



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Tuesday 29 September 2020

REPORT STAGE PROCEEDINGS

UNITED KINGDOM INTERNAL MARKET BILL, AS AMENDED

GLOSSARY

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

The following terms are used:

Added: New Clause agreed without a vote and added to the Bill.

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negated: rejected without a vote.

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

Secretary Alok Sharma

Agreed to NC4

To move the following Clause—

“Objective and general functions

- (1) In carrying out its functions under this Part the CMA must have regard to the objective in subsection (2).
- (2) The objective is to support, through the application of economic and other technical expertise, the effective operation of the internal market in the United Kingdom (with particular reference to the purposes of Parts 1, 2 and 3).
- (3) The following do not apply in relation to the carrying out of the CMA’s functions under this Part—
 - (a) section 25(3) of the Enterprise and Regulatory Reform Act 2013 (duty to seek to promote competition), and

United Kingdom Internal Market Bill, *continued*

- (b) sections 6(1)(b) (function of giving information or advice to the public) and 7 (provision of information and advice to Ministers etc) of the Enterprise Act 2002.
 - (4) The CMA may give information or advice to the Secretary of State on matters relating to any of its functions under this Part.”
-

Secretary Alok Sharma

Agreed to **NC5**

To move the following Clause—

“Office for the Internal Market panel and task groups

- (1) The CMA may authorise an Office for the Internal Market task group constituted under Schedule 4 to the Enterprise and Regulatory Reform Act 2013 to do anything required or authorised to be done by the CMA under this Part (and such an authorisation may include authorisation to exercise the power conferred on the CMA by this subsection).
 - (2) Schedule (*Constitution etc of Office for the Internal Market panel and task groups*) contains provision about the Office for the Internal Market panel and Office for the Internal Market task groups.”
-

Edward Miliband
Lucy Powell
Paul Blomfield
Mr Nicholas Brown
Caroline Lucas
Claire Hanna

Negated on division **NC1**

To move the following Clause—

“Withdrawal Agreement and rule of law duty

- (1) An appropriate authority exercising any function to which this Part (Northern Ireland Protocol) applies must—
 - (a) respect the rule of law;
 - (b) allow for the possibility of judicial review of an enactment, decision, act or omission by the appropriate authority;
 - (c) use the provisions of Article 16 of the Protocol to protect the interests of the United Kingdom.
- (2) An appropriate authority exercising any function to which this Part applies must comply with the obligations of the United Kingdom under international law.
- (3) An appropriate authority exercising any function to which this Part applies must comply with—
 - (a) the requirement under Article 5 (Good faith) of the Withdrawal Agreement for the EU and the United Kingdom to assist each other in full mutual respect and good faith to carry out the tasks which flow from the Agreement;

United Kingdom Internal Market Bill, *continued*

- (b) the requirement under Article 167 (Consultations and communications within the Joint Committee) for the EU and the United Kingdom to endeavour to resolve any dispute regarding the interpretation and application of the provisions of the Agreement by entering into consultations in the Joint Committee in good faith, with the aim of reaching a mutually agreed solution;
 - (c) the requirement under Article 184 (Negotiations on the future relationship) of the Withdrawal Agreement for the EU and the United Kingdom to use their best endeavours, in good faith and in full respect of their respective legal orders, to take the necessary steps to negotiate expeditiously the agreements governing their future relationship referred to in the Political Declaration of 17 October 2019 and to conduct the relevant procedures for the ratification or conclusion of those agreements, with a view to ensuring that those agreements apply, to the extent possible, as from the end of the transition period;
 - (d) the requirements of 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.
- (4) An appropriate authority exercising any function to which this Part applies must comply with the Human Rights Act 1998.

