



House of Commons
NOTICES OF AMENDMENTS
 given up to and including
Wednesday 16 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: 42 to 79, NC7 and NC8

COMMITTEE OF THE WHOLE HOUSE

UNITED KINGDOM INTERNAL MARKET BILL

NOTE

This document includes all remaining amendments and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the Order of the House [14 September 2020].

*CLAUSE 11; CLAUSES 40 TO 45; CLAUSE 50; NEW CLAUSES AND NEW SCHEDULES
 RELATING TO PART 5*

Stephen Farry
 Patrick Grady
 Drew Hendry
 Kirsten Oswald
 Liz Saville Roberts
 Hywel Williams

Ben Lake

Claire Hanna

Colum Eastwood

41

☆ Clause **40**, page **31**, line **16**, at end insert—

“(1A) When exercising any functions covered by this Part, any appropriate authority has a paramount duty—

- (a) to act without prejudice to all international and domestic law, including the Withdrawal Agreement;
- (b) to address the unique circumstances on the island of Ireland;

United Kingdom Internal Market Bill, *continued*

- (c) to maintain the necessary conditions for continued North-South cooperation;
- (d) to avoid a hard border on the island of Ireland;
- (e) to protect the Belfast/Good Friday Agreement in all its dimensions.”

Member’s explanatory statement

This amendment is intended to provide a safeguard so that any actions with respect to Part 5 of the Bill must be consistent with relevant existing international and domestic law commitments, including the terms of the Withdrawal Agreement and its Ireland/Northern Ireland Protocol.

Sir Jeffrey M Donaldson
Sammy Wilson
Gavin Robinson
Mr Gregory Campbell
Jim Shannon
Ian Paisley

Paul Girvan

Carla Lockhart

68

- ★ Clause 40, page 31, line 16, at end insert—

“(1A) Regulations that would introduce new requirements for goods traded from Great Britain to Northern Ireland may not come into force without the consent of the Northern Ireland Assembly.

(1B) No additional official or administrative costs consequent on any regulations of the kind mentioned in subsection (1A) may be recouped from the private sector.

Member’s explanatory statement

The intention of this amendment is to require the consent of the Northern Ireland Assembly before trade frictions are imposed on goods traded from Great Britain to Northern Ireland, and to protect Northern Ireland businesses from paying for any new administrative costs.

Colum Eastwood
Claire Hanna

45

- ★ Clause 40, page 31, line 16, at end insert—

“(d) the need to maintain the necessary conditions for continued North-South cooperation in—

(i) the areas of environment, health, agriculture, transport, education and tourism, energy, telecommunications, broadcasting, inland fisheries, justice and security, trade and business development, higher education and sport, and

(ii) any other area that may be agreed by a body established under the provisions of the Good Friday Agreement.”

Member’s explanatory statement

This amendment would aim to build into the Bill the need for ministers to maintain the conditions necessary for North-South co-operation in areas specified under the Good Friday Agreement.

Colum Eastwood
Claire Hanna

48

- ★ Clause 40, page 31, line 16, at end insert —

“(d) the need to ensure that there would be no new checks on goods moving from Northern Ireland to Ireland, and

United Kingdom Internal Market Bill, *continued*

- (e) the need to ensure that there would be no new checks on goods moving from Ireland to Northern Ireland.”

Member’s explanatory statement

This amendment would aim to require Ministers to have special regard to ensuring that there are no new checks on goods moving from Northern Ireland to Ireland or vice versa.

Sir Jeffrey M Donaldson
Sammy Wilson
Gavin Robinson
Mr Gregory Campbell
Jim Shannon
Ian Paisley

Paul Girvan

Carla Lockhart

67

★ Clause 40, page 31, line 26, at end insert—

“(2A) On or after IP completion day, an appropriate authority must not exercise any function in a way that would—

- (a) result in an existing kind of GB-NI check, control or administrative process being used—
- (i) for the first time, or
 - (ii) for a new purpose or to a new extent; or
- (b) result in a new kind of GB-NI check, control or administrative process—
- (i) being introduced, or
 - (ii) being used.

