



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Friday 25 September 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: NC1*

## COMMITTEE OF THE WHOLE HOUSE

### PRIVATE INTERNATIONAL LAW (IMPLEMENTATION OF AGREEMENTS) BILL [*LORDS*]

#### 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**This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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  
Sir Robert Neill

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

“(5) The 2007 Lugano Convention on Jurisdiction and the Recognition and Enforcement of Judgements in Civil and Commercial Matters shall have the force of law in the United Kingdom, conditional upon the United Kingdom accession to such Convention.”

**Private International Law (Implementation of Agreements) Bill [Lords], continued**

Mr Jonathan Djanogly  
Sir Robert Neill

NC1

★ To move the following Clause—

**“Implementation of other agreements on private international law**

- (1) The appropriate national authority may make regulations for the purpose of, or in connection with, implementing an international agreement, as it has effect from time to time, so far as relating to private international law (a “relevant international agreement”).
- (2) The appropriate national authority may make regulations for the purpose of, or in connection with, applying a relevant international agreement, with or without modifications, as between different jurisdictions within the United Kingdom.
- (3) The appropriate national authority may make regulations for the purpose of, or in connection with, giving effect to any arrangements made between—
  - (a) Her Majesty’s government in the United Kingdom, and
  - (b) the government of a relevant territory,
 for applying a relevant international agreement, with or without modifications, as between the United Kingdom, or a jurisdiction within the United Kingdom, and that territory.
- (4) This section applies (subject to subsection (5)) where the United Kingdom has authenticated a relevant international agreement.
- (5) 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.
- (6) Before the United Kingdom ratifies the proposed agreement, a Minister of the Crown must lay before Parliament a report which gives details of the proposed agreement.
- (7) In this section a reference to authenticating a relevant international 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.
- (8) This section applies where a Minister of the Crown proposes to make regulations under subsections (1), (2) or (3) for the purpose of implementing a relevant international agreement to which the United Kingdom and another signatory (or other signatories) are signatories.
- (9) 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, the relevant international agreement.
- (10) In this section “Commons sitting day” means a day on which the House of Commons begins to sit.
- (11) Regulations under this section may make—
  - (a) consequential, supplementary, incidental, transitional or saving provision;
  - (b) different provision for different purposes or for different parts of the United Kingdom.
- (12) Regulations under this section may include provision about—
  - (a) enforcement of obligations arising under or by virtue of the regulations;
  - (b) sharing of information;
  - (c) legal aid.

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**Private International Law (Implementation of Agreements) Bill [Lords], continued**

- (13) No regulations may be made under subsections (1),(2) or (3) after the end of the period of 2 years beginning with the date of enactment of this Act.
- (14) In this section—
- “appropriate national authority” means—
- (a) in relation to England and Wales, the Secretary of State;
  - (b) in relation to Scotland—
    - (i) the Scottish Ministers, or
    - (ii) the Secretary of State acting with the consent of the Scottish Ministers;
  - (c) in relation to Northern Ireland—
    - (i) a Northern Ireland department, or
    - (ii) the Secretary of State acting with the consent of a Northern Ireland department;
- “international agreement” means a convention, treaty or other agreement to which the United Kingdom is, or is expected to become, a party and which is set out in section 1 of this Act;
- “private international law” includes rules and other provisions about—
- (a) jurisdiction and applicable law;
  - (b) recognition and enforcement in one country or territory of any of the following that originate in another country or territory—
    - (i) a judgment, order or arbitral award;
    - (ii) an agreement, decision or authentic instrument determining or otherwise relating to rights and obligations;
  - (c) co-operation between judicial or other authorities in different countries or territories in relation to—
    - (i) service of documents, taking of evidence and other procedures, or
    - (ii) anything within paragraph (a) or (b);
- “relevant international agreement” has the meaning given in subsection (1);
- “relevant territory” means—
- (a) the Isle of Man;
  - (b) any of the Channel Islands;
  - (c) a British overseas territory.
- (15) This section has effect, with the following modifications, in relation to a model law adopted by an international organisation of which the United Kingdom is a member as it has effect in relation to an international agreement to which the United Kingdom is, or is expected to become, a party.
- The modifications are—
- (a) a reference in this section or that Schedule to implementing or applying a relevant international agreement is to be read as a reference to giving effect to the model law (with or without modifications);
  - (b) subsection (1) is to be read as if the words “as revised from time to time” were substituted for the words “as it has effect from time to time”.

**Private International Law (Implementation of Agreements) Bill [Lords], continued***Member's explanatory statement*

*This new clause is a modified version of clause 2 removed from the Bill by the House of Lords. This new clause requires a Minister to lay a report before Parliament at least 10 Commons sitting days before regulations implementing a relevant international agreement are laid in draft under subsections (1), (2) and (3) requires a Minister to lay a report before Parliament before the UK ratifies a private international law agreement with another country and contains a sunset provision.*

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## ORDER OF THE HOUSE [2 SEPTEMBER 2020]

That the following provisions shall apply to the Private International Law (Implementation of Agreements) Bill [Lords]:

*Committal*

1. The Bill shall be committed to a Committee of the whole House.

*Proceedings in Committee, on Consideration and up to and including Third Reading*

2. Proceedings in Committee of the whole House, any 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 in Committee of the whole House are commenced.
3. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
4. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

*Other proceedings*

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