



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Thursday 7 May 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: 23 to 34, 36 to 42 and NC6 to NC14

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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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
 Stephen Farry

Julian Sturdy
 Caroline Lucas

Ben Lake
 Mr Barry Sheerman

Fiona Bruce
 Sir Edward Leigh

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—
 - (a) animal welfare,

Agriculture Bill, *continued*

- (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.”

Neil Parish
 Mary Glendon
 Mrs Sheryll Murray
 Rosie Duffield
 Julian Sturdy
 Geraint Davies

Dr Neil Hudson
 Sir Edward Leigh

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.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glendon

NC6

★ 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 health and 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 standards under UK law relating to—
 - (a) animal health and welfare,
 - (b) protection of the environment,
 - (c) food safety, hygiene and traceability, and
 - (d) plant health

which must be met in the course of production of any imported agricultural goods.
- (3) A register under subsection (2) must be updated within seven days of any amendment to any standard listed in the register.
- (4) “Agricultural goods”, for the purposes of this section, means anything produced by a producer operating in one or more agricultural sectors listed in Schedule 1.
- (5) “IP completion day” has the meaning given in section 39 of the European Union (Withdrawal Agreement) Act 2020.”

Member’s explanatory statement

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

 Agriculture Bill, *continued*

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glendon

NC7

★ To move the following Clause—

“Coronavirus emergency food plan

- (1) The Secretary of State must, within six months of Royal Assent being given to this Act, prepare and lay before Parliament a document (a “coronavirus emergency food plan”) setting out measures to address the impact of coronavirus and coronavirus disease, and action taken in response, upon the supply of food.
- (2) The coronavirus emergency food plan must assess and address—
 - (a) the matters listed in section 17(2);
 - (b) the following matters—
 - (i) the incidence of hunger, malnutrition and food poverty measured (a) nationally and (b) by local authority area;
 - (ii) the level of demand for emergency food aid and the adequacy of services to meet that demand;
 - (iii) the availability, distribution and affordability of nutritious and healthy food;
 - (iv) the ease of access to nutritious and healthy food across different socio-economic groups and communities;
 - (v) the functioning of the food supply chain, including stock levels of individual food items and any cross-border issues impacting upon the import and export of food; and
 - (vi) the level of any financial assistance provided by a public authority to farmers, growers and the fishing and fish processing sectors as a result of coronavirus or coronavirus disease.
- (3) The plan may take account of information provided in response to a requirement under section 25 of the Coronavirus Act 2020 (power to require information relating to food supply chains), subject to the restrictions on the use and disclosure of information set out in section 27 of that Act (restrictions on use and disclosure of information).
- (4) In this section—

“coronavirus” means severe acute respiratory syndrome coronavirus 2;

“coronavirus disease” means COVID-19 (the official designation of the disease which can be caused by coronavirus);

“financial assistance” means assistance provided by way of grant, loan, guarantee or indemnity, and any other kind of financial assistance (actual or contingent).”

Member’s explanatory statement

This new clause would require the Secretary of State lay before Parliament a coronavirus emergency food plan, within six months of Royal Assent.

Agriculture Bill, continued

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glendon

NC8

★ 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—
 - (a) the management of land or water in a way that protects or improves the environment;
 - (b) 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;
 - (c) public access to and enjoyment of the countryside, farmland or woodland and better understanding of the environment;
 - (d) the management of land or water in a way that maintains, restores or enhances cultural or natural heritage;
 - (e) improving public health;
 - (f) the management of land, water or livestock in a way that mitigates or adapts to climate change;
 - (g) the management of land or water in a way that prevents, reduces or protects from environmental hazards;
 - (h) the protection or improvement of the health or welfare of livestock;
 - (i) the conservation of native livestock, native equines or genetic resources relating to any such animal;
 - (j) the protection or improvement of the health of plants;
 - (k) 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
 - (l) 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.

Agriculture Bill, *continued*

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

Member’s explanatory statement

See explanatory statement for Amendment 30.