“(2B) For the purposes of this section—

- (a) a “GB-NI” check, control or administrative process is one applicable to the direct movement of goods produced in a part of the United Kingdom from Great Britain to Northern Ireland;
- (b) goods are to be regarded as “produced in” a part of the United Kingdom (if not wholly produced there) if the most recent significant regulated step in their production has occurred there.”
- (c) an “existing kind” of GB-NI check, control or administrative process is one that—
- (i) was in use or available for use immediately before IP completion day, or
 - (ii) is the same as, or substantially similar to, one that was in use or available for use immediately before IP completion day (the “predecessor”);
- (d) a “new kind of” GB-NI check, control or administrative process is one that is not of an existing kind;
- (e) where an GB-NI check, control or administrative process is of an existing kind because of paragraph (b)(ii), that check, control or administrative process and the predecessor are to be treated as a single function for the purpose of determining whether subsection (1)(a) prevents its exercise;
- (f) the purpose for which, or extent to which, a function would be used is “new” if the function has not been used for that purpose, or to that extent, before IP completion day.

(2C) A Minister of the Crown may by regulations amend this section so that it applies to a type of movement instead of, or in addition to, a type of movement to which

United Kingdom Internal Market Bill, *continued*

it already applies (whether that type of movement is direct movement or another type of movement provided for by regulations under this subsection).”

Member’s explanatory statement

The intention of this amendment is to mirror in Clause 40, in relation to the movement of goods from Great Britain to Northern Ireland, the unfettered access NI-GB provisions in Clause 41.

Colum Eastwood
Claire Hanna

49

★ Page 31, leave out Clause 40

Edward Miliband
Lucy Powell
Paul Blomfield
Mr Nicholas Brown

52

★ Clause 41, page 32, line 4, at end insert—

“(1A) An appropriate authority exercising any function to which this section applies must have regard to the obligations of the United Kingdom under the Withdrawal Agreement, including in particular the duty to seek resolution of disputes through the Joint Committee.”

Member’s explanatory statement

The intention of this amendment is to confirm the process agreed in the Withdrawal Agreement as the mechanism for dispute resolution.

Sir Jeffrey M Donaldson
Sammy Wilson
Gavin Robinson
Mr Gregory Campbell
Jim Shannon
Ian Paisley

Paul Girvan

Carla Lockhart

69

★ Clause 41, page 32, line 4, at end insert—

“(c) result in a new cost on an Northern Ireland business in accessing the market or in meeting conditions of sale on the market that would not exist for Great Britain businesses.”

Member’s explanatory statement

The intention of this amendment is to make unlawful both direct costs and administrative processes and indirect costs such as labelling etc being imposed on Northern Ireland businesses after IP completion day.

Secretary Alok Sharma

61

★ Clause 41, page 32, line 13, at end insert—

“(d) is necessary for the purposes of VAT or excise duty in consequence of the Northern Ireland Protocol, or

United Kingdom Internal Market Bill, *continued*

- (e) is necessary for the purpose of dealing with a threat to biosecurity in Great Britain.”

Member’s explanatory statement

This amendment introduces additional exceptions to the restriction in clause 41(1). The exceptions are for any exercise of functions that is necessary for the purposes of VAT or excise duty in consequence of the Northern Ireland Protocol; or necessary to deal with a threat to biosecurity (human, animal or plant health).

Edward Miliband
Lucy Powell
Paul Blomfield
Mr Nicholas Brown

53

- ★ Clause 41, page 32, line 19, leave out paragraph (b).

Member’s explanatory statement

The intention of this amendment is to omit the disapplication of international domestic law under Clause 45.

Secretary Alok Sharma

62

- ★ Clause 41, page 32, line 22, at end insert—

“(3A) For the purposes of this section the exercise of a function “is necessary for the purposes of VAT or excise duty in consequence of the Northern Ireland Protocol” if—

- (a) the appropriate authority exercising the function is the Treasury, the Commissioners for Her Majesty’s Revenue and Customs, or the Director of Border Revenue,
- (b) the function is exercised for the purposes of VAT or excise duty (including for the purposes of preventing double taxation, partial or complete non-taxation, or evasion), and
- (c) the appropriate authority exercising the function considers that the exercise is necessary in consequence of the Northern Ireland Protocol.”

(3B) For the purposes of this section the exercise of a function “is necessary for the purpose of dealing with a threat to biosecurity in Great Britain” if the exercise of the function consists of—

- (a) the making, or operation, of legislation which satisfies the conditions set out in paragraph 1 of Schedule 1, or
- (b) any other activity which satisfies the conditions set out in paragraph 1(2) (3), (4) and (6) of Schedule 1 (reading any reference in those conditions to “legislation” as a reference to the activity in question).

