



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Wednesday 29 April 2020

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: NC5

CONSIDERATION OF BILL (REPORT STAGE)

AGRICULTURE BILL, AS AMENDED

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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

Simon Hoare
Anne Marie Morris
Dr Neil Hudson
Peter Aldous
Kerry McCarthy
Andrew Selous

Stephen Farry
Fiona Bruce

Julian Sturdy
Caroline Lucas

Ben Lake
Mr Barry Sheerman

NC1

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—

Agriculture Bill, *continued*

- (a) animal welfare,
 - (b) protection of the environment,
 - (c) food safety, hygiene and traceability, and
 - (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.”
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Neil Parish
 Mary Glendon
 Mrs Sheryll Murray
 Rosie Duffield
 Julian Sturdy
 Geraint Davies

Dr Neil Hudson

Caroline Lucas

Mr Barry Sheerman

NC2

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 that contains provisions relating to the importation of agricultural and food products into the UK unless they have first made a statement confirming that—
- (a) the agreement contains an affirmation of the United Kingdom’s rights and obligations under the World Trade Organisation Sanitary and Phytosanitary Agreement, and
 - (b) any agricultural or food product imported into the UK under the agreement will have been produced or processed according to standards which are equivalent to, or which exceed, the relevant domestic standards and regulations in relation to—
 - (i) animal health and welfare,
 - (ii) plant health, and
 - (iii) environmental protection.
- (2) A statement under subsection (1) shall be laid before each House of Parliament.
- (3) Before the first statement under subsection (1) may be made, the Secretary of State must by regulations specify—
- (a) the process by which the Secretary of State will determine—
 - (i) that the standards to which any agricultural or food product imported into the UK under a trade agreement is produced or processed are equivalent to, or exceed, the relevant domestic

Agriculture Bill, *continued*

- standards and regulations in relation to animal health and welfare, plant health and environmental protection, and
- (ii) that the enforcement of standards in relation to any product under sub-paragraph (3)(a)(i) is at least as effective as the enforcement of the equivalent domestic standards and regulations in the UK;
 - (b) the “relevant domestic standards and regulations” for the purposes of subsections (1)(b) and (3)(a)(i).
- (4) The Secretary of State may make regulations amending any regulations made under subsection (3).
 - (5) Regulations under subsection (3) or (4) shall be made under the affirmative procedure.
 - (6) In this section—
 - “international trade agreement” means—
 - (a) an agreement that is or was notifiable under—
 - (i) paragraph 7(a) of Article XXIV of the General Agreement on Tariffs and Trade, part of Annex 1A to the WTO Agreement (as modified from time to time), or
 - (ii) paragraph 7(a) of Article V of the General Agreement on Trade in Services, part of Annex 1B to the WTO Agreement (as modified from time to time), or
 - (b) an international agreement that mainly relates to trade, other than an agreement mentioned in sub-paragraph (i) or (ii);
 - “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;
 - “World Trade Organisation Sanitary and Phytosanitary 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.”

Sir Edward Leigh

NC3

To move the following Clause—

“Groceries Code Adjudicator

The Adjudicator established by the Groceries Code Adjudicator Act 2013 shall be responsible for ensuring compliance with Part 3 of this Act.”

 Agriculture Bill, *continued*

Mark Garnier
 Angus Brendan MacNeil

NC4

To move the following Clause—

“Agriculture: duty to promote exports

- (1) The Secretary of State must take steps to increase opportunities for any person carrying on agriculture to export an agricultural product.
- (2) Steps under subsection (1) may include measures to seek to secure the lifting of any—
 - (a) ban on export of an agricultural product,
 - (b) tariff or other form of barrier to trade,
 - (c) excessive regulation, or
 - (d) controls at national borders, local content rules or other barrier to entry for an agricultural product.
- (3) The Secretary of State must, no later than twelve months after Royal Assent has been given to this Act, lay before each House of Parliament a report setting out measures taken under subsection (2) and the impact of such measures.
- (4) The Secretary of State must within twelve months of laying a report under subsection (3), and once every calendar year thereafter, lay a report setting out measures taken under subsection (2), and the impact of such measures, in the period since the previous such report was laid.
- (5) In this section—

“agricultural product” shall mean anything produced in the course of carrying on agriculture, and

“agriculture” shall have the meaning given in section 22(6) of this Act.”

