



House of Commons

Tuesday 25 February 2020

PUBLIC BILL COMMITTEE

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: 44 to 50 and NC17 to NC22

AGRICULTURE BILL

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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 Committee [11 February 2020].

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

Clause 1, page 2, line 6, 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.

1

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

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

“(aa) supporting agriculture and horticulture businesses in enabling public access to healthy food that is farmed in an environmentally sustainable way, 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.

2

 Agriculture Bill, *continued*

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

34

Clause 1, page 2, line 12, at end insert—

“(ca) improving public health;”

Member’s explanatory statement

This amendment would add “improving public health” to the list of purposes for financial assistance given under clause 1, with ‘improving public health’ defined in Amendment 35.

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

6

Clause 1, page 2, line 13, after “(d)” insert “limiting greenhouse gas emissions from agriculture or horticulture or encouraging activities that reduce such emissions or remove greenhouse gas from the atmosphere, or otherwise”

Member’s explanatory statement

This amendment explicitly provides for limiting and reducing greenhouse gas emissions to be one of the purposes for which financial assistance is given.

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

40

Clause 1, page 2, line 17, at end insert “, including measures to improve the standard of accommodation for farrowing sows”

Member’s explanatory statement

See explanatory statement for NC12.

Kerry McCarthy

11

Clause 1, page 2, line 24, at end insert—

“(k) establishing, maintaining and expanding agroecological farming systems, including organic farming.”

Kerry McCarthy

12

Clause 1, page 2, line 28, after “activity” insert “, provided that such assistance does not contradict or undermine the purposes in section 1(1).”

Kerry McCarthy

14

Clause 1, page 2, line 32, leave out subsection (4) and insert—

“(4) In framing any financial assistance scheme, the Secretary of State must have regard to—

(a) the need to encourage the production of food by producers in England and its production by them in an environmentally sustainable way; and

Agriculture Bill, continued

- (b) the need to ensure that all farms and horticulture units, including those smaller than five hectares, can access financial assistance.”

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

3

Clause 1, page 3, line 6, at end insert ““environmentally sustainable way” 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 “environmentally sustainable way” for the purposes of clause 1(4) and Amendment 2.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

35

Clause 1, page 3, line 12, at end insert—

““improving public health” includes—

- (a) increasing the availability, affordability, diversity, quality and marketing of fruit, vegetables and pulses,
- (b) reducing farm antibiotic and related veterinary product use, and antibiotic resistance in harmful micro-organisms, through improved animal health and welfare,
- (c) providing support for farmers to diversify out of domestic production of foods where there may be reduced demand due to public concerns over issues such as health, environment, and animal welfare, and
- (d) reducing harm from use of chemicals on farms, and reducing pesticide residues in food;”

Member’s explanatory statement

See explanatory statement for Amendment 34.

Mr Robert Goodwill

8

Clause 1, page 3, line 13, after “kept” insert “or managed”

Kerry McCarthy

13

Clause 1, page 3, line 17, at end insert ““protecting or improving the quality of soil” includes the restoration of blanket bog and other peatland habitats.”

 Agriculture Bill, *continued*

Victoria Prentis

15

Clause 1, page 3, line 21, at end insert “made by the Secretary of State”

Member’s explanatory statement

This drafting amendment makes clear that a “financial assistance scheme” is one made by the Secretary of State. It is intended (with Amendments 16 and 17) to clarify the distinction between financial assistance schemes and third party schemes as defined in Clause 2(5).

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

36

Clause 2, page 3, line 27, at end insert—

“(2A) Financial assistance may not be given to any person who is not compliant with standards set out in regulations made by the Secretary of State under section [Duty and regulations governing agricultural and horticultural activity].”

Member’s explanatory statement

This amendment and NC9 provide a duty for the Secretary of State to set baseline regulatory standards governing agricultural and horticultural activity, which must be met by any recipient of financial assistance.

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

48

★ Clause 2, page 3, line 30, at end insert—

“(3A) Financial assistance allocated to a scheme in a particular year but not spent within that year may be carried over to a future year for spending on one or more schemes.”

Member’s explanatory statement

This amendment would enable Ministers to “carry over” any monies left unspent at the end of a particular budget year for spending in subsequent years.