Edward Miliband
Lucy Powell
Paul Blomfield
Mr Nicholas Brown

Not called NC2

To move the following Clause—

“Internal market common framework

- (1) The Secretary of State must seek to reach agreement with the Scottish Government, the Welsh Government and the Northern Ireland Executive on a common framework on the United Kingdom internal market.
 - (2) A common framework under subsection (1) may cover—
 - (a) the functioning of the United Kingdom internal market;
 - (b) the effectiveness of market access principles; and
 - (c) drawing up a shared prosperity fund to balance economic development across the whole of the United Kingdom.
 - (3) The Secretary of State must take into account the common framework on the United Kingdom internal market in exercising any powers under Part 6 (Financial assistance powers) of this Act.”
-

United Kingdom Internal Market Bill, *continued*

Edward Miliband
 Lucy Powell
 Paul Blomfield
 Mr Nicholas Brown
 Claire Hanna

Not called NC3

To move the following Clause—

“Duty to consult, monitor, report and review

- (1) Within three months of the date on which this Act is passed, the Secretary of State must lay a report before each House of Parliament on the dates on which each section—
 - (a) was commenced; or
 - (b) is planned to commence.
- (2) The Secretary of State must arrange for a review to be carried out within three months of the date on which this Act is passed, and thereafter at least once in each calendar year on the operation of this Act.
- (3) The Secretary of State must invite the Scottish Government, the Welsh Government and the Northern Ireland Executive to contribute to the reviews in subsection (1).
- (4) The reviews under subsection (1) must make an assessment of—
 - (a) the functioning of the United Kingdom internal market;
 - (b) the effectiveness of market access principles;
 - (c) progress towards agreeing common frameworks with the devolved administrations;
 - (d) progress towards drawing up a shared prosperity fund framework; and
 - (e) progress in resolving issues through the Joint Committee machinery in the Withdrawal Agreement.
- (5) The Prime Minister must arrange for a report of any review under this section to be laid before each House of Parliament as soon as practicable after its completion.”

Caroline Lucas
 Stephen Farry
 Claire Hanna
 Liz Saville Roberts
 Hywel Williams
 Ben Lake

Jonathan Edwards

Tommy Sheppard

Negated on division NC6

To move the following Clause—

“Economic development: climate and nature emergency impact statement

- (1) Any financial assistance provided under Part 6 of this Act for the purpose of economic development must take into account the overarching need for a sustainable strategy aimed at long-term national well-being.
- (2) Every proposal for financial assistance under this Act must be accompanied by a climate and nature emergency impact statement.

United Kingdom Internal Market Bill, *continued*

- (3) Responsibility for the production of the climate and nature emergency impact statement required in subsection (2) resides with the applicant for financial assistance.
- (4) Responsibility for assessment of the climate and nature emergency impact statement required in subsection (2) resides with Ministers, who are required to publish this assessment for any successful proposal.
- (5) The climate and nature emergency impact statement produced should take account of any carbon budget, climate, nature and environmental goals approved by the relevant Parliament.
- (6) In subsection (5), the “relevant Parliament” means—
 - (a) where the proposed financial assistance relates to a person in England, the House of Commons and the House of Lords;
 - (b) where the proposed financial assistance relates to a person in Scotland, the Scottish Parliament;
 - (c) where the proposed financial assistance relates to a person in Wales, Senedd Cymru;
 - (d) where the proposed financial assistance relates to a person in Northern Ireland, the Northern Ireland Assembly.”

Sir Jeffrey M Donaldson
 Sammy Wilson
 Gavin Robinson
 Louise Haigh
 Edward Miliband
 Stephen Farry

Simon Hoare

Negated on division NC7

To move the following Clause—

“Northern Ireland’s place in the UK internal market

- (1) As part of its obligation under Article 6.2 of the Protocol on Ireland/Northern Ireland to use its best endeavours to facilitate trade between Northern Ireland and other parts of the UK, the UK Government must—
 - (a) publish an assessment at least every 12 months of any impact on businesses and consumers arising from the Protocol on trade between Great Britain and Northern Ireland and vice versa; and
 - (b) develop mitigations to safeguard the place of Northern Ireland businesses and consumers in the UK internal market.
 - (2) The assessment published under paragraph (1)(a) must include assessment of the impact of any actual or proposed regulatory or trade policy divergence on Northern Ireland’s place in the UK Internal Market.
 - (3) Any official or administrative costs arising from the duties under subsections (1) and (2) may not be recouped from the private sector.”
-

United Kingdom Internal Market Bill, *continued*

Sir Edward Leigh
Simon Hoare

Not called NC8

To move the following Clause—

“Interpretation of the Northern Ireland Protocol in accordance with International Law