Stephen Farry

NC9

★ To move the following Clause—

“Duration of provision in relation to Northern Ireland

- (1) Section 45 and Schedule 6 expire at the end of 2026.
- (2) Regulations made under paragraph 8(1) of Schedule 6 (power to modify retained direct EU legislation relating to public market intervention and private storage aid) cease to have effect at the end of 2026 (so that any amendment made by them ceases to have effect and any enactment repealed by them is revived). But see subsections (4) and (5) for saving provision.
- (3) Otherwise, subsection (1) does not affect the continuation in force or effect of any regulations made, or other thing done, by virtue of Schedule 6 before the end of 2026.
- (4) Despite subsections (1) and (2), paragraph 7 of Schedule 6, and regulations made under paragraph 8(1) of that Schedule, continue to have effect in relation to any period which ends after the end of 2026 and for which DAERA is giving, or has agreed to give, financial assistance under paragraph 7 of Schedule 6.
- (5) Subsection (2) does not affect the lawfulness of anything done in accordance with retained direct EU legislation as modified by regulations made under paragraph 8(1) of Schedule 6 before those regulations cease to have effect.
- (6) DAERA may by regulations make transitional, transitory or saving provision in connection with this section.
- (7) The provision which may be made by virtue of subsection (6) includes provision modifying primary legislation, retained direct EU legislation or subordinate legislation.
- (8) Regulations under this section which contain provision modifying primary legislation (with or without other provision) are subject to affirmative resolution procedure.
- (9) Other regulations under this section are subject to negative resolution procedure.”

Member’s explanatory statement

This new clause is designed to introduce a sunset clause so that provisions relating to Northern Ireland are timebound, whilst allowing suitable time for the development of bespoke legislation within the next Assembly term and taking into account disruptions in future planning as a result of the Covid19 crisis.

Agriculture Bill, *continued*

Tim Farron

NC10

★ To move the following Clause—

“International trade agreements covering agricultural goods: standards and approval

- (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 meets the conditions in subsections (2) and (3).
- (2) The condition in this subsection is that the agreement prohibits the importation into the United Kingdom of any agricultural product unless the standards to which that product was 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) employment rights, and
 - (d) food safety.
- (3) The condition in this subsection is that—
 - (a) upon conclusion of the negotiations on the agreement, the text of any element of the agreement which concerns trade in agricultural products has been laid before Parliament,
 - (b) the House of Commons has approved by resolution a motion moved by a Minister of the Crown which approves the text of any element which concerns trade in agricultural products, and
 - (c) the House of Lords has debated a motion in the same terms as that approved by the House of Commons.
- (4) A motion under subsection (3)(b) shall be framed in terms which permit amendment.
- (5) For the purposes of this section—

“agriculture product” shall mean any product which falls within an agricultural sector listed in Schedule 1 or which is derived from any such product,

“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 agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (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.”

 Agriculture Bill, *continued*

Tracey Crouch

NC11

★ To move the following Clause—

“Mandatory labelling of animal products as to farming method

- (1) The Secretary of State shall make regulations requiring meat, meat products, milk, milk products and egg products (including those produced intensively indoors) to be labelled as to the method of farming.
- (2) The labelling required under subsection (1) shall be placed on the front outer surface of the packaging and shall be in easily visible and clearly legible type.
- (3) Regulations under subsection (1) shall (among other things) lay down—
 - (a) the labelling term to be used for each product;
 - (b) the conditions that must be met for the use of each labelling term.
- (4) Regulations under subsection (1) may exclude from the labelling requirement products containing meat, meat products, milk, milk products or egg products where the total proportion by weight of one or more of these items in the product is less than fifteen percent.
- (5) 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 labelling regulations that require meat, meat products, milk and milk products, and egg products, including those which have been produced intensively, to be labelled as to farming method. Eggs are not included as legislation already requires eggs to be labelled as to farming method.

Deidre Brock

NC12

★ 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 General Agreement on Tariffs and Trade, part of Annex 1A to the WTO
 - (i) Agreement (as modified from time to time), or
 - (ii) paragraph 7(a) of Article V of 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 subparagraph (i) or (ii);

Agriculture Bill, *continued*

“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.”