Victoria Prentis

16

Clause 2, page 3, line 31, leave out from “to” to end of line 32 and insert “the maker or operator of a third party scheme in connection with expenditure involved in establishing or operating the scheme (including the provision of financial support)”

Member’s explanatory statement

The amendment amends Clause 2(4), which permits the Secretary of State to give financial assistance to a third party scheme, to spell out that the assistance may relate to the costs of setting up or running the scheme or providing financial support under the scheme.

Agriculture Bill, *continued*

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

4

Clause 2, page 3, line 32, 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 a person who satisfies 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 IP completion day, export animals for slaughter or fattening unless—
 - (i) the livestock is exported from Northern Ireland to the Republic of Ireland, and
 - (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.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

42

Clause 2, page 3, line 32, at end insert—

- “(4A) Financial assistance may only be given under section 1(1)(f) for the purpose of protecting or improving the health of livestock if, in the opinion of the Secretary of State or of any person to whom functions relating to the giving of financial assistance are delegated under section 2(6), the protection or improvement effects a standard which is significantly higher than that required by regulations made by the Secretary of State under section [*Duty and regulations governing agricultural and horticultural activity*].”

Member’s explanatory statement

This amendment would require a recipient of financial assistance for protecting or improving the health or welfare of livestock to demonstrate that the protection or improvement would be of a significantly higher standard than the baseline required under NC9.

Agriculture Bill, *continued*

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

44

★ Clause 2, page 3, line 32, at end insert—

“(4A) No more than 5% of the financial assistance given through a financial assistance scheme in any particular financial year shall be spent on administration or consultancy.

(4B) The Secretary of State may by regulations vary the proportion of financial assistance specified in subsection (4A).”

Member’s explanatory statement

This amendment, along with Amendments 45, 46 and 47 would place a 5% limit on the amount of financial assistance which can be spent in any year on administration or consultancy.

Victoria Prentis

17

Clause 2, page 3, line 35, leave out “or operated on behalf of” and insert “by”

Member’s explanatory statement

This drafting amendment is intended to clarify the exclusion of financial assistance schemes made by the Secretary of State from the definition of a third party scheme and also to achieve consistency with other references in the Bill to things done by the Secretary of State. As a matter of legal interpretation a reference to something done by the Secretary of State will pick up things done by others acting in the name of or on behalf of the Secretary of State.

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

49

★ Clause 2, page 3, line 35, at end insert—

“(5A) Financial assistance shall not be given for any act or activity in pursuit of a purpose under section 1 if the land on which that act or activity is to take place is to be used by the applicant, or by a person acting with the consent of the applicant, for hunting of a wild mammal with a dog, whether or not that hunting is exempt under section 2 of the Hunting Act 2004.”

Member’s explanatory statement

Amendments 49 and 50 would provide that no financial assistance can be given for land which is to be, or has been, used for hunting (including exempt hunting), or on which an offence has been committed under the Hunting Act.

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

50

★ Clause 2, page 3, line 35, at end insert—

“(5A) Financial assistance shall not be given for a purpose under section 1 if land on which any act or activity is to take place in pursuance of that purpose is land on which—

(a) an offence has been committed under section 1, 3 or 5 of the Hunting Act 2004, or

Agriculture Bill, continued

- (b) exempt hunting, within the meaning of section 2 of the Hunting Act 2004, has taken place since 18 February 2005.”

Member's explanatory statement

Amendments 49 and 50 would provide that no financial assistance can be given for land which is to be, or has been, used for hunting (including exempt hunting), or on which an offence has been committed under the Hunting Act.

Daniel Zeichner
Luke Pollard
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

45

- ★ Clause 2, page 4, line 3, after “subsection” insert “(4B) or subsection”

Member's explanatory statement

See explanatory statement for Amendment 44.

Daniel Zeichner
Luke Pollard
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

46

- ★ Clause 2, page 4, line 4, at end insert—

“(10A) For the purposes of this Act, “administration or consultancy” includes money spent on administration or consultancy other than in connection with the purposes in section [Financial assistance: duty to provide advice].”