- (1) In the event that the European Union fails to act in accordance with the principles of public international law in its implementation of the Northern Ireland Protocol, by
 - (a) failing to undertake acts that are required by the provisions of the Northern Ireland Protocol;
 - (b) committing acts that are not in accordance with the provisions of the Northern Ireland Protocol;
 - (c) failing to undertake acts that are necessary for the effective implementation of the Northern Ireland Protocol;
 - (d) asserting positions in the Joint Committee that are not in accord with the provisions of the Northern Ireland Protocol; or
 - (e) refusing to discuss in the Joint Committee proposals on implementation of the Northern Ireland Protocol tabled by the United Kingdom;

a Minister of the Crown may submit a unilateral interpretative declaration, covering the specific provisions of the Northern Ireland Protocol that are under dispute with the European Union as to their interpretation.
- (2) For the purposes of subsection (1), the principles of public international law that may be invoked include—
 - (a) the provisions of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations 1986, including, in particular,
 - (i) the need to act in “good faith” and
 - (ii) the need to avoid results that are “manifestly absurd or unreasonable”;
 - (b) established international practices, having the status of customary international law; and
 - (c) the commitments made in the preambular paragraphs of the Northern Ireland Protocol.
- (3) A unilateral interpretative declaration issued under subsection (1) may not be submitted unless—
 - (a) a Minister of the Crown has laid before each House of Parliament
 - (i) a copy of the proposed declaration,
 - (ii) a statement on the nature of the dispute with the European Union,
 - (iii) a statement of the intended effect of the proposed declaration; and
 - (b) the declaration has been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown; and
 - (c) a motion for the House of Lords to take note of the declaration has been tabled in the House of Lords by a Minister of the Crown and—
 - (i) the House of Lords has debated the motion, or
 - (ii) the House of Lords has not concluded a debate on the motion before the end of the period of five Lords sitting days beginning with the first Lords sitting day after the day on which the House of Commons passes the resolution mentioned in paragraph (b).

United Kingdom Internal Market Bill, *continued*

- (4) When a response to the submission of any unilateral interpretative declaration is received from the European Union, a Minister of the Crown shall lay before each House of Parliament the response received from the European Union, and—
- (a) in the case of the approval of the declaration by the European Union, the Minister shall issue a written statement confirming that the declaration has obtained the status of an authentic interpretation of the Northern Ireland Protocol;
 - (b) in the case of opposition to the declaration by the European Union, the Minister shall issue a written statement, assessing any alternative interpretation formulated by the European Union and indicating the government’s intended response; or
 - (c) in the case of the recharacterisation of the declaration by which the European Union purports to treat the declaration as an illegal reservation, the Minister shall issue a written statement of what action it intends to take to resolve the dispute.
- (5) In this section—
- “approval”, “opposition” or “recharacterisation” of a declaration shall have the meaning given in Guideline 2.9 of the Guide to Practice on Reservations to Treaties, contained in the report of the International Law Commission on its Sixty-Third Session in 2011;
- “Joint Committee” means the Joint Committee established under Article 164 of the EU Withdrawal Agreement;
- “Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day);
- “submit” means to make a submission to the depositary of the EU Withdrawal Agreement, as specified in Article 183 of the EU Withdrawal Agreement; and
- “unilateral interpretative declaration” means an interpretative declaration as defined by Guideline 1.2 of the Guide to Practice on Reservations to Treaties, contained in the report of the International Law Commission on its Sixty-Third Session in 2011.”

Secretary Alok Sharma

Clause 3, page 2, line 30, leave out subsection (3)

Agreed to 31

Secretary Alok Sharma

Clause 3, page 3, line 10, at end insert—

- “(4A) A manner of sale requirement is not within the scope of the mutual recognition principle unless subsection (4C) applies.
- (4B) For this purpose a “manner of sale requirement” is a statutory requirement that governs any aspect of the circumstances or manner in which the goods are sold (such as where, when, by whom, to whom, or the price or other terms on which they may be sold).
- (4C) A statutory requirement that—
- (a) is worded as a manner of sale requirement, but

Agreed to 32

United Kingdom Internal Market Bill, *continued*

(b) appears to be designed artificially to avoid the operation of the mutual recognition principle in relation to what would otherwise be a requirement within the scope of that principle, is to be regarded as a relevant requirement, despite subsection (4A). This subsection would apply, for example, where a manner of sale requirement involves an unusually restrictive condition such that it would be impossible to comply with the condition and have a practical chance of selling the goods.”

