

European Union (Withdrawal) Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD WIGLEY

Page 1, line 3, at beginning insert “Subject to subsections (2) and (3),”

LORD ADONIS

Page 1, line 3, leave out “on exit day” and insert “on a date to be determined by a further Act of Parliament”

Page 1, line 3, leave out “on exit day” and insert “on a date to be determined in the Act of Parliament enacted for the purposes of section 9(1) of this Act”

Page 1, line 3, at end insert “, except for section 5 of and Schedule 2 to that Act”

LORD FOULKES OF CUMNOCK

Page 1, line 3, at end insert—

“() Regulations under section 19(2) bringing into force subsection (1) may not be made until the Prime Minister is satisfied that resolutions have been passed by the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly signifying consent to the commencement of subsection (1).”

LORD WIGLEY

Page 1, line 3, at end insert—

“(2) Regulations bringing into force subsection (1) may not be made until the Secretary of State has laid a report before both Houses of Parliament outlining the effect of the United Kingdom’s withdrawal from the single market and customs union on the United Kingdom’s economy.”

Clause 1 - continued

Page 1, line 3, at end insert –

“(3) Regulations bringing into force subsection (1) may not be made unless it is an objective of Her Majesty’s Government, in negotiating a withdrawal agreement, to secure the same rights, freedoms and access available to UK businesses trading with the European Union as exist through the United Kingdom’s membership of the European Union.”

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 1 stand part of the Bill.

Clause 2

LORD FOULKES OF CUMNOCK

Page 1, line 12, after “passed” insert “and commenced”

Page 1, line 19, at end insert –

“() For the purposes of this Act, any EU-derived domestic legislation has effect in domestic law immediately before exit day if –

- (a) in the case of anything which comes into force at a particular time and is stated to apply from a later time it is in force and it applies immediately before exit day,
- (b) in any other case, it has been commenced and is in force immediately before exit day.”

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 2 stand part of the Bill.

Clause 3

BARONESS HAYTER OF KENTISH TOWN

LORD GOLDSMITH

LORD LENNIE

LORD TUNNICLIFFE

Page 2, line 3, leave out “law” and insert “primary legislation”

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 3 stand part of the Bill.

After Clause 3

BARONESS HAYTER OF KENTISH TOWN
LORD WARNER
BARONESS SMITH OF NEWNHAM
LORD BOWNESS

Insert the following new Clause—

“Future treatment of retained EU law

- (1) Following the day on which this Act is passed, no modification may be made to retained EU law except by primary legislation, or by subordinate legislation made under this Act insofar as this subordinate legislation meets the requirements in subsections (2) to (6).
- (2) The Secretary of State must by regulations establish a schedule listing technical provisions of retained EU law that may be amended by subordinate legislation.
- (3) Subordinate legislation to which subsection (2) applies must be subject to an enhanced scrutiny procedure, to be established by regulations made by the Secretary of State.
- (4) Regulations under subsections (2) and (3) may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament.
- (5) The enhanced scrutiny procedure provided for by subsection (3) must include a period of consultation with the public and relevant stakeholders.
- (6) Regulations under this section may be used only to modify provisions of retained EU law listed in any schedule made under subsection (2) to the extent that such modification will not limit the scope of or weaken—
 - (a) employment entitlements, rights and protection,
 - (b) equality entitlements, rights and protection,
 - (c) health and safety entitlements, rights and protection,
 - (d) consumer standards, or
 - (e) environmental standards and protection.”

Clause 4

LORD FOULKES OF CUMNOCK

Page 2, line 46, after “continue” insert “, subject to the terms of Schedule 1,”

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 4 stand part of the Bill.

After Clause 4

BARONESS SHERLOCK

Insert the following new Clause –

“Maintenance of rights in the area of family law

- (1) Within six months of the passing of this Act, a Minister of the Crown must publish a report outlining the ways in which the rights afforded by EU family law continue to exist in domestic law.
- (2) The report provided for under subsection (1) must include –
 - (a) the steps, if any, taken by Ministers of the Crown to negotiate the continuation of reciprocal arrangements between the UK and member States in the field of family law;
 - (b) the nature and duration of these reciprocal arrangements, if such arrangements have been successfully negotiated; and
 - (c) a declaration from the Minister of the Crown outlining whether, in their view, the rights of individuals in the area of family law have been weakened.
- (3) The Minister of the Crown must lay the report before both Houses of Parliament.”

