



House of Commons

Tuesday 23 June 2020

PUBLIC BILL COMMITTEE PROCEEDINGS

TRADE BILL

[FIRST TO SIXTH SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

[FIRST AND SECOND SITTINGS]

Greg Hands

Agreed to

That—

- (1) the Committee shall (in addition to its first meeting at 9.25am on Tuesday 16 June) meet—
 - (a) at 2.00pm on Tuesday 16 June;
 - (b) at 11.30am and 2.00pm on Thursday 18 June;
 - (c) at 9.25am and 2.00pm on Tuesday 23 June;
 - (d) at 11.30am and 2.00pm on Thursday 25 June;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

Trade Bill, continued**TABLE**

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 16 June	Until no later than 10.30am	The Institute of Directors The Confederation of British Industry
Tuesday 16 June	Until no later than 11.00am	Advertising Association
Tuesday 16 June	Until no later than 11.25am	Perpetuum Ltd
Tuesday 16 June	Until no later than 2.40pm	Ernst & Young UK Trade Policy Observatory
Tuesday 16 June	Until no later than 3.10pm	The National Farmers' Union
Tuesday 16 June	Until no later than 3.45pm	The Chemical Industries Association Make UK
Tuesday 16 June	Until no later than 4.10pm	The Trades Union Congress
Tuesday 16 June	Until no later than 4.30pm	Monckton Chambers
Tuesday 16 June	Until no later than 4.50pm	Trade Remedies Authority
Thursday 18 June	Until no later than 12.00pm	Client Earth The Trade Justice Movement
Thursday 18 June	Until no later than 12.30pm	Digital Trade Network Sam Lowe, Centre for European Reform
Thursday 18 June	Until no later than 1.00pm	British Chamber of Commerce in Korea

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 3; Schedules 1 to 3; Clauses 4 and 5; Schedules 4 and 5; Clauses 6 to 12; 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 5.00pm on Thursday 25 June.
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Trade Bill, continued

Greg Hands

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Agreed to

Greg Hands

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

Agreed to

The following witnesses gave oral evidence:

Allie Renison, Head of EU and Trade Policy, Institute of Directors; and Jonathan Brenton, Head of Trade Policy, CBI

Konrad Shek, Deputy Director of Policy & Regulation, Advertising Association

Roy Freeland, CEO, Perpetuum Ltd

George Riddell, Director, Trade Policy, Ernst & Young; and Professor L. Alan Winters, UK Trade Policy Observatory

Nick von Westenholz, EU Exit and International Trade Director, National Farmers' Union

Richard Warren, Head of Policy & External Affairs, UK Steel; and Ian Cranshaw, Head of International Trade and Operations Manager at Chemicals Northwest, Chemical Industries Association

Rosa Crawford, Policy Officer, Trades Union Congress

George Peretz QC, Monkton Chambers

Simon Walker CBE, Chair Designate, Trade Remedies Authority

[THIRD AND FOURTH SITTINGS]

Greg Hands

That, the Order of the Committee of 16 June be varied so as to omit the final three rows in the table and substitute the following—

Thursday 18 June	Until no later than 12.10 pm	Client Earth The Trade Justice Movement
Thursday 18 June	Until no later than 12.35pm	Sam Lowe, Senior Research Fellow, Centre for European Reform and member of the Strategic Trade Advisory Group
Thursday 18 June	Until no later than 1.00pm	Nick Ashton-Hart, Geneva Representative, Digital Trade Network

Agreed to

Trade Bill, continued

The following witnesses gave oral evidence:

David Lawrence, Senior Political Adviser, Trade Justice Movement; Tom West, IJK Environment Lead, Client Earth.

Sam Lowe, Senior Research Fellow, Centre for European Reform (also a member of the Strategic Trade Advisory Group).

Nick Ashton Hart, Geneva Representative, Digital Trade Network

Stewart Hosie
Drew Hendry

Withdrawn after debate 29

Clause 1, page 1, line 4, leave out “may” and insert “must”

Bill Esterson
Gareth Thomas
Matt Western
Charlotte Nichols
Fleur Anderson

Negated on division 24

Clause 1, page 1, line 16, at end insert—

- “(1A) No regulations under subsection (1) may be made until the Secretary of State has entered into negotiations with other parties to the GPA with the objective of enabling greater labour market interventions and compliance with ILO standards in any UK procurement contract to which the GPA applies, and
- (a) the Secretary of State has made a statement to the House of Commons that the objective has been achieved either in full or in part, or
 - (b) the Secretary of State has made a statement to the House of Commons that the objective has not been achieved.”