Secretary Alok Sharma

Clause 3, page 3, line 11, leave out subsection (5)

Agreed to 19

Secretary Alok Sharma

Clause 6, page 5, line 4, after “as” insert “where,”

Agreed to 33

Secretary Alok Sharma

Clause 6, page 5, line 5, after “or the” insert “price or other”

Agreed to 34

Secretary Alok Sharma

Clause 7, page 5, line 39, leave out “Local goods” and insert “Goods (“the other goods”)

Agreed to 35

Secretary Alok Sharma

Clause 7, page 5, line 42, leave out “local” and insert “other”

Agreed to 36

Secretary Alok Sharma

Clause 7, page 6, line 2, leave out “local” and insert “other”

Agreed to 37

Secretary Alok Sharma

Clause 7, page 6, line 5, leave out “local” and insert “other”

Agreed to 38

Secretary Alok Sharma

Clause 11, page 8, line 3, at end insert—

Agreed to 20

“(5A) Subsection (5B) applies for the purposes of paragraph 1 of Schedule 1 in a case where Northern Ireland is the “affected part” within the meaning of subparagraph (2) of that paragraph.

United Kingdom Internal Market Bill, *continued*

- (5B) In determining whether the condition in sub-paragraph (3) of that paragraph 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).”
-

Secretary Alok Sharma

Agreed to 21

Clause 15, page 10, line 26, at end insert—

“(10A) A reference (however expressed) to the production of anything includes—

- (a) cultivation, harvesting and similar activities (in relation to plants or fungi) and
 - (b) rearing, keeping, handling, killing and similar activities (in relation to livestock or other animals).”
-

Secretary Alok Sharma

Agreed to 22

Clause 16, page 11, line 34, leave out paragraph (b)

Secretary Alok Sharma

Agreed to 23

Clause 16, page 11, line 37, at end insert—

“(7A) For the purposes of this section, an authorisation requirement is substantively changed if a legislative requirement that would, if not satisfied, prevent a service provider from satisfying the authorisation requirement is substantively changed.”

Secretary Alok Sharma

Agreed to 24

Clause 16, page 12, leave out line 1

Secretary Alok Sharma

Agreed to 25

Clause 21, page 14, line 24, at end insert—

“(1A) If a function conferred by legislation may only be exercised in a way that would impose a regulatory requirement in respect of which section 19(1) or 20(1) applies, the function is to be treated as though it were a regulatory requirement for the purposes of those sections (and ignoring section 16(5)).

(1B) Subsection (1A) does not affect the continuation in force or the continuing effect of a requirement of the sort described in section 16(5)(c) and not preserved by section 16(6) (existing requirements).”

 United Kingdom Internal Market Bill, *continued*

Secretary Alok Sharma

Agreed to 26

 Clause 25, page 18, line 17, after “re-enactment” insert “or replication”

Secretary Alok Sharma

Agreed to 1

 Clause 28, page 21, line 38, at end insert—
 “(6A) For the purposes of the law relating to defamation, absolute privilege attaches to any advice given, or report made, by the CMA (or a person acting on the CMA’s behalf) in the exercise of any functions of the CMA under this Part.”

Secretary Alok Sharma

Agreed to 2

 Clause 30, page 23, line 17, leave out “legislative”

Secretary Alok Sharma

Agreed to 3

 Clause 31, page 24, line 27, leave out “legislative”

Secretary Alok Sharma

Agreed to 4

 Clause 33, page 26, line 39, leave out “legislative” and insert “devolved”

Secretary Alok Sharma

Agreed to 5

 Clause 33, page 26, line 43, leave out “legislative” and insert “devolved”

Secretary Alok Sharma

Agreed to 6

 Clause 33, page 27, line 3, leave out “legislative” and insert “devolved”

Secretary Alok Sharma

Agreed to 7

 Clause 39, page 31, line 10, leave out “legislative”