Caroline Lucas

NC5

★ To move the following Clause—

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

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

“agriculture” has the meaning given in section 15(6), and

“public building” includes any building used for the purposes of education.

Agriculture Bill, *continued*

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

Member’s explanatory statement

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

Sir Edward Leigh

3

Clause 1, page 2, leave out lines 19 and 20 and insert—

“(g) protecting or improving the management of landscapes and biodiversity through pasture-fed grazing livestock systems including the conservation of native livestock, native equines or genetic resources relating to any such animal;”

Sir Edward Leigh
Dr Neil Hudson

2

Clause 1, page 2, line 25, at end insert—

“(k) protecting or improving the health, well-being and food security of citizens.”

Kerry McCarthy
Caroline Lucas

18

Clause 1, page 2, line 25, at end insert—

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

Kerry McCarthy
Caroline Lucas

19

Clause 1, page 3, line 17, at end insert—

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

Sir Edward Leigh

4

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

“(2A) In every case such conditions shall include the following restrictions to the eligibility of a recipient of financial assistance—

(a) financial assistance may only be made to individuals or groups of individuals, natural or otherwise, operating land where the predominant use is agricultural as defined by section 96(1) of the Agricultural Holdings Act 1986; and

Agriculture Bill, *continued*

- (b) financial assistance may only be made available to individuals or groups of individuals, natural or otherwise, who are—
 - (i) in occupation of or with rights of common over the land for which the financial assistance is being claimed;
 - (ii) taking the entrepreneurial risk for the decisions made in relation to the management of the land for which the financial assistance is being claimed; and
 - (iii) in day-to-day management control of the land for which the financial assistance has been claimed.”

Gareth Thomas

17

Clause 2, page 3, line 33, at end insert—

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

5

Clause 4, page 5, line 14, at end insert—

- “(d) set out the budgeted annual expenditure to be used to achieve each of the aforementioned strategic priorities for the plan period.”
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Sir Edward Leigh

6

Clause 8, page 7, line 40, leave out “2021” and insert “2022”

Agriculture Bill, *continued*

Neil Parish

1

Clause 16, page 12, line 42, at end insert—

“(ba) making provision for future contributions to existing rural socio-economic schemes;”

Member’s explanatory statement

This amendment would safeguard the availability of financial provisions to continue the socio-economic programmes under Rural Development Programmes in the event of delays in the introduction of the UK Shared Prosperity Fund.

Sir Edward Leigh

7

Clause 17, page 14, line 32, at end insert—

“(3) As part of the report, the Secretary of State must set out food security targets and specify and implement any actions required to ensure that those targets are met.”

Sir Edward Leigh

8

Clause 18, page 15, leave out lines 2 and 3 and insert—

“(a) there is an acute or chronic disturbance in agricultural markets or a serious threat of an acute or chronic disturbance in agricultural markets caused by economic or environmental factors, and”

Sir Edward Leigh

12

Schedule 3, page 50, line 15, leave out “may” and insert “must”

Sir Edward Leigh

11

Schedule 3, page 50, leave out lines 25 to 36 and insert—

“(3) A request falls within this subsection if—

(a) it is a request for—

(i) the landlord’s consent to a matter which under the terms of the tenancy requires such consent, or

(ii) a variation of the terms of the tenancy, or

(iii) the landlord’s consent to a matter which otherwise requires such consent.

(b) it is made for the purposes of—

(i) enabling the tenant to request or apply for relevant financial assistance or relevant financial assistance of a description specified in the regulations, or

Agriculture Bill, continued

- (ii) complying with a statutory duty, or a statutory duty of a description specified in the regulations, applicable to the tenant, or
- (iii) to secure either or both of the full and efficient farming of the holding or an environmental improvement, and”.