(3C) In determining for the purposes of subsection (3B)(b) whether the condition in paragraph 1(3) of Schedule 1 is met, a pest or disease is to be taken to be present in Northern Ireland if it is, or may be, present in qualifying Northern Ireland goods (including when the goods are in Great Britain).”

Member’s explanatory statement

This amendment contains interpretation provision relating to the new exceptions introduced by Amendment 61. The exception for threats to biosecurity applies in the same circumstances as the exclusion from the market access principles that is set out in paragraph 1 of Schedule 1.

 United Kingdom Internal Market Bill, *continued*

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

70

- ★ Clause 41, page 32, line 25, after “direct” insert “or indirect”

Member’s explanatory statement

The intention of this amendment is to include within the definition of “NI-GB check” goods which travel indirectly (via Dublin, for example) from Northern Ireland to Great Britain.

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

71

- ★ Clause 41, page 32, line 48, at end insert—

“(5A) Before making regulations under this section, a Minister of the Crown must consult and have regard to the views of the Northern Ireland Executive on the proposed regulations.”

Member’s explanatory statement

The intention of this amendment is to require the Minister to consult the Northern Ireland Executive before making amending the Clause on unfettered access.

Secretary Alok Sharma

63

- ★ Clause 41, page 33, line 16, at end insert—

““excise duty” means any excise duty under—

- (a) the Alcoholic Liquor Duties Act 1979,
- (b) the Hydrocarbon Oil Duties Act 1979, or
- (c) the Tobacco Products Duty Act 1979;”

Member’s explanatory statement

This amendment contains interpretation provision relating to the new exceptions introduced by Amendment 61.

Colum Eastwood
 Claire Hanna

50

- ★ Page 31, leave out Clause 41
-

 United Kingdom Internal Market Bill, *continued*

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

54

- ★ Clause 42, page 33, line 40, at end insert “, and
 (c) the need to respect the rule of law.”

Member’s explanatory statement

This amendment would require Ministers to take into account the rule of law when making regulations about exit procedures for goods moving from Northern Ireland to Great Britain.

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

55

- ★ Clause 42, page 33, line 44, leave out subsection (5).

Member’s explanatory statement

This amendment would remove the provision allowing international and domestic law to be disregarded when regulating exit procedures.

Mr Alistair Carmichael
 Wendy Chamberlain
 Sir Edward Davey
 Sarah Olney
 Tim Farron
 Christine Jardine

Wera Hobhouse
 Daisy Cooper
 Caroline Lucas

Jamie Stone
 Munira Wilson
 Colum Eastwood

Layla Moran
 Stephen Farry
 Claire Hanna

1

Page 33, leave out Clause 42

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

56

- ★ Clause 43, page 34, line 21, after “provision” insert “while having due regard to the rule of law and human rights”

Member’s explanatory statement

This amendment would require the Secretary of State to respect the rule of law and human rights while making provisions under this Clause.

 United Kingdom Internal Market Bill, *continued*

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

57

- ★ Clause 43, page 34, line 23, leave out line 23.

Member's explanatory statement

This amendment would prevent the disapplication or modification of NI Protocol Article 10 under this Clause.

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

58

- ★ Clause 43, page 34, line 26, leave out lines 26 to 28.

Member's explanatory statement

This amendment would protect, under this section about Article 10 of the Northern Ireland Protocol, persons having a right of action in respect of aid.

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

59

- ★ Clause 43, page 34, leave out lines 41 to 44.

Member's explanatory statement

This amendment would stop regulations under this section about NI Protocol Article 10 having the effect that making rights, powers, liabilities, obligations, restrictions, remedies and procedures that would otherwise apply in relation to aid, would not be recognised because they are derived from international or domestic law.

Mr Alistair Carmichael
 Wendy Chamberlain
 Sir Edward Davey
 Sarah Olney
 Tim Farron
 Christine Jardine

Wera Hobhouse
 Daisy Cooper
 Caroline Lucas

Jamie Stone
 Munira Wilson
 Colum Eastwood

Layla Moran
 Stephen Farry
 Claire Hanna

2

Page 34, leave out Clause 43

 United Kingdom Internal Market Bill, *continued*

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown

60

- ★ Clause 44, page 35, line 20, at end insert—

“(1A) The Secretary of State must take into account the need to respect the rule of law in considering whether and how to comply with the requirements mentioned in subsection (1).”