Member's explanatory statement

See explanatory statement for Amendment 44.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

5

- Clause 2, page 4, line 5, after “section” insert—

““fattening” means the keeping of livestock for the purpose of the livestock gaining weight in preparation for slaughter,

“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” has the meaning given in section 1(5) of this Act,

“IP completion day” has the meaning given in section 39 of the European Union (Withdrawal) Act 2020, and”

Member's explanatory statement

This amendment is consequential on Amendment 4.

 Agriculture Bill, *continued*

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

37

Clause 4, page 5, line 14, after “period” insert “, and

- (d) set out the budget for each financial assistance scheme under subparagraph (c)(i) or (c)(ii) for the duration of the plan period”

Member’s explanatory statement

This amendment and Amendments 38 and 39 provide that the Secretary of State’s multi-annual financial assistance plan must include a budget informed by the Office for Environmental Protection to be established by the Environment Bill.

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

38

Clause 4, page 5, line 38, at end insert—

- “(9A) For each financial assistance scheme, the Secretary of State must have regard to any advice provided by the Office for Environmental Protection, after it is established, about the funding required to achieve the strategic objectives of financial assistance for the duration of the plan period.”

Member’s explanatory statement

See explanatory statement for Amendment 37.

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

39

Clause 5, page 6, line 10, after “scheme,” insert—

- “(aa) any opinion provided by the Office for Environmental Protection, after it is established, as to whether the financial assistance given was sufficient to meet the strategic objectives of the financial assistance,”

Member’s explanatory statement

See explanatory statement for Amendment 37.

 Agriculture Bill, *continued*

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

- 47
- ★ Clause 5, page 6, line 13, after “year”, insert “, and (c) the amount of money spent on administration or consultancy, within the meaning of subsection (10A)”
Member’s explanatory statement
See explanatory statement for Amendment 44.
-

Mr Robert Goodwill

- 9
- Clause 8, page 8, line 5, after “extending” insert “or pausing the transition process and”
-

Victoria Prentis

- 43
- Clause 14, page 11, line 45, leave out “any”
Member’s explanatory statement
This drafting amendment removes an unnecessary word from clause 14(3) for consistency with other similar provisions of the Bill.
-

Fiona Bruce
 Julian Sturdy
 Neil Parish
 Derek Thomas
 Philip Dunne
 Simon Hoare

Tim Farron

- 7
- Clause 17, page 14, line 20, leave out “five years” and insert “year”

Simon Hoare
 Tracey Crouch

- 10
- Clause 17, page 14, line 21, after “of”, insert “, and a response to,”
-

 Agriculture Bill, *continued*

Deidre Brock
Dave Doogan

19

Clause 27, page 22, line 9, 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.”

Member’s explanatory statement

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

Deidre Brock
Dave Doogan

20

Clause 27, page 23, line 27, at end insert—

“(10A) Before making regulations under this section, the Secretary of State must consult persons—

(a) who are representative of—

(i) qualifying sellers of, or

(ii) business purchasers of,

the agricultural products to which the regulations will apply, or

(b) who may otherwise be affected by the regulations.”

Deidre Brock
Dave Doogan

21

Clause 28, page 23, line 42, leave out “to the Secretary of State”

Deidre Brock
Dave Doogan

22

Clause 28, page 24, line 12, leave out “to the Secretary of State”

Deidre Brock
Dave Doogan

23

Clause 28, page 24, line 20, leave out “to the Secretary of State”

Deidre Brock
Dave Doogan

24

Clause 28, page 24, 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
Dave Doogan

25

Clause 28, page 25, line 5, leave out “The Secretary of State” and insert “The appropriate authority to which an application is made under this section”

Deidre Brock
Dave Doogan

26

Clause 28, page 25, line 24, at end insert—

““appropriate authority” means—

- (a) in relation to England, Wales or Northern Ireland, the Secretary of State,
- (b) in relation to Scotland, the Scottish Ministers;”

Member’s explanatory statement

This amendment, together with Amendment 25 would require organisations of agricultural producers, associations of recognised producer organisations, and organisations of agricultural businesses to apply for recognition to the appropriate authority in the country of the UK where the applicant is principally based.

Deidre Brock
Dave Doogan

27

Clause 29, page 26, line 9, leave out “the Secretary of State” and insert “an appropriate authority (within the meaning given in section 28(13))”

Member’s explanatory statement

This amendment would require the delegation of functions to require permission from the appropriate authority.