BARONESS JONES OF MOULSECOOMB

Insert the following new Clause –

“EU Protocol on animal sentience

The obligation on Ministers of the Crown and the devolved administrations to pay regard to the welfare requirements of animals as sentient beings when formulating law and policy, contained within the EU Protocol on animal sentience as set out in Article 13 of Title II of the Treaty on the Functioning of the EU, shall be recognised and available in domestic law on and after exit day.”

Clause 5

LORD FOULKES OF CUMNOCK

Page 3, line 11, leave out subsection (1) and insert –

- “(1) An enactment or rule of law passed or made on or after exit day will not be subject to the principle of the supremacy of EU law.”

LORD GOLDSMITH
 BARONESS LUDFORD
 LORD KERSLAKE
 LORD BOWNESS

Page 3, line 20, leave out subsections (4) and (5)

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 5 stand part of the Bill.

Clause 6

LORD FOULKES OF CUMNOCK

Page 3, line 33, after “cannot” insert “, subject to paragraph (c),”

Page 3, line 33, at end insert –

- “(c) may however refer a matter concerning citizens' rights to the European Court after exit day if –
- (i) it has had regard to the relevant case law including anything done by the European Court after exit day;
 - (ii) it considers that in order to give a judgment in the matter it is necessary to refer the matter to the European Court; and
 - (iii) the matter has been brought before the court or tribunal after exit day.”

BARONESS SHERLOCK

Page 3, line 33, at end insert –

- “(1A) Notwithstanding the provisions of subsection (1), a court or tribunal retains, for the period of eight years after exit day, the ability to refer a matter relating to family law to the European Court, in order to seek a preliminary ruling on that matter.
- (1B) Having exercised the power in subsection (1A), a court or tribunal is bound by any preliminary ruling of the European Court.
- (1C) In addition to the provisions of subsection (1A), a court or tribunal must, when considering a matter relating to family law, have regard to any relevant judgment or decision given by the European Court for a period of eight years after exit day.
- (1D) A Minister of the Crown may by regulations made by statutory instrument extend the time period specified in subsections (1A) and (1C).
- (1E) A statutory instrument containing regulations under subsection (1D) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

LORD FOULKES OF CUMNOCK

Page 3, line 34, leave out subsection (2) and insert –

- “(2) A court or tribunal may regard the decisions of the European Court made on or after exit day to be persuasive.”

LORD PANNICK

LORD GOLDSMITH

LORD WALLACE OF TANKERNESS

VISCOUNT HAILSHAM

Page 3, line 34, leave out subsection (2) and insert –

- “(2A) A court or tribunal must, where it considers it relevant for the proper interpretation of retained EU law, have regard to judgments or decisions given by the European Court on or after exit day.

Clause 6 - continued

- (2B) In determining the significance of any judgment or decision considered under subsection (2A), the court or tribunal must have regard to the terms of any agreement between the United Kingdom and the EU which it considers relevant.
- (2C) A court or tribunal may determine that any judgment or decision taken into account under subsection (2A) has no significance in relation to its proceedings.”

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 6 stand part of the Bill.

After Clause 6

LORD WARNER
BARONESS JOLLY
LORD HUNT OF KINGS HEATH
LORD PATEL

Insert the following new Clause –

“Public health

In carrying out their duties and functions arising by virtue of this Act, a Minister of the Crown or a public authority must have regard to the principle that a high level of human health protection must be ensured in the definition and implementation of all policies and activities.”

BARONESS JONES OF WHITCHURCH

Insert the following new Clause –

“Maintenance of EU environmental principles

- (1) Public authorities must have special regard to and apply the principles set out in this section.
- (2) The principles in this section are –
 - (a) the precautionary principle as it relates to the environment,
 - (b) that preventive action should be taken to avert environmental damage,
 - (c) that environmental damage should, as a priority, be rectified at source,
 - (d) the polluter pays principle, and
 - (e) that environmental protection requirements must be integrated into the definition and implementation of policies and activities, with a view to promoting sustainable development.
- (3) The principles in subsection (2) may be called the “environmental principles”.
- (4) In carrying out their duties and functions arising by virtue of this Act, public authorities must take account of the public interest in –
 - (a) promoting sustainable development in the UK and overseas,
 - (b) preserving, protecting and improving the environment,
 - (c) the prudent and rational utilisation of natural resources,

After Clause 6 - continued

- (d) promoting measures at the international level to deal with regional or worldwide environmental problems, and combat climate change,
 - (e) guaranteeing participatory rights including –
 - (i) access to information,
 - (ii) public participation in decision making, and
 - (iii) access to justice,
 in relation to environmental matters, and
 - (f) acting in a way that takes account of available scientific and technical data.
- (5) When making proposals concerning environmental protection, public authorities shall take as a base a high level of protection, taking account in particular of any new development based on scientific facts.
- (6) Subsection (7) applies in any proceedings in which a court or tribunal determines whether a provision of primary or subordinate legislation is compatible with the environmental principles.
- (7) If the court is satisfied that the provision is incompatible with the environmental principles, it may make a declaration of that incompatibility.”