Member’s explanatory statement

This amendment would require the Secretary of State to respect the rule of law in complying with the duty to notify state aid in accordance with Article 10 of the Northern Ireland Protocol.

Colum Eastwood
 Claire Hanna

51

- ★ Page 35, leave out Clause 44

Secretary Alok Sharma

64

- ★ Clause 45, page 36, line 11, at end insert—

“(2A) The period mentioned in each of the following provisions (standard time limits for seeking judicial review), or any corresponding successor provision, may not be extended under any circumstances in relation to a relevant claim or application—

- (a) rule 54.5(1)(b) of the Civil Procedure Rules in relation to England and Wales;
- (b) section 27A(1)(a) of the Court of Session Act 1988 in relation to Scotland;
- (c) rule 4(1) of Order 53 of the Rules of the Court of Judicature (Northern Ireland) 1980 (S.R. (N.I.) 1980 No. 346) in relation to Northern Ireland.

(2B) The jurisdiction and powers of a court or tribunal in relation to a relevant claim or application are subject to subsections (1) and (2).”

Member’s explanatory statement

This amendment and Amendment 65 would provide that the standard time limit for an application for judicial review of regulations under clause 42 or 43 could not be extended.

Ian Blackford
 Drew Hendry
 Patrick Grady
 Margaret Ferrier
 Kirsten Oswald

31

- Clause 45, page 36, line 17, at end insert—

“(3A) The meaning of “incompatible”, “inconsistent”, “incompatibility” and “inconsistency” in this Part shall be determined by regulations made by statutory instrument by the Secretary of State.

(3B) Regulations under subsection (3A) may not be made unless a draft of the regulations has been laid before Parliament and approved by resolution of the House of Commons.

United Kingdom Internal Market Bill, *continued*

(3C) Any draft of regulations laid before Parliament under subsection (3B) must be accompanied by an impact assessment of Her Majesty’s Government’s obligations under international law on Part 5 of this Act.”

Member’s explanatory statement

This amendment would require the definition of incompatible, inconsistent, incompatibility and inconsistency to be determined only after an impact assessment of the UK Government’s obligations under international law has been carried out (see Amendment 32).

Sir Edward Leigh

42

★ Clause 45, page 36, line 17, at end insert—

“(3A) If no agreement has been reached before IP completion day between the EU and the United Kingdom on the free movement of goods in both directions between Northern Ireland and the rest of the United Kingdom, a Minister of the Crown may lay before each House of Parliament a conditional unilateral interpretative declaration, applicable to the Protocol on Ireland/Northern Ireland, setting out how interruption of the free movement of goods between Northern Ireland and the rest of the United Kingdom would not be in accord with the Protocol.”

Member’s explanatory statement

The purpose of this amendment would be for the Government to utilise a conditional unilateral interpretative declaration in order to preserve free movement of goods between Northern Ireland and the rest of the UK without tariffs or controls in the event of no deal.

Secretary Alok Sharma

65

★ Clause 45, page 36, line 18, at end insert—

““relevant claim or application” means—

- (a) a claim for judicial review in relation to England and Wales,
- (b) an application to the supervisory jurisdiction of the Court of Session in relation to Scotland, or
- (c) an application for judicial review in relation to Northern Ireland, where the claim or application is for the purpose of questioning the validity or lawfulness of regulations under section 42(1) or 43(1);”

Member’s explanatory statement

See the explanatory statement for Amendment 64.

Ian Blackford
Drew Hendry
Patrick Grady
Margaret Ferrier
Kirsten Oswald

32

Clause 45, page 36, line 18, after “section —” insert —

““incompatible”, “inconsistent”, “incompatibility” and “inconsistency” have the meaning given in accordance with subsection (3A);”

Member’s explanatory statement

This amendment would require the definition of incompatible, inconsistent, incompatibility and inconsistency to be determined only after an impact assessment of the UK Government’s obligations under international law has been carried out (see Amendment 31).

 United Kingdom Internal Market Bill, *continued*

Colum Eastwood
 Claire Hanna

46

- ★ Clause 45, page 36, leave out line 20.

Member's explanatory statement

This amendment would aim to put in place an understanding that each section of the Act should be compatible or consistent with the Northern Ireland Protocol.