Caroline Lucas

NC13

★ To move the following Clause—

“Public procurement

When procuring and providing food, the Government, its agencies and other public bodies must promote the highest standards of animal welfare.”

Member’s explanatory statement

This new clause creates a provision akin to section 15(5)(c)(ii) of the Procurement Reform (Scotland) Act 2014 which requires the procurement strategy of public bodies to “promote the highest standards of animal welfare”.

Caroline Lucas

NC14

★ To move the following Clause—

“Carbon emissions: net-zero and interim targets

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

Agriculture Bill, *continued*

- (5) The Secretary of State must, within twelve months of this Bill receiving Royal Assent, publish a statement of the policies to be delivered in order to meet the interim emissions reduction targets published under subsection (3).
- (6) In this section—
- (a) “net UK carbon account” shall have the meaning given in section 27 of the Climate Change Act 2008, and
- (b) “budgetary periods” and “carbon budgets” shall have the meaning given in section 4 of the Climate Change Act 2008.”

Member’s explanatory statement

This new clause would set a target of net-zero green-house gas emissions for agriculture and related land use in the UK by 2050 at the latest. It would place a duty on the Secretary of State to publish interim emissions reduction targets – and policy proposals to ensure those targets are met.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

26

- ★ Clause 1, page 2, line 9, 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.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

27

- ★ Clause 1, page 2, line 13, 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 29.

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;”

Agriculture Bill, *continued*

- Sir Edward Leigh 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.”
- Tim Farron 36
- ★ Clause 1, page 2, line 25, at end insert—
 “(k) supporting upland landscapes and communities”
- Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon 28
- ★ 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 26.
- Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon 29
- ★ 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 27.

Agriculture Bill, *continued*

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
- (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.”

Keir Starmer
Luke Pollard
Daniel Zeichner
Emily Thornberry
Mary Glendon

30

★ 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 NC8 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.

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).

Agriculture Bill, continued

- (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.”

Caroline Lucas

42

★ Clause 3, page 4, line 18, at end insert—

“(e) development of a target or targets for the uptake of Integrated Pest Management based upon agroecological farming practices, including organic farming, and a robust system for monitoring progress towards such targets.”

Member’s explanatory statement

This new amendment would enable the Secretary of State to set and monitor progress towards targets for the uptake of Integrated Pest Management based on agroecological farming practises, including for organic farming, in order to ensure that financial assistance granted under the Agriculture Bill is meeting its objectives in terms of environmental outcomes.

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.”

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.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

23

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

Member’s explanatory statement

This amendment would make the Secretary of State’s report on food security annual instead of five-yearly.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

24

★ Clause 17, page 14, line 27, at end insert—

“(ba) food poverty and progress towards achievement of the UN Sustainable Development Goal on hunger, malnutrition and food poverty (SDG 2);”

Member’s explanatory statement

This amendment would add food poverty and progress towards the achievement of UN Sustainable Development Goal 2 to the matters to be covered by the report.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

25

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

“(f) food insecurity.

“(3) For the purposes of this section “food insecurity” means a person’s state in which consistent access to adequate food is limited by a lack of money and other resources at times during the year.

(4) Before laying a report under subsection (1) the Secretary of State must—

(a) consult the Scottish Ministers, the Welsh Ministers, the relevant Northern Ireland department, and such other persons as the Secretary of State considers appropriate, and

Agriculture Bill, *continued*

- (b) have due regard to international best practice on food insecurity, including but not limited to the United States Household Food Security Survey.
- (5) A report under subsection (1) must include—
 - (a) an assessment of trends in food insecurity, broken down by different parts of the United Kingdom and different regions of England, and
 - (b) a summary of actions to be taken in areas of high food insecurity by the UK Government, the Scottish Government, the Welsh Government or the Northern Ireland Executive.
- (6) In this section—
 - “parts of the United Kingdom” means—
 - (a) England,
 - (b) Scotland,
 - (c) Wales, and
 - (d) Northern Ireland;
 - “regions of England” has the same meaning as that used by the Office for National Statistics.”

