon  
Ian Paisley  
Gavin Robinson

Paul Girvan

Carla Lockhart

13

- ★ Clause 21, page 25, line 16, at end insert—

“(6A) Regulations under subsection (1) must include provision to prevent any direct or indirect commercial discrimination that may arise to the detriment of businesses (including farms) in Northern Ireland as a result of the Ireland/Northern Ireland Protocol.”

***Member’s explanatory statement***

*This amendment is intended to prevent direct or indirect commercial discrimination against Northern Ireland products.*

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**European Union (Withdrawal Agreement) Bill, *continued***

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

14

★ Clause 21, page 25, line 16, at end insert—

“(6B) Regulations under subsection (1) must include provision to prevent non-tariff barriers being imposed in Great Britain to exclude Northern Ireland products except to the extent strictly required by the Ireland/Northern Ireland Protocol as long as it remains in force.”

***Member’s explanatory statement***

*This amendment is intended to prevent a ‘not available in / do not ship to NI’ approach where no sound competitive reasoning is supplied, in order to protect Northern Ireland consumers and businesses.*

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

15

★ Clause 21, page 25, line 16, at end insert—

“(6C) Regulations under subsection (1) must include provision to prevent the exclusion of Northern Ireland produce or products from British marketing campaigns or assurance, trade and labelling schemes.”

***Member’s explanatory statement***

*This amendment is intended to prevent Northern Ireland products being excluded from ‘Red Tractor’ or ‘Buy British’ marketing schemes.*

Dr Philippa Whitford

10

Clause 21, page 25, line 27, at end insert—

- “(8) But regulations under this section may not—
- (a) impose or increase taxation or fees,
  - (b) make retrospective provision,
  - (c) create a relevant criminal offence,
  - (d) establish a public authority,
  - (e) amend, repeal or revoke the Human Rights Act 1998 or any subordinate legislation made under it, or
  - (f) amend or repeal the Scotland Act 1998, the Government of Wales Act 2006 or the Northern Ireland Act 1998.”

***Member’s explanatory statement***

*This amendment would apply the usual restrictions on Ministers’ delegated power to make regulations under the Government’s proposed new section 8C of the European Union (Withdrawal) Act 2018.*

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 European Union (Withdrawal Agreement) Bill, *continued*

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

16

- ★ Clause 22, page 26, line 14, after first “the” insert “unfettered”.

***Member’s explanatory statement***

*This amendment would require regulations to facilitate unfettered access of qualifying Northern Ireland goods to the market within Great Britain.*

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

17

- ★ Clause 22, page 26, line 25, at end insert—

“(6A) Regulations under subsection (1) must include provision to prevent any direct or indirect commercial discrimination that may arise to the detriment of businesses (including farms) in Northern Ireland as a result of the Ireland/Northern Ireland Protocol.”

***Member’s explanatory statement***

*This amendment is intended to prevent direct or indirect commercial discrimination against Northern Ireland products.*

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

18

- ★ Clause 22, page 26, line 25, at end insert—

“(6B) Regulations under subsection (1) must include provision to prevent non-tariff barriers being imposed in Great Britain to exclude Northern Ireland products except to the extent strictly required by the Ireland/Northern Ireland Protocol as long as it remains in force.”

***Member’s explanatory statement***

*This amendment is intended to prevent a ‘not available in / do not ship to NI’ approach where no sound competitive reasoning is supplied, in order to protect Northern Ireland consumers and businesses.*

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**European Union (Withdrawal Agreement) Bill, *continued***

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

19

★ Clause 22, page 26, line 25, at end insert—

“(6C) Regulations under subsection (1) must include provision to prevent the exclusion of Northern Ireland produce or products from British marketing campaigns or assurance, trade and labelling schemes.”

***Member’s explanatory statement***

*This amendment is intended to prevent Northern Ireland products being excluded from ‘Red Tractor’ or ‘Buy British’ marketing schemes.*

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Jeremy Corbyn  
 Keir Starmer  
 Paul Blomfield  
 Thangam Debbonaire  
 Valerie Vaz  
 Mr Nicholas Brown

Nick Thomas-Symonds

4

Clause 37, page 37, line 3, leave out from “Europe)” to the end of the Clause and insert “after subsection (3) insert—

“(3A) If, three months after this Act comes into force, no agreement achieving the objective contained in subsection (1) has been concluded with the European Union, a Minister of the Crown must make a statement to the House of Commons setting out—

- (a) the steps taken by Her Majesty’s government, and the progress made in negotiations with the European Union, for the purpose of achieving the objective in subsection (1); and
- (b) whether in the Minister’s opinion an agreement with the European Union achieving the objective of subsection (1) is likely to be achieved by IP completion day and, if not, setting out the reasons for this.

