
Report Stage: Monday 12 December 2022

Trade (Australia and New Zealand) Bill (Amendment Paper)

This document lists all amendments tabled to the Trade (Australia and New Zealand) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Speaker's provisional selection and grouping, which sets out the order in which the amendments will be debated.

Nick Thomas-Symonds

NC1

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

To move the following Clause—

“Impact assessment

The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters within twelve months of the coming into force of Regulations made under section 1 of this Act and every three years thereafter.”

Nick Thomas-Symonds

NC2

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

To move the following Clause—

“Assessment of impact on farmers

At least three months, but not later than six months, after the coming into force of the government procurement Chapter of—

- (1) the UK-Australia FTA, and
- (2) the UK-New Zealand FTA,

a Minister of the Crown must lay before Parliament an assessment of the impact of the Chapter on farmers in—

- (a) each region of England
- (b) Scotland
- (c) Wales, and
- (d) Northern Ireland.”

Ms Anum Qaisar

NC3

Caroline Nokes

To move the following Clause—

“Impact assessment: equality and human rights

The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters on equality and human rights within three years of the coming into force of Regulations made under section 1 of this Act and every three years thereafter.”

Drew Hendry

NC4

To move the following Clause—

“Impact assessment (No. 2)

- (1) The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters within five years of the coming into force of Regulations made under section 1 of this Act and every five years thereafter.
- (2) The impact assessment under subsection (1) must present an analysis of—
 - (a) the impact on each of the four nations of the United Kingdom; and
 - (b) social, economic and environmental impacts.”

Drew Hendry

NC5

To move the following Clause—

“Assessment of impact on hill farmers and crofters in Scotland

- (1) The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters on hill farmers and crofters in Scotland within six months of the coming into force of Regulations made under section 1 and every six months thereafter.
- (2) The impact assessment under subsection (1) must be laid before both Houses of Parliament and before the Scottish Parliament.”

Drew Hendry

NC6

To move the following Clause—

“Assessment of impact on Geographical Indications in the United Kingdom

The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters on the operation of Geographical Indications in the United Kingdom within two years of the coming into force of Regulations made under section 1 of this Act.”

Sarah Green

NC7

To move the following Clause—

“Impact assessment: British farmers

- (1) The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters on—
 - (a) livestock farmers,
 - (b) arable farmers,
 - (c) upland farmers,
 - (d) tenant farmers, and
 - (e) family farmers.
- (2) The impact assessment under subsection (1) must be published within six months of the date of Royal Assent to this Act.”

Member's explanatory statement

This new clause would require the Secretary of State to report on the impact of the procurement Chapters on British farmers.

Sarah Green

NC8

To move the following Clause—

“Impact assessment: environmental standards etc

- (1) The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters on—
 - (a) environmental standards,
 - (b) food standards,
 - (c) animal welfare standards, and
 - (d) biodiversity.
- (2) The impact assessment under subsection (1) must be published within six months of the date of Royal Assent to this Act.”

Member's explanatory statement

This new clause would require the Secretary of State to report on the impact of the procurement Chapters on environmental, food and animal welfare standards, and biodiversity.

Sarah Green

NC9

To move the following Clause—

“Review of effect on small businesses

- (1) Within six months of the passage of this Act, the Secretary of State must lay before Parliament an assessment of the impact of the implementation of the procurement Chapters on small businesses.
- (2) The assessment must consider in particular the impact of those Chapters on the ability of small businesses—
 - (a) to import goods,
 - (b) to export goods,
 - (c) to employ staff, and
 - (d) to remain solvent.
- (3) In this section, “small businesses” means any business which has average headcount of staff of less than 50 in the tax year 2022-23.”

Member's explanatory statement

This new clause would require the Secretary of State to report on the impact of the procurement Chapters on small businesses.

Nick Thomas-Symonds

NC10

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

To move the following Clause—

“Impact assessment: National Health Service

The Secretary of State must publish an assessment of the impact of the implementation of the procurement Chapters on the National Health Service within three years of the date of Royal Assent to this Act.”

Nick Thomas-Symonds

NC11

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

To move the following Clause—

“Review of negotiation of procurement Chapters

Within one year of the date of Royal Assent to this Act, the Secretary of State must publish—

- (a) a review of the lessons learned from the negotiation of the procurement Chapters, and
- (b) an assessment of how this experience might inform negotiations of future free trade agreements.”

Nick Thomas-Symonds

NC12

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

To move the following Clause—

“Super-affirmative procedure

- (1) This section applies where an instrument is, or, as the case may be, regulations are, subject to the super-affirmative procedure.
- (2) A draft of the instrument or regulations must be laid before the relevant institution.
- (3) The appropriate authority must have regard to—
 - (a) any representations,
 - (b) any resolution of the relevant institution, and
 - (c) any recommendations of a committee of the relevant institution charged with reporting on the draft,made during the 60-day period with regard to the draft.
- (4) If after the expiry of the 60-day period the instrument is or, as the case may be, regulations are approved by a resolution of the relevant institution, the appropriate authority may make an instrument or statutory rule in the terms of the draft.
- (5) If after the expiry of the 60-day period the appropriate authority wishes to proceed with the draft but with material changes, the authority may lay before the relevant institution—
 - (a) a revised draft, and
 - (b) a statement giving a summary of the changes proposed.
- (6) If the revised draft is approved by a resolution of the relevant institution, the appropriate authority may make an instrument or, as the case may be, statutory rule in the terms of the revised draft.
- (7) For the purposes of this section an instrument or statutory rule is made in the terms of a draft if it contains no material changes to its provisions.

