
Committee Stage: Monday 19 June 2023

Electronic Trade Documents Bill [Lords] (Committee Stage Decisions)

This document sets out the fate of each clause, schedule, amendment and new clause considered at committee stage. A glossary with key terms can be found at the end of this document.

Clauses 1 to 4 agreed to.

Paul Scully **Agreed to** 1

Clause 5, page 3, line 24, leave out “Secretary of State” and insert “appropriate authority”

Paul Scully **Agreed to** 2

Clause 5, page 3, line 29, at end insert—

“(4A) Subsection (4) does not apply if the regulations are to be made by the Secretary of State and the Scottish Ministers acting jointly.”

Paul Scully **Agreed to** 3

Clause 5, page 3, line 31, leave out paragraph (a)

Paul Scully **Agreed to** 4

Clause 5, page 3, line 32, at end insert—

“(5A) “The appropriate authority”, in relation to regulations under subsection (2)(b), means—

- (a) in any case, the Secretary of State or the Secretary of State and the Scottish Ministers acting jointly;
- (b) in a case in which all of the provision made by the regulations is within Scottish devolved competence, the Scottish Ministers.

(5B) Provision is within Scottish devolved competence if it is provision which would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament.”

Paul Scully Agreed to 5

Clause 5, page 3, line 33, leave out subsection (6)

Clause as amended, agreed to.

Clauses 6 to 7 agreed to.

Paul Scully Added NC1

To move the following Clause—

“Regulations under section 5

- (1) Any power to make regulations under section 5, so far as exercisable by the Secretary of State acting alone or by the Secretary of State and the Scottish Ministers acting jointly, is exercisable by statutory instrument.
- (2) For regulations made under section 5 by the Scottish Ministers acting alone, see section 27 of the 2010 Act (Scottish statutory instruments).
- (3) A statutory instrument containing regulations made under section 5 by the Secretary of State acting alone, or by the Secretary of State and the Scottish Ministers acting jointly, may not be made unless a draft of the instrument containing the regulations has been laid before and approved by a resolution of each House of Parliament.
- (4) Regulations made under section 5 by the Scottish Ministers acting alone, or by the Secretary of State and the Scottish Ministers acting jointly, are subject to the affirmative procedure (see section 29 of the 2010 Act).
- (5) Where regulations are made under section 5 by the Secretary of State and the Scottish Ministers acting jointly—
 - (a) section 29 of the 2010 Act (affirmative procedure) applies in relation to the regulations as it applies in relation to devolved subordinate legislation (within the meaning of Part 2 of that Act) which is subject to the affirmative procedure, but as if references to a Scottish statutory instrument were to a statutory instrument, and
 - (b) section 32 of the 2010 Act (laying) applies in relation to the laying before the Scottish Parliament of the statutory instrument containing the regulations as it applies in relation to the laying before that Parliament of a Scottish statutory instrument (within the meaning of Part 2 of that Act).
- (6) In this section “the 2010 Act” means the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).”

Bill, as amended, to be reported.

Glossary

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 Chair.