(3B) Following the making of the first Statement referred to in subsection (2), and until such time as an agreement satisfying the objective contained in subsection (1) is reached with the European Union, the Minister shall, at least as frequently as every 28 days thereafter, make further statements in accordance with sections (3A)(a) and (b).”

***Member’s explanatory statement***

*This amendment would protect the right for unaccompanied child refugees to be reunited with their family after Brexit.*

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**European Union (Withdrawal Agreement) Bill, *continued***

Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

Nick Thomas-Symonds

NC1

To move the following Clause—

**“Parliamentary sovereignty over negotiations for the future relationship**

After section 13B of the European Union (Withdrawal) Act 2018 (certain dispute procedures under withdrawal agreement) (for which see section 30 above) insert—

**“13C Negotiations for future relationship**

- (1) A Minister of the Crown must, before the end of the period of 30 Commons sitting days beginning with the day on which exit day falls, make a statement on objectives for the future relationship with the EU.
- (2) A Minister of the Crown may, at any time after the initial statement is made, make a revised statement on objectives for the future relationship with the EU.
- (3) A Minister of the Crown may not engage in negotiations on the future relationship with the EU unless—
  - (a) a statement on objectives for the future relationship with the EU has been approved by the House of Commons on a motion moved by a Minister of the Crown that can be amended by the House of Commons so as to change the objectives for the future relationship, and
  - (b) a motion for the House of Lords to take note of that statement has been moved in that House.
- (4) Prior to the House of Commons’s consideration of a motion under subsection (3)(a), a Minister of the Crown must have consulted with each devolved administration on the negotiating mandate.
- (5) In conducting negotiations on the future relationship with the EU, a Minister of the Crown must seek to achieve the objectives set out in the most recent statement on objectives for the future relationship with the EU to have been—
  - (a) approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown, and
  - (b) the subject of a motion of the kind mentioned in subsection (3)(b).
- (6) The Secretary of State must publish the negotiating text of a proposed future relationship agreement on the same day that they are shared with EU negotiators.

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**European Union (Withdrawal Agreement) Bill, *continued***

- (7) After the end of each reporting period, a Minister of the Crown must—
- (a) lay before each House of Parliament a report on the progress made, by the end of the period, in negotiations on the future relationship with the EU, including—
    - (i) the Minister’s assessment of the extent to which the outcome of those negotiations is likely to reflect the most recent statement on objectives for the future relationship with the EU to have been approved by the House of Commons, and the subject of a motion in the House of Lords, as mentioned in subsection (3), and
    - (ii) if the Minister’s assessment is that the future relationship with the EU is, in any respect, not likely to reflect that statement, an explanation of why that is so, and
  - (b) provide a copy of the report to the Presiding Officer of each of the devolved legislatures and to—
    - (i) the Scottish Ministers,
    - (ii) the Welsh Ministers, and
    - (iii) the First Minister and deputy First Minister in Northern Ireland or the Executive Office in Northern Ireland.
- (8) Subsections (9) and (10) apply if, in the opinion of a Minister of the Crown, an agreement in principle has been reached with the EU on a treaty the principal purpose of which is to deal with all or part of the future relationship with the EU.
- (9) A Minister of the Crown must, within one week of an agreement outlined in subsection (8), lay before each House of Parliament—
- (a) a statement that political agreement has been reached, and
  - (b) a copy of the negotiated future relationship treaty.
- (10) Prior to the laying of the text of the proposed treaty, the Secretary of State must have consulted with each devolved administration on the text of the proposed agreement and taken their views into account, with special consideration given to matters relating to devolved competences.
- (11) A treaty in the same form, or to substantially the same effect, as the negotiated future relationship treaty may be ratified only if the negotiated future relationship treaty has been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown and—
- (a) the House of Lords has not resolved, within the period of 14 Lords sitting days beginning with the day on which the negotiated future relationship treaty is laid before that House, that any treaty resulting from it should not be ratified, or
  - (b) if the House of Lords has so resolved within that period, a Minister of the Crown has laid before each House of Parliament a statement indicating that the Minister is of the opinion that the treaty should nevertheless be ratified and explaining why.
- (12) Section 20 of the Constitutional Reform and Governance Act 2010 (treaties to be laid before Parliament before ratification) does not apply in relation to a treaty if subsection (11) applies in relation to the ratification of that treaty.