 United Kingdom Internal Market Bill, *continued*

Secretary Alok Sharma

Agreed to 8

Clause 39, page 31, line 11, leave out “legislative” and insert “devolved”

Secretary Alok Sharma

Agreed to 9

Clause 39, page 31, line 12, leave out “legislative” and insert “devolved”

Secretary Alok Sharma

Agreed to 10

Clause 39, page 31, line 14, leave out “legislative” and insert “devolved”

Secretary Alok Sharma

Agreed to 11

Clause 39, page 31, line 21, leave out subsection (7) and insert—

- “(7) “Scottish devolved competence”, “Welsh devolved competence”, “Northern Ireland devolved competence” and “reserved competence” are to be interpreted in accordance with subsections (8) to (11).
- (8) A regulatory provision, so far as applying to Scotland—
- (a) is within Scottish devolved competence if it—
 - (i) would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament, or
 - (ii) is provision which could be made in subordinate legislation by the Scottish Ministers, the First Minister or the Lord Advocate acting alone;
 - (b) otherwise, is within reserved competence.
- (9) A regulatory provision, so far as applying to Wales—
- (a) is within Welsh devolved competence if it—
 - (i) would be within the legislative competence of Senedd Cymru if contained in an Act of Senedd Cymru (assuming that any consent by a Minister of the Crown were given), or
 - (ii) is provision which could be made in subordinate legislation by the Welsh Ministers acting alone;
 - (b) otherwise, is within reserved competence.
- (10) A regulatory provision, so far as applying to Northern Ireland—
- (a) is within Northern Ireland devolved competence if it—
 - (i) would be within the legislative competence of the Northern Ireland Assembly, and would not require the consent of the Secretary of State, if contained in an Act of that Assembly,
 - (ii) is contained in, or was made under, Northern Ireland legislation, and would be within the legislative competence of the Northern Ireland Assembly, and would require the consent of the Secretary of State, if contained in an Act of that Assembly, or
 - (iii) is provision which could be made in subordinate legislation by the First Minister and deputy First Minister in Northern Ireland acting jointly, a Northern Ireland Minister or a Northern Ireland department;

United Kingdom Internal Market Bill, *continued*

- (b) otherwise, is within reserved competence.
- (11) A regulatory provision, so far as applying to England, is within reserved competence.”

Stephen Farry
 Caroline Lucas
 Ed Davey
 Daisy Cooper
 Wendy Chamberlain
 Layla Moran

Mr Alistair Carmichael
 Christine Jardine
 Munira Wilson
 Liz Saville Roberts

Sarah Olney
 Wera Hobhouse
 Drew Hendry
 Hywel Williams

Tim Farron
 Jamie Stone
 Claire Hanna
 Ben Lake

Negated on division 16

Page 37, line 10, leave out Clause 45.

Secretary Alok Sharma

Agreed to 12

Clause 45, page 37, line 23, after “law” insert “(and section 6(1) of the Human Rights Act 1998 does not apply in relation to the making of regulations under section 42(1) or 43(1))”

Secretary Alok Sharma

Agreed to 13

Clause 45, page 37, line 40, at end insert—

“(2A) Regulations under section 42(1) or 43(1) are to be treated for the purposes of the Human Rights Act 1998 as if they were within the definition of “primary legislation” in section 21(1) of that Act.”

Secretary Alok Sharma

Agreed to 15

Clause 45, page 37, line 40, at end insert—

“(2B) No court or tribunal may entertain any proceedings for questioning the validity or lawfulness of regulations under section 42(1) or 43(1) other than proceedings on a relevant claim or application.”

Secretary Alok Sharma

Agreed to 14

Clause 45, page 38, line 31, at end insert “,

but does not include the Convention rights within the meaning of the Human Rights Act 1998 (see section 1(1) of that Act);”

 United Kingdom Internal Market Bill, *continued*

Ian Blackford
 Kirsten Oswald
 Drew Hendry
 Alison Thewliss
 Mhairi Black
 Patrick Grady

Alan Brown

Not called 18

Page 38, line 36, leave out Clause 46.