Joanna Cherry

43

- ★ Clause 45, page 36, line 27, leave out “whatsoever” and insert “other than the Human Rights Act 1998 and the European Convention on Human Rights”

Member's explanatory statement

This amendment excepts the Human Rights Act 1998 and the European Convention on Human Rights from the definition of “relevant domestic and international law.”

Colum Eastwood
 Claire Hanna

47

- ★ Clause 45, page 36, line 28, insert —

“but excludes any provision of—

- (a) the European Convention on Human Rights,
- (b) the Human Rights Act 1998,
- (c) the Northern Ireland Act 1998, or
- (d) the Northern Ireland (St Andrews Agreement) Act 2006.”

Member's explanatory statement

This amendment would aim to put in place an understanding that each section of the Act should be compatible or consistent with the legislation specified.

Joanna Cherry

44

- ★ Clause 45, page 36, line 28, at end insert “other than the High Court, Upper Tribunal or Court of Session when considering an application for judicial review.”

Member's explanatory statement

This amendment seeks to make it clear that nothing in Clause 45 ousts the jurisdiction of domestic courts in respect of judicial review of regulations made under Clauses 42 and 43.

Mr Alistair Carmichael
 Wendy Chamberlain
 Sir Edward Davey
 Sarah Olney
 Tim Farron
 Christine Jardine

Wera Hobhouse
 Daisy Cooper
 Caroline Lucas

Jamie Stone
 Munira Wilson
 Colum Eastwood

Layla Moran
 Stephen Farry
 Claire Hanna

3

 United Kingdom Internal Market Bill, *continued*

Stephen Farry
 Patrick Grady
 Drew Hendry
 Kirsten Oswald
 Liz Saville Roberts
 Hywel Williams

Ben Lake

Claire Hanna

Colum Eastwood

NC6

☆ To move the following Clause—

“Duty to seek free movement of goods from Northern Ireland to Great Britain

Ministers of the Crown must use their best endeavours to seek through the Joint Committee (established in the Withdrawal Agreement) the disapplication of export declarations and other exit procedures for goods of Northern Ireland moving to Great Britain, in a manner consistent with the terms of the Withdrawal Agreement and other international obligations.”

Member’s explanatory statement

This new clause, while recognising that under the Withdrawal Agreement export declarations and exit procedures fall under the ambit of the EU Customs Code, would mandate the UK Government to use its endeavours to achieve a waiver for Northern Ireland origin goods moving to Great Britain.

Colum Eastwood
 Claire Hanna

NC7

★ To move the following Clause—

“Compatibility

No power under this Act may be exercised by an appropriate authority unless the exercise (or purpose of the exercise) would be compatible and consistent with—

- (a) the Good Friday or Belfast Agreement of 10 April 1998 between the Government of the United Kingdom and the Government of Ireland and the other participants in the multi-party negotiations, which is annexed to the British-Irish Agreement of the same date, or
- (b) any domestic legislation or subsequent agreement implementing the Agreement.”

Member’s explanatory statement

This new clause would aim to ensure that powers could not be used under the Bill if they were incompatible or inconsistent with the Good Friday Agreement or its associated documents.

 United Kingdom Internal Market Bill, *continued*

Colum Eastwood
Claire Hanna

NC8

- ★ To move the following Clause—

“Exercise of power in connection with Ireland/Northern Ireland Protocol

- (1) In section 8C of the European Union (Withdrawal) Act 2018 (as inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020), in subsection (1), leave out “may” and insert “shall”.
- (2) In Part 1C of Schedule 2 to the European Union (Withdrawal) Act 2018 (as inserted by section 22 of the European Union (Withdrawal Agreement) Act 2020)—
 - (a) in sub-paragraph 11M(1), leave out “may” and insert “shall”, and
 - (b) in sub-paragraph 11M(2), leave out “may” and insert “shall”.