Member’s explanatory statement

This amendment would add food insecurity to the matters to be covered by the report.

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”

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

31

- ★ Clause 27, page 23, line 15, leave out “a specified person” and insert “the Groceries Code Adjudicator”

Member’s explanatory statement

This amendment is intended to ensure that the role of regulating agricultural contracts is given to the Groceries Code Adjudicator’s office.

 Agriculture Bill, *continued*

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

32

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

“(8A) The Groceries Code Adjudicator Act 2013 is amended, by inserting after section 2 (Arbitration)—

“2A Fair dealing: determination of complaints alleging non-compliance

- (1) If a complaint relating to alleged non-compliance is referred to the Adjudicator under section 27(8)(a) of the Agriculture Act 2020, the Adjudicator must determine the complaint.
- (2) In determining any allegation of non-compliance under subsection (1), the Adjudicator must act in accordance with any regulations made under subsection (1) of section 27 of the Agriculture Act 2020 which make provision for investigation of complaints, imposition of penalties or a requirement to pay compensation, as specified by subsection (8) of section 27 of that Act.”

Member’s explanatory statement

This amendment would specify the process to be followed by the Groceries Code Adjudicator’s office in determining a complaint made under the Agriculture Act 2020.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

33

★ Clause 27, page 23, line 25, after “any” insert “competent and appropriate”

Member’s explanatory statement

This amendment is intended to ensure that the role of regulating agricultural contracts is given to a body which is competent to undertake qualitative assessments; for example, the Groceries Code Adjudicator’s office.

Keir Starmer
 Luke Pollard
 Daniel Zeichner
 Emily Thornberry
 Mary Glindon

34

★ Clause 27, page 23, line 26, after “provide for a” insert “competent and appropriate”

Member’s explanatory statement

This amendment is intended to ensure that the role of regulating agricultural contracts is given to a body which is competent to undertake qualitative assessments; for example, the Groceries Code Adjudicator’s office.

Agriculture Bill, continued

Deidre Brock 38
 ★ Clause 33, page 30, line 44, at end insert—
 “(2A) The scheme must be made by 1 April 2021.”

Deidre Brock 39
 ★ Clause 42, page 38, line 28, leave out subsections (4) and ((5).

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
 (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;”

Agriculture Bill, continued

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;”

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—

“7A Termination 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

Agriculture Bill, *continued*

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—

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

- (1) 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.
- (2) 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.
- (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
 - (ii) complying with a statutory duty, or a statutory duty of a description specified in the regulations, applicable to the tenant, or

Agriculture Bill, continued

- (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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) 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—
 - (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;

Agriculture Bill, continued

- (b) an Act or Measure of the National Assembly for Wales;
- (c) retained direct EU legislation.””

Caroline Lucas

40

- ★ Schedule 4, page 56, line 21, at end insert—

“Pigmeat

Products falling within the table in Part XVII of Annex 1 of the CMO Regulation, but excluding any entry in the table for live animals”.

Member’s explanatory statement

This amendment adds “pigmeat” to Schedule 4. Clause 35 enables the Secretary of State to establish marketing standards in relation to products that “fall within a sector listed in Schedule 4”. Sectors listed include beef and veal, poultry and poultrymeat, milk and milk products, and eggs and egg products, but not pigmeat.

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.

 Agriculture Bill, *continued*

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”
-

Caroline Lucas

41

- ★ Title, line 10, after “WTO Agreement on Agriculture;” insert “to make provision about the procurement of food by public bodies;”

Member’s explanatory statement

This amends the long title to enable the Bill to require the Secretary of State to require public procurement of food to promote the highest standards of animal welfare.

Tracey Crouch

37

- ★ Title, line 17, after “with the WTO Agreement on Agriculture;” insert “to require animal products to be labelled as to farming method;”

Member’s explanatory statement

This would amend the long title to enable the Bill to require the Secretary of State to make regulations requiring animal products to be labelled as to farming method.

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.

Agriculture Bill, *continued*

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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