Deidre Brock
Dave Doogan

28

Clause 30, page 26, line 16, leave out “the Secretary of State” and insert “an appropriate authority (within the meaning given in section 28(13))”

Member’s explanatory statement

This amendment would allow regulations to give the power to delegate functions to be made by an appropriate authority.

 Agriculture Bill, *continued*

Deidre Brock
Dave Doogan

29

Clause 30, page 26, line 29, at end insert—

“(2A) Regulations under section 28 or 29 containing provision that extends to Scotland may be made only with the consent of the Scottish Ministers.”

Member’s explanatory statement

This amendment would ensure that regulations under section 28 or 29 containing provision that extend to Scotland may be made only with the consent of Scottish Ministers

Victoria Prentis

18

Clause 32, page 30, line 16, at end insert “, and

(b) in Article 22 (compliance)—

(i) in paragraph 1 at the end insert—

“The fourth, fifth and sixth subparagraphs do not apply in relation to England.”, and

(ii) in paragraph 2 at the end insert—

“This paragraph does not apply in relation to England.””

Member’s explanatory statement

This amendment makes changes to Regulation (EC) No 1760/2000 which are consequential on the disapplication of Title 1 of that Regulation to England.

Deidre Brock
Dave Doogan

30

Clause 33, page 31, line 32, at end insert—

“(10) The first scheme under this section must come into force no later than 1 April 2021.”

Agriculture Bill, continued

Deidre Brock
Dave Doogan

31

Clause 40, page 36, line 20, 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.”

Member’s explanatory statement

This amendment would require that the power to make regulations extending to Scotland can only be exercised with the consent of Scottish Ministers.

Deidre Brock
Dave Doogan

32

Clause 42, page 38, line 17, leave out from “support” to end of line 19

Member’s explanatory statement

This amendment would remove the role of the Secretary of State as final arbiter in dispute resolution.

Deidre Brock
Dave Doogan

33

Clause 42, page 38, line 20, leave out subsections (4) and (5)

Member’s explanatory statement

This amendment would remove the requirement to provide information to the Secretary of State.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

41

Clause 53, page 43, line 35, at end insert—

“(ca) section [Sow farrowing stalls],”

Member’s explanatory statement

See explanatory statement for NC12.

Agriculture Bill, continued

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC1

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(5),
 - (b) any plants or seeds, within the meaning of section 22(6),
 - (c) any product derived from livestock, plants or seeds.”

Member’s explanatory statement

This new clause would set a requirement for imported agricultural goods to meet animal welfare, environmental and food safety standards which are at least as high as those which apply to UK produced agricultural goods.

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC2

To move the following Clause—

“Annual assessment of funding for purposes

- (1) The Secretary of State must report on financial assistance 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 2021 and shall relate to financial assistance in the 2020-21 financial year.
- (4) A report under this section must record, on the basis of best data available—
 - (a) the total sum of financial assistance for each purpose in section 1,
 - (b) the source of any element of financial assistance 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)(a) is sufficient to meet their policy objectives in relation to each purpose; and (b) a statement of the Secretary of State’s intentions

Agriculture Bill, continued

if, in their opinion, a sum recorded under subsection (4)(a) was not sufficient to meet their policy objectives in relation to a purpose.

- (6) For the purposes of this section, “financial assistance” means financial assistance either allocated or given in any form listed in section 2(1).”

Member’s explanatory statement

This new clause would require the Secretary of State to report annually on the financial assistance given or 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.

Bill Wiggin

NC3

To move the following Clause—

“Definition of grass-fed products

- (1) Regulations under section 35(1) shall enable the provision described in subsection (2) of this section.
- (2) A product which is partly or wholly derived from an animal may only be described as grass-fed if the animal or animals have eaten only grass and pasture throughout their lifetime, with the exception of milk consumed by youngstock prior to weaning.
- (3) For the purposes of subsection (2), “pasture” includes—
 - (a) permanent pasture and long and short term leys which may be part of a mixed farming system, and
 - (b) hay, silage derived from grass not grain, forage and naturally occurring vegetation in the grassland including legumes and other forbs, and woody species.”