*CLAUSES 1 TO 10; SCHEDULE 1; CLAUSES 12 TO 16; SCHEDULE 2; CLAUSES 17 TO 27;
NEW CLAUSES AND NEW SCHEDULES RELATING TO PARTS 1 TO 3; CLAUSES 48 AND 49;
CLAUSES 51 TO 54; REMAINING NEW CLAUSES; REMAINING NEW SCHEDULES;
REMAINING PROCEEDINGS IN COMMITTEE ON THE BILL*

Ian Blackford
Drew Hendry
Patrick Grady
Margaret Ferrier

34

- Clause 3, page 3, line 24, leave out “consult” and insert “gain the agreement of”
-

Sir Jeffrey M Donaldson
Sammy Wilson
Gavin Robinson
Mr Gregory Campbell
Jim Shannon
Ian Paisley

Paul Girvan

Carla Lockhart

73

- ★ Clause 4, page 3, line 35, leave out “not”

Member’s explanatory statement

The intention of this amendment, linked to Amendment 74, is to ensure that mutual recognition applies to existing legislation as well as future legislation.

 United Kingdom Internal Market Bill, *continued*

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

74

- ★ Clause 4, page 3, line 36, , leave out from “principle” to end of line 10 on page 4.
Member’s explanatory statement
The intention of this amendment, linked to Amendment 73, is to ensure that mutual recognition applies to existing legislation as well as future legislation.

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

75

- ★ Page 3, leave out Clause 4.

Ian Blackford
 Drew Hendry
 Patrick Grady
 Margaret Ferrier

35

- Clause 6, page 5, line 22, leave out “consult” and insert “gain the agreement of”

Ian Blackford
 Drew Hendry
 Patrick Grady
 Margaret Ferrier

36

- Clause 8, page 6, line 41, after “State” insert “, after obtaining the agreement of the devolved administrations,”
-

 United Kingdom Internal Market Bill, *continued*

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

76

- ★ Clause 9, page 7, line 4, leave out “not”

Member’s explanatory statement

The intention of this amendment, linked to Amendment 77, is to ensure that the non-discrimination principle applies to existing legislation as well as future legislation.

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

77

- ★ Clause 9, page 7, line 8, leave out subsections (2) and (3).

Member’s explanatory statement

The intention of this amendment, linked to Amendment 76, is to ensure that the non-discrimination principle applies to existing legislation as well as future legislation.

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

78

- ★ Clause 10, page 7, line 17, at end, insert—

“(2A) In making these regulations, the Secretary of State must have special regard to the need to maintain the integral place of Northern Ireland in the United Kingdom internal market.

Member’s explanatory statement

The intention of this amendment is to ensure that further exclusions from the application of the access principles have regard to safeguarding unfettered access of NI businesses to the UK Internal Market.

 United Kingdom Internal Market Bill, *continued*

Secretary Alok Sharma

5

Schedule 1, page 42, line 5, leave out from “The” to “not” on line 6 and insert “United Kingdom market access principles do not apply to (and sections 2(3) and 5(3) do”

Member’s explanatory statement

This amendment means that measures aimed at preventing the spread of pests or diseases are capable of being excluded from the non-discrimination principle for goods (as well as the mutual recognition principle for goods).

Secretary Alok Sharma

6

Schedule 1, page 42, line 26, at end insert—

“(6A) In determining whether the fifth condition is met the following consideration is to be taken into account: whether the legislation, taken together with any similar legislation applying in the restricting part, imposes measures of similar severity in response to threats of similar severity arising from the potential movement of the pest or disease into, or within, the restricting part (wherever those threats originate).”

Member’s explanatory statement

This amendment means that, in assessing whether a measure aimed at preventing the spread of pests or diseases can reasonably be justified as necessary, account will be taken of whether similar threats are addressed with similar severity.

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

79

★ Schedule 1, page 44, line 40, at end, insert—

“(6A) In the case that there is one REACH authorisation process for Great Britain, an authorisation that is lawful for the Northern Ireland market will be valid for the Great Britain market.”

Member’s explanatory statement

The intention of this amendment is to apply the non-discrimination principle to the REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) regime.

Secretary Alok Sharma

7

Schedule 1, page 45, line 2, at end insert—

“Fertilisers and pesticides

8A The mutual recognition principle for goods does not apply to (and section 2(3) does not affect the operation of) any of the following—

- (a) a prohibition or condition imposed in accordance with Article 15(1) of Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers, as it forms part of retained EU law;

United Kingdom Internal Market Bill, *continued*

- (b) regulations under section 74A(1) of the Agriculture Act 1970, to the extent that such regulations can reasonably be justified as a response to a risk to—
- (i) the health or safety of humans, animals or plants, or
 - (ii) the environment.
- 8B The mutual recognition principle for goods does not apply to (and section 2(3) does not affect the operation of) any of the following—
- (a) Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market (etc), as it forms part of retained EU law;
 - (b) the Plant Protection Products Regulations 2011 (S.I. 2011/2131);
 - (c) the Plant Protection Products Regulations (Northern Ireland) 2011 (S.R. (N.I.) 2011 No. 295)."