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**European Union (Withdrawal Agreement) Bill, *continued***

(13) In this section—

“devolved legislature” means—

- (a) the Scottish Parliament,
- (b) the National Assembly for Wales, or
- (c) the Northern Ireland Assembly;

“future relationship with the EU” means the main arrangements which are designed to govern the security and economic aspects of the long-term relationship between the United Kingdom and the EU after IP completion day and to replace or modify the arrangements which apply during the implementation period, but does not include the withdrawal agreement;

“negotiated future relationship treaty” means a draft of a treaty identified in a statement that political agreement has been reached;

“negotiations” means negotiations the opening of which, on behalf of the EU, has been authorised under Article 218 of the Treaty on the Functioning of the European Union;

“reporting period” means—

- (a) the period of three months beginning with the first day on which a statement on objectives for the future relationship with the EU is approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown, and
- (b) each subsequent period of one month;

“statement on objectives for the future relationship with the EU” means a statement—

- (a) made in writing by a Minister of the Crown setting out proposed objectives of Her Majesty’s Government in negotiations on the future relationship with the EU, and
- (b) published in such manner as the Minister making it considers appropriate;

“statement that political agreement has been reached” means a statement made in writing by a Minister of the Crown which—

- (a) states that, in the Minister’s opinion, an agreement in principle has been reached with the EU on a treaty the principal purpose of which is to deal with all or part of the future relationship with the EU, and
- (b) identifies a draft of that treaty which, in the Minister’s opinion, reflects the agreement in principle;

“treaty” has the same meaning as in Part 2 of the Constitutional Reform and Governance Act 2010 (see section 25(1) and (2) of that Act).”

***Member’s explanatory statement***

*This new clause restores the role for Parliament in providing scrutiny and oversight in the negotiations over the UK’s future relationship with the EU.*

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**European Union (Withdrawal Agreement) Bill, *continued***

Caroline Lucas  
Catherine West  
Wera Hobhouse  
Liz Saville Roberts  
Hywel Williams  
Dr Rupa Huq

Alex Sobel  
Sarah Olney  
Layla Moran

Ruth Jones  
Janet Daby

Preet Kaur Gill  
Geraint Davies

NC6

To move the following Clause—

**“Parliamentary approval of the future relationship**

- (1) The Secretary of State may not engage in negotiations on the future relationship between the UK and the EU until a Minister of the Crown has laid a draft negotiating mandate before each House of Parliament and—
  - (a) moved an amendable motion in the House of Commons containing the text of the draft negotiating mandate;
  - (b) the draft negotiating mandate (as amended) has been approved by a resolution of the House of Commons, and
  - (c) a motion for the House of Lords to take note of the draft negotiating mandate has been moved in that House by a Minister of the Crown.
- (2) The draft negotiating mandate must set out in detail—
  - (a) the UK’s negotiation objectives,
  - (b) all fields and sectors to be included in the proposed negotiations,
  - (c) the principles to underpin the proposed negotiation,
  - (d) any limits on the proposed negotiations, and
  - (e) the desired outcomes from the proposed negotiations.
- (3) Prior to laying the draft negotiating mandate, a Minister of the Crown must have consulted each devolved administration on the negotiating mandate.
- (4) Prior to the House’s consideration of a motion under subsection (1)(b), a Minister of the Crown must lay before both Houses of Parliament a sustainability impact assessment conducted by a credible body independent of government following consultation with—
  - (a) each devolved administration,
  - (b) public bodies, businesses, trade unions and non-governmental organisations which, in the opinion of the independent body, have a relevant interest, and
  - (c) the public.
- (5) The assessment shall include both qualitative and quantitative assessments of the potential impacts of the proposed trade agreement, including—
  - (a) social,
  - (b) economic,
  - (c) environmental,
  - (d) gender,
  - (e) equalities,
  - (f) climate change,
  - (g) human rights,
  - (h) labour,
  - (i) development, and

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**European Union (Withdrawal Agreement) Bill, *continued***