Sir Edward Leigh

13

Schedule 3, page 51, line 34, at end insert “, or
 “(d) a scheme of financial assistance in whatever form introduced by Welsh Ministers;”

Sir Edward Leigh

16

Schedule 3, page 54, line 20, at end insert—

“Succession on death of tenant

21A In section 35, leave out subsection (2) and insert—

“(2) In sections 36 to 48 below (and in Part I of Schedule 6 to this Act)—

“close relative” of a deceased tenant means—

- (a) the wife husband or civil partner of the deceased;
- (b) a brother or sister of the deceased;
- (c) a child of the deceased;
- (d) a nephew or niece of the deceased;
- (e) a grandchild of the deceased;
- (f) any person (not within (b) or (c) or (d) or (e) above) who, in the case of any marriage or civil partnership or other cohabitation to which the deceased was a at any time a party, was treated by the deceased as a child of the family in relation to that marriage or civil partnership or other cohabitation;”

Sir Edward Leigh

15

Schedule 3, page 54, line 20, at end insert—

“Succession on retirement of tenant

21B In section 49, leave out subsection (3) and insert—

“(3) In this section and sections 50 to 58 below (and in Part I of Schedule 6 to this Act as applied by section 50(4))—

“close relative” of the retiring tenant means—

- (a) the wife husband or civil partner of the retiring tenant;
- (b) a brother or sister of the retiring tenant;
- (c) a child of the retiring tenant;
- (d) a nephew or niece of the retiring tenant;
- (e) a grandchild of the retiring tenant;
- (f) any person (not within (b) or (c) or (d) or (e) above) who, in the case of any marriage or civil partnership or other cohabitation to which the retiring tenant has been at any time a party, has been treated by the latter as a child of the family in relation to that marriage or civil partnership or other cohabitation;”

Agriculture Bill, *continued*

Sir Edward Leigh

14

Schedule 3, page 54, line 24, at end insert—

“Termination of tenancies of 10 years or more

22A Before section 8 insert—

““7A7ATermination of tenancies of 10 years or more

- (1) Where a farm business tenancy has been granted for a fixed term of 10 years or more without any provision for the landlord to terminate the tenancy on a specific date or dates during the fixed term, the landlord may serve notice to quit on the tenant of the holding using the provisions of the Agricultural Holdings Act 1986 Schedule 3 Parts I and II in accordance with the Agricultural Holdings Act 1986 Schedule 4 and all Orders introduced as mentioned in that schedule in respect of the following cases—
 - (a) Case B
 - (b) Case D
 - (c) Case E
 - (d) Case F
 - (e) Case G
- (2) In addition to any compensation required to be paid to the tenant by the landlord following the termination of a tenancy using Case B, the landlord shall pay additional compensation to the tenant at an amount equal to ten years’ rent of the holding or attributed to the part of the holding upon which notice to quit has been served at the rate at which rent was payable immediately before the termination of the tenancy.””

Sir Edward Leigh

10

Schedule 3, page 55, line 19, at end insert—

“Requests for landlord’s consent or variation of terms

25A Before section 28 insert—

““27A7ADisputes relating to requests for landlord’s consent or variation of terms

- (3) The appropriate authority must by regulations make provision for the tenant of an agricultural holding to refer for arbitration under this Act a request made by the tenant to the landlord where—
 - (a) the request falls within subsection (3), and
 - (b) no agreement has been reached with the landlord on the request.
- (4) The regulations may also provide that, where the tenant is given the right to refer a request to arbitration, the landlord and tenant may instead refer the request for third party determination under this Act.
- (5) A request falls within this subsection if—
 - (a) it is a request for—
 - (i) the landlord’s consent to a matter which under the terms of the tenancy requires such consent, or