Bill Esterson
Gareth Thomas
Matt Western
Charlotte Nichols
Fleur Anderson

Not called 25

Clause 1, page 1, line 16, at end insert—

- “(1A) No regulations under subsection (1) may be made until the Secretary of State has entered into negotiations with other parties to the GPA with the objective of securing greater environmental exceptions and carbon considerations in any UK procurement contract to which the GPA applies, and
- (a) the Secretary of State has made a statement to the House of Commons that the objective has been achieved either in full or in part, or
 - (b) the Secretary of State has made a statement to the House of Commons that the objective has not been achieved.”

Trade Bill, continued

Bill Esterson
 Gareth Thomas
 Matt Western
 Charlotte Nichols
 Fleur Anderson

Not called **26**

Clause 1, page 1, line 16, at end insert—

- “(1A) No regulations under subsection (1) may be made until the Secretary of State has entered into negotiations with other parties to the GPA with the objective of securing greater scope for UK small and medium-sized enterprises in any UK procurement contract to which the GPA applies, and
- (a) the Secretary of State has made a statement to the House of Commons that the objective has been achieved either in full or in part, or
 - (b) the Secretary of State has made a statement to the House of Commons that the objective has not been achieved.”

Bill Esterson
 Gareth Thomas
 Matt Western
 Charlotte Nichols
 Fleur Anderson

Not called **27**

Clause 1, page 1, line 16, at end insert—

- “(1A) No regulations under subsection (1) may be made until the Secretary of State has entered into negotiations with other parties to the GPA with the objective of securing improvements to public health as a consequence of any UK procurement contract to which the GPA applies, and
- (a) the Secretary of State has made a statement to the House of Commons that the objective has been achieved either in full or in part, or
 - (b) the Secretary of State has made a statement to the House of Commons that the objective has not been achieved.”

Clause agreed to.

Stewart Hosie
 Drew Hendry

Withdrawn after debate **30**

Clause 2, page 2, line 9, leave out “appropriate” and insert “necessary”

Stewart Hosie
 Drew Hendry

Withdrawn after debate **31**

Clause 2, page 2, leave out lines 13 and 14 and insert—

- “(b) an agreement between two or more countries aimed at reducing the barriers to trade in goods or services between them”
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Trade Bill, *continued*

[FIFTH AND SIXTH SITTINGS]

Gareth Thomas
 Bill Esterson
 Charlotte Nichols
 Matt Western
 Fleur Anderson

Negated on division 4

Clause 2, page 2, line 14, at end insert—

- “(2A) Regulations under subsection (1) to make provision for the purpose of implementing an international trade agreement may only be made if—
- (a) the provisions of section [*Parliamentary scrutiny of free trade agreements before signature*] were complied with before the United Kingdom had ratified the agreement;
 - (b) the requirements under subsection (3) and under paragraph 4(1) to (1D) of Schedule 2 have been met;
 - (c) the requirements under subsection (4) and under paragraph 4(1) to (1D) of Schedule 2 have been met; or
 - (d) the requirements under subparagraph 4A(1) to (1D) of Schedule 2 have been met.”

Gareth Thomas
 Bill Esterson
 Charlotte Nichols
 Matt Western
 Fleur Anderson

Negated on division 5

Clause 2, page 2, line 15, leave out subsections (3) and (4) and insert—

- “(3) Paragraph 4 of Schedule 2 shall apply to any regulations under subsection (1) which make provision for the purpose of implementing a free trade agreement if the other signatory (or each other signatory) and the European Union were signatories to a free trade agreement immediately before exit day.
- (4) Paragraph 4 of Schedule 2 shall apply to any regulations under subsection (1) which make provision for the purpose of implementing an international trade agreement other than a free trade agreement if the other signatory (or each other signatory) and the European Union were signatories to an international trade agreement immediately before exit day.
- (4A) Paragraph 4A of Schedule 2 shall apply to any regulations under subsection (1) which make provision for the purpose of implementing any international trade agreement not falling within subsection (3) or subsection (4) above.”

Gareth Thomas
 Bill Esterson
 Charlotte Nichols
 Matt Western
 Fleur Anderson

Withdrawn after debate 9

Clause 2, page 2, line 15, leave out subsections (3) and (4) and insert—

- “(3) Regulations under subsection (1) may make provision for the purpose of implementing a free trade agreement only if the other signatory (or each other signatory) and the European Union had ratified a free trade agreement with each other immediately before exit day.
- (4) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement other than a free trade agreement

Trade Bill, continued

only if the other signatory (or each other signatory) and the European Union had ratified an international trade agreement with each other immediately before exit day.”