- (j) regional impacts.
- (6) In conducting negotiations on the future relationship with the EU, a Minister of the Crown must seek to achieve the objectives set out in the negotiating mandate approved under subsection (1)(b).
- (7) After the end of each reporting period, a Minister of the Crown must—
  - (a) lay before each House of Parliament a report on the progress made, by the end of the period, in negotiations on the future relationship with the EU, including—
    - (i) the Minister’s assessment of the extent to which the outcome of those negotiations is likely to reflect the negotiating mandate approved under subsection (1)(b), and
    - (ii) if the Minister’s assessment is that the future relationship with the EU is, in any respect, not likely to reflect that mandate, an explanation of why that is so, and
  - (b) lay before each House of Parliament the latest rounds of negotiating texts, by the end of each reporting period, and
  - (c) provide a copy of the report to the Presiding Officer of each of the devolved legislatures and to—
    - (i) the Scottish Ministers,
    - (ii) the Welsh Ministers, and
    - (iii) the First Minister and deputy First Minister in Northern Ireland or the Executive Office in Northern Ireland.
- (8) Subsections (9) to (13) apply if, in the opinion of a Minister of the Crown, an agreement in principle has been reached with the EU on a treaty the principal purpose of which is to deal with all or part of the future relationship with the EU.
- (9) A Minister of the Crown must lay before each House of Parliament—
  - (a) a statement that political agreement has been reached, and
  - (b) a copy of the negotiated future relationship treaty.
- (10) Prior to the laying of the text of the proposed treaty, the Secretary of State must have consulted with each devolved administration on the text of the proposed agreement and taken their views into account, with special consideration given to matters relating to devolved competences.
- (11) Prior to considering a motion approving the text of the negotiated future relationship treaty, the Government must lay before each House of Parliament a response to any report by a relevant Parliamentary committee (such as the Exiting the EU select committee) containing a recommendation in relation to the ratification of the agreement.
- (12) A treaty in the same form, or to substantially the same effect, as the negotiated future relationship treaty may be ratified only if the negotiated future relationship treaty has been approved by a resolution of the House of Commons on an amendable motion moved by a Minister of the Crown and—
  - (a) the House of Lords has not resolved, within the period of 14 Lords sitting days beginning with the day on which the negotiated future relationship treaty is laid before that House, that any treaty resulting from it should not be ratified, or
  - (b) if the House of Lords has so resolved within that period, a Minister of the Crown has laid before each House of Parliament a statement indicating that the Minister is of the opinion that the treaty should nevertheless be ratified and explaining why.

**European Union (Withdrawal Agreement) Bill, continued**

- (13) Section 20 of the Constitutional Reform and Governance Act 2010 (treaties to be laid before Parliament before ratification) does not apply in relation to a treaty if subsection (11) applies in relation to the ratification of that treaty.”

**Member’s explanatory statement**

*This new clause ensures that MPs get a guaranteed vote with an amendable motion on the EU-UK Future Relationship and negotiating objectives, and sets out scrutiny of the negotiating mandate. It requires a sustainability impact assessment of the future relationship; the regular release of negotiation texts; and engagement with devolved administrations.*

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Sir Jeffrey M. Donaldson  
Sammy Wilson  
Mr Gregory Campbell  
Jim Shannon  
Ian Paisley  
Gavin Robinson

Paul Girvan

Carla Lockhart

NC11

★ To move the following Clause—

**“Consent and the Ireland/Northern Ireland Protocol**

- (1) Nothing in this Act affects section 4(5) and 42 of the Northern Ireland Act 1998.
- (2) Accordingly, if 30 of its members petition the Northern Ireland Assembly expressing their concern about a matter which is to be voted on by the Assembly, the vote on that matter shall require cross-community support.
- (3) “Cross-community support” in relation to a vote in the Northern Ireland Assembly on any matter, means—
  - (a) the support of a majority of the members voting, a majority of the designated Nationalists voting and a majority of the designated Unionists voting; or
  - (b) the support of 60 per cent of the members voting, 40 per cent of the designated Nationalists voting and 40 per cent of the designated Unionists voting.
- (4) “Designated Nationalist” means a member designated as a Nationalist in accordance with standing orders of the Northern Ireland Assembly and “designated Unionist” is construed accordingly.”