Member’s explanatory statement

This new clause would protect the definition of grass-fed, certifying that livestock and food products labelled as grass-fed are fully raised on pasture.

Simon Hoare
Mrs Sheryll Murray
Rob Roberts
Dr Neil Hudson

NC4

To move the following Clause—

“Import of agricultural goods after IP completion day

- (1) After IP completion day, agricultural goods imported under a free trade agreement 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,
 - (c) food safety, hygiene and traceability, and

Agriculture Bill, *continued*

- (d) plant health.
- (2) The Secretary of State must prepare a register of UK production standards, to be updated annually, to which goods imported under subsection (1) would have to adhere.
- (3) “Agricultural goods” for the purposes of this section, mean—
 - (a) any livestock within the meaning of section 1(5),
 - (b) any plants or seeds, within the meaning of section 22(6),
 - (c) any product derived from livestock, plants or seeds.
- (4) “IP completion day” has the meaning given in section 39 of the European Union (Withdrawal Agreement) Act 2020.”

Kerry McCarthy

NC5

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—
 - (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) 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 require local authorities to review their smallholdings and submit proposals for future management to provide opportunities to extend access to farming, education, and innovation.

Deidre Brock
Dave Doogan

NC6

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,

Agriculture Bill, continued

- (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
Dave Doogan

NC7

To move the following Clause—

“International trade agreements: agricultural and food products

- (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
 - (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

Agriculture Bill, continued

- (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.”

Member’s explanatory statement

This new clause would ensure that HMG has a duty to protect the quality of the domestic food supply by ensuring that imported foodstuffs are held to the same standards as domestic foodstuffs are held to.

Deidre Brock
Dave Doogan

NC8

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).”

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC9

To move the following Clause—

“Duty and regulations governing agricultural and horticultural activity

- (1) It shall be the duty of the Secretary of State to establish a regulatory framework relating to agricultural and horticultural activity for or in connection with the following purposes—

Agriculture Bill, continued

- (a) the management of land or water in a way that protects or improves the environment;
 - (b) public access to and enjoyment of the countryside, farmland or woodland and better understanding of the environment;
 - (c) the management of land or water in a way that maintains, restores or enhances cultural or natural heritage;
 - (d) the management of land, water or livestock in a way that mitigates or adapts to climate change;
 - (e) the management of land or water in a way that prevents, reduces or protects from environmental hazards;
 - (f) the protection or improvement of the health or welfare of livestock;
 - (g) the conservation of native livestock, native equines or genetic resources relating to any such animal;
 - (h) the protection or improvement of the health of plants;
 - (i) the conservation of plants grown or used in carrying on an agricultural, horticultural or forestry activity, their wild relatives or genetic resources relating to any such plant; and
 - (j) the protection or improvement of the quality of soil.
- (2) Regulations under subsection (1) must include provision about the standards to which activity for or in connection with all of the purposes in subsection (1) must conform.
- (3) Regulations under subsection (1) may include provision about enforcement, which may (among other things) include provision—
- (a) about the provision of information;
 - (b) conferring powers of entry;
 - (c) conferring powers of inspection, search and seizure;
 - (d) about the keeping of records;
 - (e) imposing monetary penalties;
 - (f) creating summary offences punishable with a fine (or a fine not exceeding an amount specified in the regulations, which must not exceed level 4 on the standard scale);
 - (g) about appeals;
 - (h) conferring functions (including functions involving the exercise of a discretion) on a person.
- (4) Regulations under this section are subject to affirmative resolution procedure.
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 Agriculture Bill, *continued*

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire
 Deidre Brock

NC10

To move the following Clause—

“Import of foie gras

- (1) Foie gras may not be imported into the UK.
- (2) “Foie gras”, for the purposes of this section, shall mean a product derived from the liver of any goose or duck which has been force-fed for the purpose of enlarging its liver.”

Member’s explanatory statement

This new clause would prohibit the import of foie gras into the UK.