Gareth Thomas
Bill Esterson
Charlotte Nichols
Matt Western
Fleur Anderson

Negatived on division 10

Clause 2, page 2, line 23, at end insert—

- “(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if the provisions of that international trade agreement do not conflict with, and are consistent with—
- (a) the provisions of international treaties ratified by the United Kingdom;
 - (b) the provisions of the Sustainable Development Goals adopted by the United Nations General Assembly on 25 September 2015;
 - (c) the primacy of human rights law;
 - (d) international human rights law and international humanitarian law;
 - (e) the United Kingdom’s obligations on workers’ rights and labour standards as established by but not limited to—
 - (i) the commitments under the International Labour Organisation’s Declaration on Fundamental Rights at Work and its Follow-up Conventions; and
 - (ii) the fundamental principles and rights at work inherent in membership of the International Labour Organisation;
 - (f) women’s rights and are in accordance with the United Kingdom’s obligations established by but not limited to the Convention on the Elimination of All Forms of Discrimination Against Women;
 - (g) children’s rights and are in accordance with the United Kingdom’s obligations established by but not limited to the Convention on the Rights of the Child; and
 - (h) the sovereignty of Parliament, the legal authority of UK courts, the rule of law and the principle of equality before the law.”

Gareth Thomas
Bill Esterson
Charlotte Nichols
Matt Western
Fleur Anderson

Negatived on division 11

Clause 2, page 2, line 23, at end insert—

- “(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if the provisions of that international trade agreement do not conflict with, and are consistent with the United Kingdom’s environmental obligations in international law and as established by but not limited to—
- (a) the Paris Agreement adopted under the United Nations Framework Convention on Climate Change;
 - (b) the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); and
 - (c) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety.”

Trade Bill, continued

Gareth Thomas
 Bill Esterson
 Charlotte Nichols
 Matt Western
 Fleur Anderson

Negatived on division 12

Clause 2, page 2, line 23, at end insert—

- “(4A) Regulations under subsection (1) may make provision for the purpose of implementing an international trade agreement only if the provisions of that international trade agreement do not in any way restrict the ability—
- (a) to make public services at a national or local level subject to public monopoly;
 - (b) to make public services at a national or local level subject to exclusive rights granted to private operators; and
 - (c) to bring public services at a national or local level back into the public sector for delivery by public sector employees.”

Gareth Thomas
 Bill Esterson
 Charlotte Nichols
 Matt Western
 Fleur Anderson

Negatived on division 13

Clause 2, page 2, line 23, at end insert—

- “(4A) Regulations may only be made under subsection (1) if—
- (a) the provisions of the international trade agreement to which they relate are consistent with standards for food safety and quality as set and administered by—
 - (i) the Department of Health;
 - (ii) the Food Standards Agency;
 - (iii) Food Standards Scotland; and
 - (iv) any other public authority specified in regulations made by the Secretary of State;
 - (b) the Secretary of State is satisfied that mechanisms and bodies charged with enforcement of standards for food safety and quality have the capacity to absorb any extra requirement which may arise from the implementation of the agreement;
 - (c) the provisions of the international trade agreement to which they relate are consistent with policy to achieve reduction in the risk of disease or contamination as set and administered by—
 - (i) the Department of Health;
 - (ii) the Food Standards Agency;
 - (iii) Food Standards Scotland; and
 - (iv) any other public authority specified in regulations made by the Secretary of State;
 - (d) the provisions of the international trade agreement to which they relate are consistent with achieving improvements in public health through any food policy priorities set and administered by—
 - (i) the Department of Health;
 - (ii) the Food Standards Agency;
 - (iii) Food Standards Scotland; and

Trade Bill, *continued*

- (iv) any other public authority specified in regulations made by the Secretary of State;
- (e) the provisions of the international trade agreement to which they relate are compliant with policy to achieve targets for farm antibiotic reduction set by the Veterinary Medicines Directorate;
- (f) the provisions of the international trade agreement to which they relate are compliant with retained EU law relating to food standards and the impact of food production upon the environment; and
- (g) any food or food products to which the provisions of the international trade agreement apply meet standards of labelling, indication of provenance, and packaging specified by the Food Standards Agency or Food Standards Scotland.”

Gareth Thomas
Bill Esterson
Charlotte Nichols
Matt Western
Fleur Anderson

Clause 2, page 2, leave out lines 27 and 28

Withdrawn after debate 14

Stewart Hosie
Drew Hendry

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

- “(6A) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 6 of Schedule 1), unless the Scottish Ministers consent.
- (6B) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 7 of Schedule 1), unless the Welsh Ministers consent.
- (6C) No regulations may be made under subsection (1) by a Minister of the Crown, so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 8 of Schedule 1), unless a Northern Ireland devolved authority (within the meaning of paragraph 9 of Schedule 1) gives consent.”

Withdrawn after debate 8

[Adjourned until Thursday at 11.30 am