**Member’s explanatory statement**

*This new Clause re-states the existing law on the operation of cross-community support in votes of the Northern Ireland Assembly.*

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**European Union (Withdrawal Agreement) Bill, *continued***

Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

NC12

★ To move the following Clause—

**“Consent and the Ireland/Northern Ireland Protocol (No. 2)**

- (1) Notifying the European Union of the outcome of the democratic consent processes under Article 18 of the Ireland/Northern Ireland Protocol is a matter for the Government of the United Kingdom under paragraph 3 of Schedule 2 to the Northern Ireland Act 1998.
- (2) The Government of the United Kingdom must seek to apply any democratic consent process under or in connection with the Withdrawal Agreement in conformity with existing practice on votes requiring cross-community support in the Northern Ireland Assembly.
- (3) The Government of the United Kingdom must accordingly seek to withdraw and replace any parts of the Declaration of 17 October 2019 by Her Majesty’s Government of the United Kingdom of Great Britain and Northern Ireland concerning the operation of the Democratic consent in Northern Ireland provision of the Protocol on Ireland/Northern Ireland which conflict with the existing practice on votes of the Northern Ireland Assembly requiring cross-community support.”

***Member’s explanatory statement***

*Paragraph 3(a) of the Declaration of 17 October 2019 by Her Majesty’s Government concerning the operation of the Democratic consent in Northern Ireland provision of the Ireland/Northern Ireland Protocol requires a threshold of a majority of members of the Northern Ireland Assembly present and voting. This new Clause seeks to replace that threshold with the normal cross-community support process.*

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Sir Jeffrey M. Donaldson  
 Sammy Wilson  
 Mr Gregory Campbell  
 Jim Shannon  
 Ian Paisley  
 Gavin Robinson

Paul Girvan

Carla Lockhart

NC13

★ To move the following Clause—

**“UK internal market**

- (1) The Government of the United Kingdom must maintain and strengthen the integrity and smooth operation of the internal market of the United Kingdom of Great Britain and Northern Ireland.
- (2) Accordingly it is a priority for the Government of the United Kingdom in negotiations on the future relationship with the EU to reach agreement to

**European Union (Withdrawal Agreement) Bill, *continued***

supersede any provisions of the Ireland/Northern Ireland Protocol which impede or conflict with the duty in subsection (1).”

***Member’s explanatory statement***

*This new Clause seeks to replace any provisions of the Ireland/Northern Ireland Protocol which fail to maintain and strengthen the integrity and smooth operation of the internal market of the United Kingdom of Great Britain and Northern Ireland.*

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**CLAUSES 38 TO 40; SCHEDULE 4; CLAUSE 41; SCHEDULE 5; CLAUSE 42; NEW CLAUSES RELATING TO PART 5; NEW SCHEDULES RELATING TO PART 5**

Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

**11**

★ Clause 38, page 37, line 24, at end insert “and has been so during the period since the passage of the European Communities Act 1972.”

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Ian Blackford  
Peter Grant  
Joanna Cherry  
Kirsty Blackman  
Stuart C McDonald  
Patrick Grady

Tommy Sheppard

Stewart Hosie

**8**

Clause 42, page 40, line 13, leave out “Scotland”

***Member’s explanatory statement***

*This amendment would dis-apply this bill to Scotland.*

Ian Blackford  
Peter Grant  
Joanna Cherry  
Kirsty Blackman  
Stuart C McDonald  
Patrick Grady

Tommy Sheppard

Stewart Hosie

**9**

Clause 42, page 41, line 6, leave out from “force” to end and insert “only when each House of Parliament has approved a motion tabled by a Minister of the Crown

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**European Union (Withdrawal Agreement) Bill, *continued***

considering a ministerial economic impact assessment of the commencement of this Act.”

***Member’s explanatory statement***

*This amendment would require the House to endorse an economic impact assessment of measures this bill would implement.*

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Ian Blackford  
Peter Grant  
Joanna Cherry  
Kirsty Blackman  
Stuart C McDonald  
Patrick Grady

Tommy Sheppard

Stewart Hosie

NC7

To move the following Clause—

**“Legislative Consent Motions**

This Act may only come in to force once a Legislative Consent Motion relating to this Act has been approved by the devolved legislatures of Scotland, Wales and Northern Ireland.”

***Member’s explanatory statement***

*This new clause would require this Bill to have gained consent of the devolved legislatures before coming into effect.*

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Sir Jeffrey M. Donaldson  
Sammy Wilson  
Mr Gregory Campbell  
Jim Shannon  
Ian Paisley  
Gavin Robinson

Paul Girvan

Carla Lockhart

NC14

★ To move the following Clause—

**“Sovereignty and Northern Ireland**

- (1) Nothing in this Act contradicts Article 6 of the Union with Ireland Act 1800.
- (2) Accordingly, Her Majesty’s subjects of Great Britain and Northern Ireland are entitled to the same privileges, and to be on the same footing as to encouragements and bounties on the like articles, being the growth, produce, or manufacture of either country respectively, and generally in respect of trade and navigation in all ports and places in the United Kingdom and its dependencies; and that in all treaties made by Her Majesty, her heirs, and successors, with any foreign power, Her Majesty’s subjects of Northern Ireland shall have same the

**European Union (Withdrawal Agreement) Bill, continued**

privileges, and be on the same footing as Her Majesty's subjects of Great Britain."