Luke Pollard
 Daniel Zeichner
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC11

To move the following Clause—

“Whistleblowing: standards in abattoirs

- (1) The Food Standards Act 1999 is amended as follows.
- (2) After section 20 insert—

“20A Whistleblowing: standards in abattoirs

- (1) The Agency shall establish a method by which a person can make a qualified disclosure under section 43B(1) of the Employment Rights Act 1996 (as inserted by the Public Interest Disclosure Act 1998) to the Agency.
- (2) A qualified disclosure under (1) may relate to any act which, in the reasonable belief of the person making the disclosure, tends to show that an offence has been committed, is being committed or is likely to be committed in England, Wales or Northern Ireland under—
 - (a) any of paragraphs 3 to 32 of Schedule 1 (additional requirements for slaughterhouses) to the Welfare of Animals at the Time of Killing (England) Regulations 2015 (S.I., No. 1782),
 - (b) any of paragraphs 3 to 32 of Schedule 1 (additional requirements for slaughterhouses) to the Welfare of Animals at the Time of Killing (Wales) Regulations 2014 (S.I., No. 951 (W. 92)),
 - (c) any of paragraphs 3 to 32 of Schedule 1 (additional requirements for slaughterhouses) to the Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014 (North-ern Ireland Statutory Rules 2014 No. 107), or

Agriculture Bill, continued

- (d) any of sections 4, 5 or 7 of the Animal Welfare Act 2006, in relation to livestock.
- (3) The Agency shall take steps to promote awareness of the method established under subsection (1).
- (4) The Agency may share with an enforcement authority (within the meaning of section 15(2) of this Act) information received under a qualified disclosure.
- (5) “Livestock” shall, for the purposes of this section, have the meaning given in section 1(5) of the Agriculture Act 2020.”

Member’s explanatory statement

This new clause would require the Food Standards Agency to set up and publicise a channel for whistleblowing about conduct in abattoirs.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC12

To move the following Clause—

“Sow farrowing stalls

Sub-paragraph (2) of paragraph 6 of the Welfare of Farmed Animals (England) Regulations 2007 shall be omitted.”

Member’s explanatory statement

This new clause and Amendments 40 and 41 would end the use of sow farrowing crates (subject to a delayed commencement) and add improving the standard of accommodation for farrowing sows to the purposes for financial assistance in Clause 1.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC13

To move the following Clause—

“Livestock farming practices: research

- (1) The Secretary of State must—
- (a) conduct,
 - (b) commission, or
 - (c) assist the conduct of
- research into the impact on animal welfare of highly intensive livestock farming practices in England.

Agriculture Bill, continued

- (2) The Secretary of State, in assisting in the conduct of research under subsection (1)(c), must—
- (a) provide financial assistance, and
 - (b) make available the services of any person or other resources.”

Member’s explanatory statement

This new clause would require the Secretary of State to conduct or commission research into the impact on animal welfare of highly intensive livestock farming practices in England.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC14

To move the following Clause—

“Livestock farming practices: duty to promote research

The Secretary of State must promote the conduct of research into the impact on animal welfare of highly intensive livestock farming practices in England.”

Member’s explanatory statement

This new clause would require the Secretary of State to promote the conduct of research into the impact on animal welfare of highly intensive livestock farming practices in England.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC15

To move the following Clause—

“Grouse shooting and management: review and consultation

- (1) The Secretary of State must—
 - (a) commission an independent review of the economic, environmental and wildlife impacts of driven grouse shooting, and
 - (b) consult on regulation of grouse moor management.
- (2) The Secretary of State must make available the services of any person or other resources to assist in the conduct of a review under subsection (1)(a).
- (3) The Secretary of State must publish a summary of responses to the consultation under sub-section (1)(b).
- (4) The Secretary of State must, no later than three months from the day on which—
 - (a) the review commissioned under subsection (1)(a) is received, or
 - (b) the consultation under subsection (2) closes,

Agriculture Bill, continued

whichever is the sooner, publish a statement of future policy on grouse shooting and grouse moor management.”

Member's explanatory statement

This new clause would require the Secretary of State to commission a review of the economic, environmental and wildlife impacts of driven grouse shooting and publish proposals for regulation.

Luke Pollard
Daniel Zeichner
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC16

To move the following Clause—

“Grouse shooting and management: review and consultation (No. 2)

- (1) The Secretary of State must—
 - (a) undertake a review of the economic, environmental and wildlife impacts of driven grouse shooting, and
 - (b) consult on regulation of grouse moor management.
- (2) The Secretary of State must publish a summary of responses to the consultation under sub-section (1)(b).
- (3) The Secretary of State must, no later than three months from the day on which the consultation under subsection (2) closes, publish a statement of future policy on grouse shooting and grouse moor management.”

