



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Thursday 25 June 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: 1 to 5 and NC1 to NC4

CONSIDERATION OF BILL (REPORT STAGE)

TRADE BILL

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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

NC1

★ To move the following Clause—

“Report on proposed free trade agreement

- (1) This section applies (subject to subsection (2)) where the United Kingdom has authenticated a free trade agreement (“the proposed agreement”), if—
 - (a) the other party (or each other party) and the European Union were signatories to a free trade agreement immediately before exit day, or
 - (b) where the proposed agreement was authenticated by the United Kingdom before exit day, the other party (or each other party) and the European Union were signatories to a free trade agreement on the day the proposed agreement was authenticated by the United Kingdom.

Trade Bill, *continued*

- (2) This section applies only if the proposed agreement is not binding on the United Kingdom as a matter of international law unless it is ratified by the United Kingdom.
- (3) Before the United Kingdom ratifies the proposed agreement, a Minister of the Crown must lay before Parliament a report which gives details of, and explains the reasons for, any significant differences between—
 - (a) the trade-related provisions of the proposed agreement, and
 - (b) the trade-related provisions of the existing free trade agreement.
- (4) Subsection (3) does not apply if a report in relation to the proposed agreement has been laid before Parliament under section [*Report to be laid with regulations under section 2(1)*2].
- (5) The duty imposed by subsection (3) applies only at a time when regulations may be made under section 2(1)(see section 2(7)).
- (6) In this section a reference to authenticating a free trade agreement is a reference to doing an act which establishes the text of the agreement as authentic and definitive as a matter of international law.
- (7) In this section—

“the existing free trade agreement” means the free trade agreement referred to in subsection (1) (a) or (b);

the “trade-related provisions” of a free trade agreement are the provisions of the agreement that mainly relate to trade.”

Member’s explanatory statement

This new clause reinserts a Government amendment made to the Trade Bill in 2018 and requires a Minister to lay a report before Parliament before the UK ratifies a new free trade agreement with a country that (before exit day) had a free trade agreement with the EU. The report must explain any significant differences between the proposed new agreement and the existing agreement with the EU.

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

NC2

- ★ To move the following Clause—

“Reporting requirement not to apply in exceptional cases

- (1) Section [*Report on proposed free trade agreement*] does not apply to a free trade agreement if a Minister of the Crown is of the opinion that, exceptionally, the agreement needs to be ratified without laying before Parliament a report which meets the requirements of subsection (3) of that section.
- (2) If a Minister determines that a free trade agreement is to be ratified without laying before Parliament a report which meets the requirements of section [*Report on proposed free trade agreement*] (3), the Minister must, as soon as practicable after the agreement is ratified, lay before Parliament—
 - (a) a report which meets those requirements, and

Trade Bill, continued

- (b) a statement indicating that the Minister is of the opinion mentioned in subsection (1) and explain why.”

Member’s explanatory statement

This new clause provides that the reporting requirement under section [Report on proposed free trade agreement] would not apply if a Minister takes the view that, exceptionally, the agreement should be ratified without the reporting requirement being met.

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

NC3

- ★ To move the following Clause—

“Report to be laid with regulations under section 2(1)

- (1) This section applies where a Minister of the Crown proposes to make regulations under section 2(1) for the purpose of implementing a free trade agreement to which the United Kingdom and another signatory (or other signatories) are signatories.
- (2) A draft of the statutory instrument containing the regulations may not be laid before Parliament unless, at least 10 Commons sitting days before the draft is laid, a Minister of the Crown has laid before Parliament a report which gives details of, and explains the reasons for, any significant differences between—
 - (a) the trade-related provisions of the free trade agreement to which the United Kingdom and the other signatory (or other signatories) are signatories, and
 - (b) the trade-related provisions of the existing free trade agreement.
- (3) Subsection (2) does not apply if, at least 10 Commons sitting days before a draft of the statutory instrument containing the regulations is laid, a report in relation to the agreement has been laid before Parliament under section [Report on proposed free trade agreement](3).
- (4) In this section—
 - “Commons sitting day” means a day on which the House of Commons begins to sit;
 - “the existing free trade agreement” means the free trade agreement to which the European Union and the other signatory (or other signatories) were signatories immediately before exit day;
 - the “trade-related provisions” of a free trade agreement are the provisions of the agreement that mainly relate to trade.”

Member’s explanatory statement

This new clause reinserts a Government amendment made to the Trade Bill in 2018 and requires a Minister to lay a report before Parliament at least 10 Commons sitting days before regulations implementing a new free trade agreement are laid in draft under clause 2(1). The report is required to explain any significant differences between the new agreement and the existing agreement with the EU.

Trade Bill, *continued*

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

NC4

★ To move the following Clause—

“Parliamentary approval of trade agreements

- (1) Negotiations towards a free trade agreement may not commence until the Secretary of State has laid draft negotiating objectives in respect of that agreement before both Houses of Parliament, and a motion endorsing draft negotiating objectives has been approved by a resolution of both Houses of Parliament.
 - (2) Prior to the draft negotiating objectives being laid, the Secretary of State must have—
 - (a) consulted with each devolved authority on the content of the draft negotiating objectives, and
 - (b) produced a sustainability impact assessment including, but not limited to, an assessment of the impact on food safety, health, the environment and animal welfare.
 - (3) The United Kingdom may not become a signatory to a free trade agreement to which this section applies unless a draft of the agreement in the terms in which it was to be presented for signature by parties to the agreement has been laid before, and approved by, a resolution of both Houses of Parliament.
 - (4) Before either House of Parliament may be asked to approve by resolution the text of a proposed free trade agreement, the Secretary of State must—
 - (a) consult with each devolved authority on the text of the proposed agreement, and
 - (b) lay before both Houses a report assessing the compliance of the text of the proposed agreement with any standards laid down by primary or subordinate legislation in the United Kingdom including, but not limited to, legislation governing or prescribing standards on food safety, health, the environment and animal welfare.
 - (5) In this section—

“devolved authority” has the meaning given in section 4(1) of this Act, and
“free trade agreement” means any agreement which is—

 - (a) within the definition given in section 4(1) of this Act, and
 - (b) an agreement between the United Kingdom and one or more partners that includes components that facilitate the trade of goods, services or intellectual property.”
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Trade Bill, *continued*

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

- 1
- ★ Clause 2, page 2, line 10, leave out “is a signatory” and insert “was a signatory on 31 December 2019”

Member’s explanatory statement

The most recent EU FTA which was rolled over, was in December 2019. This amendment would provide that any further FTA entered into would not come under the EU FTA roll over provisions of Clause 2.

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

- 2
- ★ Clause 2, page 2, line 35, leave out “five” and insert “three”

Member’s explanatory statement

This amendment reinserts a Government amendment made to the Trade Bill in 2018. It proposes to reduce, from five years to three, the time period during which a) EU FTAs can be rolled over and b) previously rolled over FTAs can be reamended.

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

- 3
- ★ Clause 2, page 2, line 36, leave out “five” and insert “three”

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

- 4
- ★ Clause 2, page 2, line 39, leave out “five” and insert “three”

Member’s explanatory statement

This amendment reinserts a Government amendment made to the 2018 Trade Bill in 2018. If the Government decides to extend the period to make regulations under Clause 2, any such period should not be more than three years.

Mr Jonathan Djanogly
Neil Parish
Richard Fuller
George Freeman
Richard Graham

- 5
- ★ Clause 2, page 2, line 41, leave out “five” and insert “three”
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Trade Bill, *continued*

ORDER OF THE HOUSE [20 MAY 2020]

That the following provisions shall apply to the Trade 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 Thursday 25 June 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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