**Member's explanatory statement**

*This new Clause re-states the fundamental constitutional principle of unfettered trade between Northern Ireland and Great Britain.*

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Sir Jeffrey M. Donaldson  
Sammy Wilson  
Mr Gregory Campbell  
Jim Shannon  
Ian Paisley  
Gavin Robinson

Paul Girvan

Carla Lockhart

**NC15**

★ To move the following Clause—

**“Sovereignty and Northern Ireland (No.2)**

- (1) Nothing in this Act affects the status of Northern Ireland set out in section 1 of the Northern Ireland Act 1998.
- (2) Accordingly, Northern Ireland in its entirety remains part of the United Kingdom and shall not cease to be so without the consent of a majority of the people of Northern Ireland voting in a poll held for the purposes of this section in accordance with Schedule 1 to the Northern Ireland Act 1998.”

**Member's explanatory statement**

*This new Clause re-states the fundamental constitutional principle of Northern Ireland remaining part of the United Kingdom, unless a majority of the people of Northern Ireland vote to decide otherwise.*

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*REMAINING NEW CLAUSES, REMAINING NEW SCHEDULES, REMAINING PROCEEDINGS  
IN COMMITTEE ON THE BILL*

Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

Nick Thomas-Symonds

**NC2**

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**European Union (Withdrawal Agreement) Bill, *continued***

To move the following Clause—

**“Protecting workers’ rights**

- (1) It shall be an objective of the Government to secure an agreement with the European Union that achieves the following outcomes—
  - (a) that the United Kingdom will not introduce any measure which would have the effect of reducing in any way the protection provided by any Retained EU Worker Rights after IP completion day;
  - (b) that the United Kingdom shall take all steps necessary to ensure that, from exit day, all Retained EU Worker Rights will continue to have at least the same level of protection in the United Kingdom as is applicable in other Member States;
  - (c) that where, after IP completion day, the European Union brings into force or effect any New EU Workers’ Rights, the result and legal consequences in the United Kingdom of those New EU Workers’ Rights shall be the same as if those New EU Workers’ Rights had been Workers’ Rights brought into force and effect by the European Union before IP completion day;
  - (d) that those parts of the Treaties which, before IP completion day, provide for any matter concerning the interpretation of Workers Rights in any part of the United Kingdom to be determined by the Court of Justice of the European Union shall continue to apply to the United Kingdom or such part of the United Kingdom to the same extent after IP completion day;
  - (e) that after IP completion day, the procedural rules, including limitation periods, rules of courts and tribunals and remedies, governing actions for safeguarding New EU Workers’ Rights and Retained EU Worker Rights in the United Kingdom shall continue to be no less favourable than the procedural rules governing similar actions under United Kingdom law;
  - (f) that nothing in this clause shall prevent the United Kingdom from introducing amendments to Workers’ Rights for the purpose of making such provisions more favourable to the protection of workers;
  - (g) that the terms at (a) to (f) shall have direct effect and shall be recognised and available in law and be capable of enforcement by individuals and their trade unions in courts and tribunal.
- (2) Subsections (3) and (4) cease to apply if the Government has secured an agreement with the European Union that achieves the objective in subsection (1).
- (3) A Minister of the Crown must make an oral statement to the House of Commons on the objective in subsection (1)—
  - (a) within three months of this Act coming into force;
  - (b) at least as frequently as every 28 days thereafter.
- (4) Each statement made under subsection (3) must set out—
  - (a) the steps taken by the Government, and the progress made in negotiations with the European Union, for the purpose of achieving the objective in subsection (1); and
  - (b) whether in the Minister’s opinion an agreement with the European Union achieving the objective of subsection (1) is likely to be achieved by IP completion day and, if not, setting out the reasons for this.
- (5) For the purpose of this section—
 

“New EU Worker Right” means any Workers’ Rights—

  - (a) which Member States are obliged to confer by an EU directive published in the Official Journal of the European Union on or after IP completion day; or

**European Union (Withdrawal Agreement) Bill**, *continued*

(b) that are conferred by an EU regulation or other instrument published in the Official Journal of the European Union on or after IP completion day; or