Ian Blackford
 Kirsten Oswald
 Drew Hendry
 Alison Thewliss
 Mhairi Black
 Patrick Grady

Alan Brown

Not called 29

Page 39, line 27, leave out Clause 47.

Secretary Alok Sharma

Agreed to NS1

To move the following Schedule—

“CONSTITUTION ETC OF OFFICE FOR THE INTERNAL MARKET PANEL AND TASK GROUPS

- 1 Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (the Competition and Markets Authority) is amended as follows.
- 2 (1) Paragraph 1 is amended as follows.
 - (2) In sub-paragraph (1)(b)—
 - (a) in the words before paragraph (i), for “to membership of” substitute “as follows”;
 - (b) in paragraph (i), at the beginning insert “persons appointed to membership of”;
 - (c) in paragraph (ii), at the beginning insert “persons appointed to membership of”;
 - (d) in paragraph (iii), at the beginning insert “persons appointed to membership of”;
 - (e) after paragraph (iii) insert—
 - “(iv) a person (the “OIM panel chair”) appointed to chair the Office for the Internal Market panel and to membership of the CMA Board;
 - (v) other persons appointed to membership of the Office for the Internal Market panel (“the OIM panel”) (see Part 3A).”

United Kingdom Internal Market Bill, *continued*

- (3) After sub-paragraph (2) insert—
- “(2A) Before making an appointment under paragraph (iv) or (v) of sub-paragraph (1)(b), the Secretary of State must consult—
- (a) the Scottish Ministers,
- (b) the Welsh Ministers, and
- (c) the Department for the Economy in Northern Ireland.”
- 3 (1) Paragraph 3 is amended as follows.
- (2) After sub-paragraph (2), insert—
- “(2A) Appointment to membership of the OIM panel under paragraph 1(1)(b) is to be for a term of not more than eight years.”
- (3) At the end insert—
- “(4) Where at the beginning of a person’s term of appointment to membership of the CMA panel the person has already begun (and continues) to hold office as a member of the OIM panel, the term of the person’s appointment to membership of the CMA panel is to be treated for the purposes of sub-paragraph (2) as beginning when the person’s term of appointment to membership of the OIM panel began.
- (5) Where at the beginning of a person’s term of appointment to membership of the OIM panel the person has already begun (and continues) to hold office as a member of the CMA panel, the term of the person’s appointment to membership of the OIM panel is to be treated for the purposes of sub-paragraph (2A) as beginning when the person’s term of appointment to membership of the CMA panel began.”
- 4 (1) Paragraph 4 is amended as follows.
- (2) After sub-paragraph (1), insert—
- “(1A) A person who has been appointed to membership of the OIM panel may be re-appointed to membership of the OIM panel only for the purpose of continuing to act as a member of a group constituted under paragraph 58B before the expiry of the person’s term of office.”
- (3) In sub-paragraph (2), for “sub-paragraph (1)” substitute “sub-paragraphs (1) and (1A)”.
- 5 (1) Paragraph 6 is amended as follows.
- (2) In sub-paragraph (2), for “of either the CMA Board or the CMA panel (but not of both)” substitute “of one, but not more than one, of the CMA Board, the CMA panel and the OIM panel,”.
- (3) In sub-paragraph (3)—
- (a) in the words before paragraph (a), after “panel” insert “or both the CMA panel and the OIM panel”;
- (b) for paragraph (a) substitute—
- “(a) resign from one of those memberships (without resigning from the other), or”.
- (4) After sub-paragraph (3) insert—
- “(4) The OIM panel chair may at any time resign from membership of the CMA by giving written notice to this effect to the Secretary of State (and may not resign from the OIM panel, or any other office

United Kingdom Internal Market Bill, *continued*

to which the person is appointed by virtue of paragraph 1(1)(b)(iv), except in accordance with this sub-paragraph).”

- 6 In paragraph 9(2)—
- (a) omit “or” at the end of paragraph (a);
 - (b) after paragraph (b) insert “, or
 - (c) a member of the OIM panel.”
- 7 In paragraph 10(2)(b), at the end insert “or the OIM panel”.
- 8 After Part 3 insert—

“PART 3A

THE OIM PANEL

The OIM panel

- 58A (1) The OIM panel is a panel of persons available for selection as members of a group constituted in accordance with this Part of this Schedule.
- (2) The OIM panel is to consist of—
- (a) the OIM panel chair appointed under paragraph 1(1)(b)(iv), and
 - (b) the other members of the panel appointed under paragraph 1(1)(b)(v).