Member's explanatory statement

This amendment excludes certain measures in relation to fertilisers and pesticides from the operation of the mutual recognition principle for goods.

Ian Blackford
Drew Hendry
Patrick Grady
Margaret Ferrier
Caroline Lucas

40

Clause 14, page 9, line 26, at end insert—

“(8A) A reference in this Part to “regulations” must take into account the requirements of section (Maintenance of minimum standards).”

Ian Blackford
Drew Hendry
Patrick Grady
Margaret Ferrier

27

Clause 27, page 19, line 42, after “training” insert “that has been agreed and approved by the devolved ministers”

 United Kingdom Internal Market Bill, *continued*

Ian Blackford
 Drew Hendry
 Patrick Grady
 Stephen Farry
 Margaret Ferrier
 Caroline Lucas

NC5

To move the following Clause—

“Maintenance of minimum standards

Regulations under this Part must not result in lower food or environmental standards applying in any part of the United Kingdom than apply in the European Union.”

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Mr Gregory Campbell
 Jim Shannon
 Ian Paisley

Paul Girvan

Carla Lockhart

72

★ Clause 48, page 38, line 49, at end insert—”or

(b) has the effect of making Northern Ireland businesses less competitive in the Great Britain market.”

Member’s explanatory statement

The intention of this amendment is to include within the definition of distortive or harmful subsidies a subsidy which has the effect of making NI businesses less competitive in the GB market.

Liz Saville Roberts
 Drew Hendry
 Hywel Williams
 Ben Lake

Page 37, leave out Clause 48.

13

Ian Blackford
 Drew Hendry
 Patrick Grady
 Margaret Ferrier

Clause 54, page 41, line 23, leave out “Scotland”

Member’s explanatory statement

This amendment would prevent this Act extending to Scotland.

38

United Kingdom Internal Market Bill, *continued*

Sir Robert Neill
 Damian Green
 Sir Oliver Heald
 Simon Hoare
 George Freeman
 Damian Collins

Sir Roger Gale
 Mr Tobias Ellwood
 Karen Bradley
 Ms Nusrat Ghani
 Jack Lopresti

Dr Ben Spencer
 Stephen Hammond
 Julian Sturdy
 David Simmonds
 Tim Loughton

Rehman Chishti
 John Stevenson
 Mr Jonathan Djanogly
 Mr Andrew Mitchell

4

Clause 54, page 41, line 24, at end insert—

“(2A) The relevant sections of this Act come into force in accordance only if—

- (a) a Minister of the Crown has moved a motion in the House of Commons specifying on which date a relevant section comes into force, and
- (b) that motion is approved by resolution of the House of Commons.

(2B) The relevant sections for the purposes of subsection (2A) are sections 42, 43 and 45.”

Member’s explanatory statement

This amendment would prevent any of sections 42 (Power to disapply or modify export declarations and other exit procedures), 43 (Regulations about Article 10 of the Northern Ireland Protocol) and 45 (Further provision related to sections 42 and 43 etc) coming into force before the House of Commons had approved by resolution the date from which they would take effect.

Liz Saville Roberts
 Drew Hendry
 Hywel Williams
 Ben Lake
 Stephen Farry

9

Clause 54, page 41, line 25, leave out subsections (3) and (4) and insert—

“(2A) The other provisions of this Act may not come into force (and in particular no additions may be made to Part 2 of Schedule 7A to the Government of Wales Act 2006 (specific reservations), Part 2 of Schedule 5 to the Scotland Act 1998 (specific reservations) or Schedule 2 to the Northern Ireland Act 1998 (excepted matters)) until the Prime Minister is satisfied that resolutions have been passed in Senedd Cymru, the Scottish Parliament and the Northern Ireland Assembly in favour of those provisions coming into force.”

Member’s explanatory statement

This amendment would ensure that no additional powers are reserved to Westminster through this Bill unless the devolved legislatures of Wales, Scotland and Northern Ireland give their consent.