(c) that arise out of a judgment of the Court of Justice of the European Union on or after IP completion day;

and shall include any improvement to a Workers' Right which existed before IP completion day;

“Retained EU Worker Rights” means Workers' Rights which—

(a) immediately before IP completion day, the United Kingdom was obliged to confer by virtue of the Treaties and the EU directives listed in Schedule 1, or which were, without further enactment, given legal effect in the United Kingdom; and

(b) on IP completion day, continued to have effect in any part of the United Kingdom;

“Workers' Rights” means rights of individuals, classes of individuals and their trade unions, in all areas of labour protection including—

(a) fundamental rights at work, including all forms of discrimination;

(b) fair working conditions and employment standards;

(c) information and consultation rights;

(d) restructuring of undertakings and acquired rights; and

(e) health and safety at work.

“Exit day” shall have the same meaning as in the European Union (Withdrawal) Act 2018.

“IP completion day” shall have the same meaning as in the European Union (Withdrawal Agreement) Act 2020.”

***Member's explanatory statement***

*This new clause would require the Government to negotiate a comprehensive agreement with the EU protecting workers' rights.*

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Jeremy Corbyn  
Keir Starmer  
Paul Blomfield  
Thangam Debbonaire  
Valerie Vaz  
Mr Nicholas Brown

Nick Thomas-Symonds

NC3

To move the following Clause—

**“Future relationship: Customs Union and Single Market**

(1) It shall be an objective of the Government to secure an agreement with the European Union that achieves the following outcomes—

(a) a permanent and comprehensive UK-wide customs union involving alignment with the Union customs code, a common external tariff and an agreement on commercial policy that includes a UK say on future EU trade deals;

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**European Union (Withdrawal Agreement) Bill, *continued***

- (b) close alignment with the single market, underpinned by shared institutions and obligations, with clear arrangements for dispute resolution;
  - (c) dynamic alignment on rights and protections so that UK standards keep pace with evolving standards across the EU as a minimum;
  - (d) UK participation in EU agencies and funding programmes; and
  - (e) Close cooperation on security including access to the European Arrest warrant and databases such as EURPOL and SIS II.”
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Ian Blackford  
 Peter Grant  
 Joanna Cherry  
 Kirsty Blackman  
 Stuart C McDonald  
 Patrick Grady

Tommy Sheppard

Stewart Hosie

NC8

To move the following Clause—

**“Maintaining the UK’s place in the Single Market and Customs Union**

- (1) It shall be an objective of the Government to maintain the United Kingdom’s status within the Single Market and Customs Union of the European Union within the framework of the future relationship between the United Kingdom and European Union.
- (2) A Minister shall lay before each House of Parliament a progress report on aims noted in subsection (1).”

***Member’s explanatory statement***

*This new clause ensures that the UK Government will negotiate for the maintenance of the United Kingdom’s membership of the single market and customs union.*

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Debbie Abrahams

NC9

To move the following Clause—

**“Probity of Ministers of the Crown in relation to UK withdrawal from EU**

- (1) Every Minister of the Crown has a duty to comply with the seven principles of public life (the Nolan principles) set out by the Committee on Standards in Public Life, which are honesty, integrity, selflessness, objectivity, leadership, accountability and openness.
- (2) Each Minister of the Crown holding office on or after the date in which this Act is passed must make a personal declaration to the Clerk of the Crown that he or she has fully complied with the Nolan principles in relation to the United Kingdom’s withdrawal from the European Union.
- (3) The declaration in subsection (2) must be made by each Minister of the Crown before 31 March 2020 and at least once in each subsequent three-month period up

**European Union (Withdrawal Agreement) Bill, *continued***

to and including 31 March 2021 in which a Minister of Crown holds Ministerial office.

- (4) The Lord Chancellor must lay before each House of Parliament by 30 April 2021 a report on the declarations made by each Minister of the Crown under subsection (2).
- (5) It is an offence to make knowingly a declaration under subsection (2) or a report under subsection (4) which is materially inaccurate.
- (6) A person guilty of an offence under this section shall be liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding six months, or to a fine not exceeding the statutory maximum or to both, or
  - (b) on conviction on indictment, to imprisonment for a term not exceeding five years.”

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Layla Moran

NC10

- ★ To move the following Clause—

**“Implementation period negotiating objectives: Erasmus+**

- (1) It shall be an objective of the Government to secure an agreement within the framework of the future relationship of the UK and the EU before the end of the implementation period that enables the UK to participate in all elements of the Erasmus+ programme on existing terms after the implementation period ends (“the Erasmus+ negotiations”).
- (2) A Minister shall lay before each House of Parliament a progress report on the Erasmus+ negotiations within six months of this Act being passed.”