Member's explanatory statement

This new clause would require the Secretary of State to conduct a review of the economic, environmental and wildlife impacts of driven grouse shooting and publish proposals for regulation.

Deidre Brock
Dave Doogan

NC17

★ To move the following Clause—

“Report on agricultural payments to the Scottish Ministers

- (1) The Secretary of State must, no later than one month before IP completion day, lay before Parliament a statement of his or her policy on whether sums will be made available to Scottish Ministers each year after IP completion day which are at least equivalent to the sums made available to Scottish Ministers in the year prior to IP completion day for the purpose of expenditure under—
 - (a) the European Agricultural Guarantee Fund, and
 - (b) the European Agricultural Fund for Rural Development as 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*

- (2) “IP completion day” shall have the meaning given in section 39 of the European Union (Withdrawal Agreement) Act 2020.”
-

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC18

★ To move the following Clause—

“Financial assistance: duty to provide advice

- (1) The Secretary of State must make regulations to secure the provision of training, guidance and advice to persons receiving financial assistance under this Act, for the purpose of enabling those persons to deliver the purpose or purposes for which the financial assistance is given.
- (2) Regulations under subsection (1) may include provision for advice on matters which include but are not limited to—
- (a) the impact of any practice upon the environment,
 - (b) business management, including the development of business plans,
 - (c) the health and welfare of livestock,
 - (d) the safety and health of workers in any agricultural sector,
 - (e) innovation, including alternative methods of pest, disease and weed control,
 - (f) food safety, insofar as it relates to the production of food or any activity in, or in close connection with, an agri-food supply chain,
 - (g) the operation of any mechanism for applying for, or receiving, financial assistance under this Act, and
 - (h) marketing of any product falling within an agricultural sector under Schedule 1.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

Member’s explanatory statement

This new clause would require the Secretary of State to make provision for training, guidance and advice to be made available to persons receiving financial assistance.

Agriculture Bill, continued

Daniel Zeichner
Luke Pollard
Ruth Jones
Dr Alan Whitehead
Thangam Debbonaire

NC19

★ To move the following Clause—

“Report on impact of Act upon agricultural workers

- (1) The Secretary of State shall, within 18 months of Royal Assent being given to this Act, lay before Parliament a report containing an assessment of the impact of the provisions of this Act on agricultural workers in England.
- (2) The report under subsection (1) shall include assessments of the impact of the Act upon each of the factors listed in subsection (3).
- (3) The factors are agricultural workers’—
 - (a) living standards,
 - (b) pay,
 - (c) conditions of employment, and
 - (d) accommodation.
- (4) The report under subsection (1) shall include an analysis of the impact on each factor under subsection (3)—
 - (a) in each region of England, and
 - (b) in each agricultural sector, within the meaning given in Schedule 1.
- (5) The Secretary of State shall, no later than three months after the report under subsection (1) has been laid, open a public consultation on—
 - (a) the report laid under subsection (1) and any conclusions which it might draw or proposals which it might contain, and
 - (b) the merits of establishing a sector negotiating body to be responsible for setting on an annual basis minimum—
 - (i) living standards,
 - (ii) pay,
 - (iii) conditions of employment, and
 - (iv) standards and terms of accommodation for agricultural workers.
- (6) “Agricultural worker” shall, for the purposes of this section, be taken to mean any person engaged in—
 - (a) agriculture, as defined in section 109 of the Agriculture Act 1947, or
 - (b) forestry.”

Member’s explanatory statement

This new clause would require the Secretary of State to report on the impact of the Act on agricultural workers in England, and to consult on the findings of that report and the merits of establishing a sector negotiating body.

 Agriculture Bill, *continued*

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC20

★ 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—
 - (a) to monitor the use and effects of pesticides in the management of livestock or land, to conduct research into alternative methods of pest control and to promote their take-up,
 - (b) to conduct research into alternative methods of pest control and to 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.

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC21

★ To move the following Clause—

“Licences to cull badgers for control of tuberculosis: repeal

- (1) No licence may be granted to kill or take badgers, or to interfere with a badger sett, for the purpose of preventing the spread of bovine tuberculosis.