Liz Saville Roberts
 Hywel Williams
 Ben Lake

10

Clause 54, page 41, line 25, leave out subsections (3) and (4) and insert—

“(2A) The other provisions of this Act may not come into force (and in particular no additions may be made to Part 2 of Schedule 7A to the Government of Wales Act 2006 (specific reservations), Part 2 of Schedule 5 to the Scotland Act 1998 (specific reservations) or Schedule 2 to the Northern Ireland Act 1998 (excepted

United Kingdom Internal Market Bill, *continued*

matters)) until the Prime Minister is satisfied that majority votes in favour of this Bill are achieved in referendums in Wales, Scotland and Northern Ireland.”

Member’s explanatory statement

This amendment would ensure that no additional powers are reserved to Westminster through this Bill unless a majority of the electorate of Wales, Scotland and Northern Ireland vote in favour of the Bill through referendums.

Secretary Alok Sharma

66

★ Clause 54, page 41, line 26, at end insert—

“(3A) A statutory instrument containing regulations under subsection (3) may not appoint a day for the commencement of section 42, 43 or 45 unless—

- (a) a Minister of the Crown has moved a motion in the House of Commons to the effect that sections 42, 43 and 45 may be commenced on or after a day specified in the motion (“the specified day”),
- (b) the motion has been approved by a resolution of that House,
- (c) a motion to the effect that the House of Lords takes note of the specified day (or the day which is proposed to be the specified day) has been tabled in the House of Lords by a Minister of the Crown, and
- (d) the day appointed by the regulations is the same as or is after the specified day.”

Member’s explanatory statement

This amendment would provide that clauses 42, 43 and 45 could only be commenced on or after a day approved by the House of Commons and referred to in a motion tabled in the House of Lords.

Ian Blackford
Drew Hendry
Patrick Grady
Margaret Ferrier

39

Clause 54, page 41, line 26, at end insert—

“(3A) Regulations under subsection (3) may not be made before a legislative consent motion relating to this Act has been approved by the each of the devolved legislatures in Scotland, Wales and Northern Ireland.”

Member’s explanatory statement

This amendment would require the remainder of the Act to have gained consent of the devolved legislatures before coming into effect.

ORDER OF THE HOUSE [14 SEPTEMBER 2020]

That the following provisions shall apply to the United Kingdom Internal Market Bill:

Committal

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

Proceedings in Committee

2. Proceedings in Committee of the whole House shall be completed in four days.
3. The proceedings—
 - (a) shall be taken on each of those days as shown in the first and second columns of the following Table;

United Kingdom Internal Market Bill, *continued*

- (b) shall be so taken in the order shown in the second column of that Table; and
- (c) shall (so far as not previously concluded) respectively be brought to a conclusion at the times specified in the third column of that Table.

TABLE

<i>Day</i>	<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	Clauses 28 to 39; new Clauses and new Schedules relating to Part 4; other new Clauses and new Schedules relating generally to the internal market for goods and services in the United Kingdom	Six hours from the commencement of the proceedings on the Bill on the first day
Second day	Clauses 46 and 47; new Clauses and new Schedules relating to Part 6	Six hours from the commencement of the proceedings on the Bill on the second day
Third day	Clause 11; Clauses 40 to 45; Clause 50; new Clauses and new Schedules relating to Part 5	Six hours from the commencement of the proceedings on the Bill on the third day
Fourth day	Clauses 1 to 10; Schedule 1; Clauses 12 to 16; Schedule 2; Clauses 17 to 27; new Clauses and new Schedules relating to Parts 1 to 3; Clauses 48 and 49; Clauses 51 to 54; remaining new Clauses; remaining new Schedules; remaining proceedings in Committee on the Bill	Six hours from the commencement of the proceedings on the Bill on the fourth day

Proceedings on Consideration and up to and including Third Reading

4. Any proceedings on Consideration, any proceedings in legislative grand committee and proceedings on Third Reading shall be taken in two days.
5. Any proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion two hours before the moment of interruption on the second day.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

Programming committee

7. 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.

United Kingdom Internal Market Bill, *continued**Consideration of Lords Amendments*

8. Any proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.

Subsequent stages

9. Any further Message from the Lords may be considered forthwith without any Question being put.
 10. The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.
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NOTICES WITHDRAWN

The following Notices were withdrawn on 14 September 2020:

Amendment 37