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Liz Saville Roberts  
Jonathan Edwards  
Ben Lake  
Hywel Williams

NC16

- ★ To move the following Clause—

**“Economic impact assessment**

- (1) A Minister of the Crown must—
  - (a) lay before each House of Parliament and
  - (b) submit to the Presiding Officers of each devolved legislature a comprehensive economic impact assessment of potential outcomes arising from the conclusion of negotiations on the future relationship with the EU.
- (2) An assessment under subsection (1) must include—
  - (a) an analysis by NUTS1 and NUTS2 regions of the United Kingdom including (but not limited to)—
    - (i) impact on employment as both a nominal figure and percentage, and
    - (ii) impact on Gross Value Added;

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**European Union (Withdrawal Agreement) Bill, *continued***

- (b) a sectoral analysis including but not limited to agriculture, health and social care, manufacturing, the aerospace industry, and financial services.”

***Member’s explanatory statement***

*This new clause would require the Government to produce an economic impact assessment on the future relationship negotiated with the European Union.*

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Liz Saville Roberts  
Jonathan Edwards  
Ben Lake  
Hywel Williams

NC17

- ★ To move the following Clause—

**“Objectives during negotiations**

- (1) A Minister of the Crown may not engage in negotiations on the future relationship with the EU unless—
- (a) a statement on objectives for the future relationship with the EU has been approved by the House of Commons on a motion moved by a Minister of the Crown,
  - (b) a motion for the House of Lords to take note of that statement has been moved in that House by a Minister of the Crown,
  - (c) a motion relating to that statement has been approved by a resolution of the National Assembly for Wales,
  - (d) a motion relating to that statement has been approved by a resolution of the Scottish Parliament,
  - (e) a motion relating to that statement has been approved by a resolution of the Northern Ireland Assembly.
- (2) Notwithstanding subsection 1(e), a Minister of the Crown may engage in negotiations on the future relationship with the EU if the Northern Ireland Assembly has not approved the appointment of a First Minister and deputy First Minister within six weeks of the day on which this Act is passed.”

***Member’s explanatory statement***

*This new clause would require the Government to seek the consent of all the parliaments of the UK for its objectives during negotiations on the future relationship with the EU.*

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## ORDER OF THE HOUSE [20 DECEMBER 2019]

That the following provisions shall apply to the European Union (Withdrawal Agreement) Bill:

*Committal*

1. The Bill shall be committed to a Committee of the whole House.

*Proceedings in Committee*

2. Proceedings in Committee of the whole House shall be completed in two days.
3. The proceedings shall be taken on each of those days as shown in the first column of the following Table and in the order so shown.

**European Union (Withdrawal Agreement) Bill, *continued***

4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

**TABLE**

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	
Clauses 1 to 6; new Clauses relating to Part 1 or 2; new Schedules relating to Part 1 or 2	Four hours after the commencement of proceedings on the Bill on the first day
Clauses 7 to 14; Schedule 1; Clause 15; Schedule 2; Clauses 16 and 17; new Clauses relating to Part 3; new Schedules relating to Part 3	Eight hours after the commencement of proceedings on the Bill on the first day
Second day	
Clauses 18 to 23; Schedule 3; Clauses 24 to 37; new Clauses relating to Part 4; new Schedules relating to Part 4	Two hours after the commencement of proceedings on the Bill on the second day
Clauses 38 to 40; Schedule 4; Clause 41; Schedule 5; Clause 42; new Clauses relating to Part 5; new Schedules relating to Part 5	Five hours after the commencement of proceedings on the Bill on the second day
Remaining new Clauses, remaining new Schedules, remaining proceedings in Committee on the Bill	Eight hours after the commencement of proceedings on the Bill on the second day

*Proceedings on Consideration and up to and including Third Reading*

5. Any proceedings on Consideration, any proceedings in legislative grand committee and proceedings on Third Reading shall be taken in one day in accordance with the following provisions of this Order.
6. Any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours before the moment of interruption on that day.
7. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

*Programming committee*

8. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

*Consideration of Lords Amendments*

9. Any proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

**European Union (Withdrawal Agreement) Bill, *continued****Subsequent stages*

10. Any further Message from the Lords may be considered forthwith without any Question being put.
  11. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
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