



House of Commons

Wednesday 4 November 2020

CONSIDERATION OF LORDS MESSAGE

AGRICULTURE BILL

On Consideration of Lords Amendments in lieu of Lords Amendments disagreed to by this House

Lords Amendment No. **16B**

Secretary George Eustice

To move, That this House disagrees with the Lords in their Amendment.

Lords Amendment No. **18B**

Secretary George Eustice

To move, That this House disagrees with the Lords in their Amendment.

Agriculture Bill, *continued*

Secretary George Eustice

To move the following Amendments to the Bill in lieu of Amendments Nos 16B and 18B:—

(a)

Page 36, line 24, at end insert the following new Clause—

“Reports relating to free trade agreements

- (1) A free trade agreement that includes measures applicable to trade in agricultural products may not be laid before Parliament under Part 2 of the Constitutional Reform and Governance Act 2010 unless the Secretary of State has first laid a report complying with subsection (2) before Parliament.
- (2) The report must explain whether, or to what extent, the measures referred to in subsection (1) are consistent with the maintenance of UK levels of statutory protection in relation to—
 - (a) human, animal or plant life or health,
 - (b) animal welfare, and
 - (c) the environment.
- (3) In subsection (2) “UK levels of statutory protection” means levels of protection which, at the time the report is made, are provided for by or under any legislation which has effect in, or in any part of, the United Kingdom.
- (4) In preparing the report, the Secretary of State may seek advice from any person the Secretary of State considers to be independent and to have relevant expertise.
- (5) When the Secretary of State lays the report before Parliament the Secretary of State must also provide a copy of it to—
 - (a) the Scottish Ministers,
 - (b) the Welsh Ministers,
 - (c) DAERA, and
 - (d) any Committee of the House of Commons or the House of Lords or any Joint Committee of both Houses that appears to the Secretary of State to have an interest in the subject matter of the report.
- (6) This section does not apply in relation to a free trade agreement if—
 - (a) each party to the agreement (other than the United Kingdom) is a member State or the European Union, or
 - (b) the following conditions are met—
 - (i) the negotiations for the agreement were concluded before the second anniversary of IP completion day,
 - (ii) each party to the agreement (other than the United Kingdom) and the European Union were, immediately before exit day, parties to another free trade agreement which includes measures applicable to trade in agricultural products, and
 - (iii) the other free trade agreement was, immediately before exit day, in force for, or being provisionally applied by, each party to that agreement.
- (7) In this section—

“agricultural products” means products of a kind which, at the time this section comes into force, is listed in—

 - (a) Annex 1 to the Treaty on the Functioning of the European Union;
 - (b) Annex 1 to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2013 laying down the trade arrangements applicable to certain goods resulting from the

Agriculture Bill, *continued*

processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009;

(c) the first two columns of Annex 2 to that Regulation;

“free trade agreement” means an agreement that is or was notifiable under paragraph 7(a) of Article XXIV of the General Agreement on Tariffs and Trade, part of Annex 1A of the WTO Agreement (as modified from time to time);

“legislation” means primary legislation, subordinate legislation or retained direct EU legislation;

“the WTO Agreement” means the Agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994.”

(b)

Title, line 11, after “carcasses;” insert “to make provision for reports relating to free trade agreements;”