Agriculture Bill, continued

- (2) Sub-paragraph (1)(g) of section 10 of the Protection of Badgers Act 1992 is accordingly amended by omitting “disease” and substituting “any disease other than bovine tuberculosis.””

Member’s explanatory statement

This new clause would end the provision under which a licence can be granted to kill badgers for the purpose of preventing the spread of bovine tuberculosis.

Daniel Zeichner
 Luke Pollard
 Ruth Jones
 Dr Alan Whitehead
 Thangam Debbonaire

NC22

- ★ To move the following Clause—

“Consultation on regulatory framework: enforcement

- (1) The Secretary of State must, within one calendar month of this Act being given Royal Assent, open a consultation on what body should regulate and enforce the regulatory framework under section *Duty and regulations governing agricultural and horticultural activity*.
- (2) The consultation shall seek views on whether an existing body should carry out the regulation and enforcement under subsection (1) or whether a new body should be created for that purpose.
- (3) The Secretary of State must, in any consultation under subsection (1), consult with persons or bodies representing persons who he or she considers are affected by the functions of the proposed body.
- (4) The Secretary of State must lay before both Houses of Parliament—
- (a) in summary form, the views expressed in the consultation held under subsection (1), and
 - (b) a statement of how the Secretary of State intends to proceed, with his or her reasons for doing so.”
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ORDER OF THE HOUSE [3 FEBRUARY 2020]

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 10 March 2020.
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

Agriculture Bill, continued

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.

Other proceedings

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

ORDER OF THE COMMITTEE [11 FEBRUARY 2020]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 11 February) meet—
 - (a) at 2.00 pm on Tuesday 11 February;
 - (b) at 11.30 am and 2.00 pm on Thursday 13 February;
 - (c) at 9.25 am and 2.00 pm on Tuesday 25 February;
 - (d) at 11.30 am and 2.00 pm on Thursday 27 February;
 - (e) at 9.25 am and 2.00 pm on Tuesday 3 March;
 - (f) at 11.30 am and 2.00 pm on Thursday 5 March;
 - (g) at 9.25 am and 2.00 pm on Tuesday 10 March;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 11 February	Until no later than 10.30 am	Nature Friendly Farming Network; Farmwel; LEAF; British Growers Association
Tuesday 11 February	Until no later than 11.25 am	RSPB; RSPCA; Rare Breed Survival Trust; Traceability Design User Group; Livestock Information Ltd
Tuesday 11 February	Until no later than 2.30 pm	Ulster Farmers Union; DAERA
Tuesday 11 February	Until no later than 3.00 pm	NFU; National Federation of Young Farmers Clubs
Tuesday 11 February	Until no later than 3.30 pm	Cooperatives UK
Tuesday 11 February	Until no later than 4.15 pm	Campaign to Protect Rural England; Kings Crops; Holkham Estate
Tuesday 11 February	Until no later than 5.00 pm	Country Land and Business Association; Tenant Farmers Association

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<i>Date</i>	<i>Time</i>	<i>Witness</i>
Thursday 13 February	Until no later than 12.15 pm	NFU Cymru; Farmers' Union of Wales; Welsh Government
Thursday 13 February	Until no later than 1.00 pm	Soil Association
Thursday 13 February	Until no later than 2.30 pm	NFU Scotland; Quality Meat Scotland; Scottish Government
Thursday 13 February	Until no later than 3.00 pm	George Monbiot, The Guardian
Thursday 13 February	Until no later than 3.30 pm	Professor Bill Keevil, University of Southampton
Thursday 13 February	Until no later than 4.00 pm	Unite; Landworkers Alliance
Thursday 13 February	Until no later than 4.30 pm	Sustain; Compassion in World Farming
Thursday 13 February	Until no later than 5.00 pm	Which?

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 28; Schedule 1; Clause 29; Schedule 2; Clauses 30 to 34; Schedule 3; Clause 35; Schedule 4; Clauses 36 to 43; Schedule 5; Clauses 44 and 45; Schedule 6; Clauses 46 to 49; Schedule 7; Clauses 50 to 54; new Clauses; new Schedules; remaining proceedings on the Bill;
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 10 March.
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