- (8) In this section, references to the “60-day” period in relation to any draft are to the period of 60 days beginning with the day on which the draft was laid before the relevant institution.
- (9) For the purposes of subsection (8) no account is to be taken of any time during which—
- (a) if the relevant institution is the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly, that institution is dissolved or is in recess for more than four days;
 - (b) if the relevant institution is both Houses of Parliament, Parliament is dissolved or prorogued, or either House of Parliament is adjourned for more than four days.
- (10) In this section, “relevant institution” means—
- (a) in the case of an instrument to be made by a Minister of the Crown—
 - (i) for the purposes of subsections (2), (5) and (8), both Houses of Parliament,
 - (ii) for the purposes of subsection (3), either House of Parliament,
 - (iii) for the purposes of subsections (4) and (6), each House of Parliament
 - (b) in the case of an instrument to be made by Scottish Ministers, the Scottish Parliament;
 - (c) in the case of an instrument to be made by Welsh Ministers, Senedd Cymru;
 - (d) in the case of regulations to be made by a Northern Ireland department, the Northern Ireland Assembly;
 - (e) in the case of an instrument to be made by appropriate authorities acting jointly—
 - (i) for the purposes of subsections (2), (5) and (8), both Houses of Parliament,
 - (ii) for the purposes of subsection (3), either House of Parliament,
 - (iii) for the purposes of subsections (4) and (6), each House of Parliament

and, as the case may be, the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly.”

Nick Thomas-Symonds

NC13

Gareth Thomas
 Dame Nia Griffith
 Ruth Cadbury

To move the following Clause—

“Impact assessment: climate change

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the procurement Chapters on tackling climate change,

not less than two years, but not more than three years, after the passage of this Act.”

Nick Thomas-Symonds

NC14

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

To move the following Clause—

“Impact assessment: labour rights

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the procurement Chapters on labour rights, not less than two years, but not more than three years, after the passage of this Act.”

Hywel Williams

NC15

Liz Saville Roberts
Ben Lake

To move the following Clause—

“Welsh sectoral impact assessment

The Secretary of State must publish an assessment of the impact of the procurement Chapters on each economic sector in Wales within twelve months of the coming into force of regulations made under section 1 and every 12 months thereafter.”

Member's explanatory statement

This new clause would require the UK Government to publish Wales-specific impact assessments which include an assessment of the impacts on specific sectors.

Nick Thomas-Symonds

1

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Clause 1, page 1, line 15, at end insert—

“(3A) Regulations under subsection (1) may not be made before completion of such public consultation as the appropriate authority considers appropriate with the relevant—

- (a) Scottish ministers
- (b) Welsh ministers,
- (c) department of the Northern Ireland Executive, and
- (d) representatives of the English Regions.”

Drew Hendry

2

Clause 1, page 1, line 15, at end insert—

“(3A) Where the appropriate authority is a Minister of the Crown, regulations under subsection (1) may not be made until the appropriate authority has consulted the relevant Scottish ministers in relation to any matters affecting farming in Scotland.”

Drew Hendry

3

Clause 1, page 1, line 15, at end insert—

“(3A) Where the appropriate authority is a Minister of the Crown, regulations under subsection (1) may not be made until the appropriate authority has consulted the relevant Scottish ministers in relation to any matters affecting Scotland.”

Drew Hendry

4

Clause 1, page 1, line 15, at end insert—

“(3A) Regulations under subsection (1) may not come into force before the date on which the procurement Chapters come into force.”

Drew Hendry

5

Clause 4, page 3, line 5, at end insert—

“(4) This Act expires on 31 December 2027.”

Nick Thomas-Symonds

6

Gareth Thomas
 Dame Nia Griffith
 Ruth Cadbury

Schedule 2, page 9, line 5, leave out from “to” to end of line 6 and insert “the super-affirmative procedure”

Nick Thomas-Symonds

7

Gareth Thomas
 Dame Nia Griffith
 Ruth Cadbury

Schedule 2, page 9, line 8, leave out from “to” to the end of line 9 and insert “the super-affirmative procedure”

Drew Hendry

17

Schedule 2, page 9, line 8, leave out from first “the” to the end of line 9 and insert “affirmative procedure (see section 29 of the Interpretation and Legislative Reform (Scotland) Act 2010).”

Nick Thomas-Symonds

8

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 9, line 11, leave out from “to” to end of line 12 and insert “the super-affirmative procedure”

Nick Thomas-Symonds

9

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 9, line 14, leave out from “to ” to end of line 16 and insert “the super-affirmative procedure”

Nick Thomas-Symonds

10

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 9, line 20, leave out sub-paragraph (2)

Nick Thomas-Symonds

11

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 9, line 25, leave out from “to” to end of line 26 and insert “the super-affirmative procedure”

Nick Thomas-Symonds

12

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 9, line 28, leave out “negative” and insert “super-affirmative”

Nick Thomas-Symonds

13

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 9, line 29, leave out sub-paragraph (5)

Nick Thomas-Symonds

14

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 10, line 2, leave out from “to” to end of line 3 and insert “the super-affirmative procedure”

Nick Thomas-Symonds

15

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 10, line 5, leave out from “to ” to end of line 7 and insert “the super-affirmative procedure”

Nick Thomas-Symonds

16

Gareth Thomas
Dame Nia Griffith
Ruth Cadbury

Schedule 2, page 10, line 8, leave out sub-paragraphs (9) to (13)

Order of the House

[6 September 2022, as amended 22 September 2022]

That the following provisions shall apply to the Trade (Australia and New Zealand) Bill:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

- (2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 20 October 2022.
- (3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and on Third Reading

- (4) Proceedings on Consideration 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 on Consideration are commenced.
- (5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
- (6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

- (7) Any other proceedings on the Bill may be programmed.