Constitution of OIM task groups

- 58B (1) The OIM panel chair may at any time constitute a group in accordance with this Part of this Schedule for the purpose of carrying out on the CMA’s behalf functions of the CMA under Part 4 of the United Kingdom Internal Market Act 2020.
- (2) A group constituted as mentioned in sub-paragraph (1) is to be known as an Office for the Internal Market task group (or “OIM task group”).

Membership of OIM task groups

- 58C (1) The members of an OIM task group are to be selected by the OIM panel chair.
- (2) Each OIM task group is to consist of at least three members of the OIM panel.
- (3) The OIM panel chair must appoint one of the members of an OIM task group to chair the group (“the task group chair”).
- 58D The validity of anything done by an OIM task group is not affected by—
- (a) a vacancy;
 - (b) a defective appointment.

United Kingdom Internal Market Bill, *continued**Termination of person's membership of an OIM task group*

- 58E A member of the OIM panel may at any time resign from an OIM task group by giving written notice to this effect to the OIM panel chair.
- 58F (1) Sub-paragraph (2) applies if the OIM panel chair considers that—
- (a) a member of an OIM task group will be unable, for a substantial period, to perform their duties as a member of the group, or
 - (b) because of a particular interest of a member of an OIM task group, it is inappropriate for that person to remain a member of the group.
- (2) The OIM panel chair may remove the person in question from membership of the task group.
- 58G A person ceases to be a member of an OIM task group on ceasing to be a member of the OIM panel.

Replacement of a member of an OIM task group

- 58H (1) Sub-paragraph (2) applies if a person ceases to be a member of an OIM task group, whether by being removed under paragraph 58F, or otherwise.
- (2) The OIM panel chair may select a replacement member of the group from the OIM panel.

Continuity on removal or replacement

- 58I (1) A person's ceasing to be a member of an OIM task group, whether by being removed under paragraph 58F, or otherwise, does not prevent—
- (a) the group from continuing with anything begun before the person ceased to be a member of it;
 - (b) any decision made or direction given by the person while a member of the group from having effect after they have ceased to be a member of the group.
- (2) Sub-paragraph (1) applies whether or not a replacement member of the group is selected under paragraph 58H.

Powers of chair pending group's constitution and first meeting

- 58J (1) While an OIM task group is being constituted, the OIM panel chair may take such steps as the OIM panel chair considers appropriate to facilitate the work of the group once it has been constituted.
- (2) The steps taken must be steps that it would be within the power of the group to take, had it already been constituted.

Independence of OIM task groups

- 58K (1) In exercising functions which they are authorised to exercise by virtue of any enactment, OIM task groups must act independently of the CMA Board.

United Kingdom Internal Market Bill, *continued*

- (2) Nothing in sub-paragraph (1) prevents—
- (a) the CMA Board giving information in its possession to an OIM task group, or
 - (b) an OIM task group giving information in its possession to the CMA Board.

Casting votes

- 58L If an OIM task group's vote on any decision is tied, the task group chair is to have a casting vote.

Procedure of OIM task groups

- 58M (1) An OIM task group may determine its own procedure (including determining its quorum).
- (2) In determining its procedure under sub-paragraph (1), an OIM task group must have regard to any guidance issued by the CMA Board."

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

Paul Girvan

Carla Lockhart

Stephen Farry
Not called 17

Schedule 1, page 48, line 14, at end insert—

- “(8A) 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.”

Secretary Alok Sharma

Schedule 2, page 53, leave out lines 28 and 29

Agreed to 27

Secretary Alok Sharma

Schedule 2, page 53, leave out line 35

Agreed to 28

United Kingdom Internal Market Bill, *continued*

Ian Blackford
Kirsten Oswald
Drew Hendry
Alison Thewliss
Mhairi Black
Patrick Grady

Alan Brown

Not called **30**

Title, line 7, leave out from “aid” to “to” in line 10.

Bill read the third time, and passed.