Agriculture Bill, continued

- (ii) a variation of the terms of the tenancy, or
 - (iii) the landlord's consent to a matter which otherwise requires such consent
 - (b) it is made for the purposes of—
 - (i) enabling the tenant to request or apply for relevant financial assistance or relevant financial assistance of a description specified in the regulations, or
 - (ii) complying with a statutory duty, or a statutory duty of a description specified in the regulations, applicable to the tenant, or
 - (iii) to secure either or both of the full and efficient farming of the holding or an environmental improvement, and
 - (c) it meets such other conditions (if any) as may be specified in the regulations.
- (6) The regulations may provide for the arbitrator or third party on a reference made under the regulations, where the arbitrator or third party considers it reasonable and just (as between the landlord and tenant) to do so—
 - (a) to order the landlord to comply with the request (either in full or to the extent specified in the award or determination);
 - (b) to make any other award or determination permitted by the regulations.
- (7) The regulations may (among other things) make provision—
 - (a) about conditions to be met before a reference may be made;
 - (b) about matters which an arbitrator or third party is to take into account when considering a reference;
 - (c) for regulating the conduct of arbitrations or third-party determinations;
 - (d) about the awards or determinations which may be made by the arbitrator or third party, which may include making an order for a variation in the rent of the holding or for the payment of compensation or costs;
 - (e) about the time at which, or the conditions subject to which, an award or determination may be expressed to take effect;
 - (f) for restricting a tenant's ability to make subsequent references to arbitration where a reference to arbitration or third-party determination has already been made under the regulations in relation to the same tenancy.
- (8) The provision covered by subsection (5)(e) includes, in the case of a request made for the purpose described in subsection (3)(b)(i), conditions relating to the making of a successful application for assistance.
- (9) In this section—
 - “appropriate authority” means—
 - (a) in relation to England, the Secretary of State, and
 - (b) in relation to Wales, the Welsh Ministers;
 - “relevant financial assistance” means financial assistance under—

Agriculture Bill, *continued*

- (a) section 1 of the Agriculture Act 2020 (powers of Secretary of State to give financial assistance),
- (b) section 19 of, or paragraph 7 of Schedule 5 to, that Act (powers of Secretary of State and Welsh Ministers to give financial assistance in exceptional market conditions), or
- (c) a scheme of the sort mentioned in section 2(4) of that Act (third party schemes), or
- (d) a scheme of financial assistance in whatever form introduced by Welsh Ministers;
 - “statutory duty” means a duty imposed by or under—
 - (a) an Act of Parliament;
 - (b) an Act or Measure of the National Assembly for Wales;
 - (c) retained direct EU legislation.”

Secretary George Eustice

20

Schedule 5, page 60, line 28, after “modify” insert “any of the following legislation so far as it has effect in relation to Wales”

Member’s explanatory statement

This Amendment and Amendment 21 remove the limitations on the purposes for which the Welsh Ministers may modify the legislation listed. The changes mean that the powers of the Welsh Ministers, in relation to Wales, are the same as those of the Department of Agriculture, Environment and Rural Affairs in Northern Ireland, in relation to Northern Ireland.

Secretary George Eustice

21

Schedule 5, page 60, line 32, leave out sub-paragraph (2)

Member’s explanatory statement

See the explanatory statement for Amendment 20.

Secretary George Eustice

22

Schedule 5, page 61, line 15, leave out “negative resolution procedure (unless section 47(5) applies)” and insert “affirmative resolution procedure”

Member’s explanatory statement

As the effect of Amendment 21 is to broaden the powers of the Welsh Ministers, this amendment provides for an exercise of the power to be subject to the affirmative resolution procedure.

Sir Edward Leigh

9

Schedule 5, page 61, leave out lines 25 and 26 and insert—

- “(a) there is an acute or chronic disturbance in agricultural markets or a serious threat of an acute or chronic disturbance in agricultural markets caused by economic or environmental factors, and”

Agriculture Bill, *continued*

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 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.
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