Clause 7

LORD LISVANE
 LORD WILSON OF DINTON
 LORD TYLER
 LORD GOLDSMITH

Page 5, line 3, leave out “the Minister considers appropriate” and insert “is necessary”

LORD FOULKES OF CUMNOCK
 LORD GOLDSMITH
 LORD WALLACE OF SALTAIRE
 LORD CORMACK

Page 5, line 4, leave out “appropriate” and insert “necessary”

BARONESS HAYTER OF KENTISH TOWN

Page 5, line 39, leave out subsection (3)

Page 6, line 3, leave out subsections (6) to (7) and insert –

- “(6A) Regulations under this section may provide for functions of EU entities or public authorities in member States (including making an instrument of a legislative character or providing funding) to be exercisable instead by a public authority (whether or not newly established or established for the purpose) in the United Kingdom.
- (6B) Regulations to which subsection (6A) applies must ensure that the functions of such EU entities or public authorities are exercised with equivalent scope, purpose and effect by public authorities in the United Kingdom.
- (6C) But regulations under this section may not –

Clause 7 - continued

- (a) impose or increase taxation, fees or charges,
- (b) make retrospective provision,
- (c) create a criminal offence,
- (d) establish a public authority,
- (e) be made to implement the withdrawal agreement,
- (f) amend, repeal or revoke the Human Rights Act 1998 or any subordinate legislation made under it,
- (g) amend, repeal or revoke the General Data Protection Regulation, the Data Protection Act 2018 or any subordinate legislation made under that Act,
- (h) amend or repeal the Northern Ireland Act 1998 (unless the regulations are made by virtue of paragraph 16(b) of Schedule 7 to this Act or are amending or repealing paragraph 38 of Schedule 3 to the Northern Ireland Act 1998 or any provision of that Act which modifies another enactment),
- (i) contain any provision the effect of which is that, in comparison with the position immediately before exit day –
 - (i) any right conferred on a person by retained EU law is either removed or made less favourable,
 - (ii) any standard set by retained EU law is lowered, or
 - (iii) any remedy, procedure or method of enforcement, in relation to any rights or standards conferred by retained EU law, is made less effective, or
- (j) amend, repeal or revoke the Equality Act 2010 or any subordinate legislation made under that Act.”

LORD NEWBY
 BARONESS HAYTER OF KENTISH TOWN
 LORD TURNBULL
 BARONESS ALTMANN

Page 6, line 11, leave out paragraph (b)

LORD PATEL
 BARONESS THORNTON

Page 6, line 13, at end insert –

- “() No regulations may be made under this section which make changes to EU-derived domestic legislation concerning the regulation of clinical trials until the Secretary of State has laid a report before both Houses of Parliament assessing the costs and benefits of adopting EU Regulation 536/2014.”

BARONESS HAYTER OF KENTISH TOWN
 BARONESS KRAMER
 LORD TURNBULL
 LORD HIGGINS

Page 6, line 15, at end insert “fees or charges,”

Clause 7 - continued

LORD JUDGE
BARONESS HAYTER OF KENTISH TOWN
LORD MCNALLY
VISCOUNT HAILSHAM

Page 6, line 17, leave out “relevant”

LORD STEVENSON OF BALMACARA
LORD WARNER

Page 6, line 18, at end insert –

“() amend, repeal or revoke the General Data Protection Regulation, the Data Protection Act 2018 or any subordinate legislation made under that Act,”

LORD WIGLEY

Page 6, line 20, at end insert –

“() weaken, remove or replace any requirement of law in effect in the United Kingdom immediately before exit day which, in the opinion of the Minister, was a requirement up to exit day of the United Kingdom’s membership of the EU single market and customs union,”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 6, line 25, at end insert –

“() modify the Scotland Act 1998 without the consent of the Scottish Parliament, or
() modify the Government of Wales Act 2006 without the consent of the National Assembly for Wales.”

LORD FOULKES OF CUMNOCK

Page 6, line 25, at end insert –

“() amend or repeal the Scotland Act 1998.”

Page 6, line 25, at end insert –

“() amend or repeal the Wales Act 2017.”

LORD NEWBY
BARONESS HAYTER OF KENTISH TOWN
LORD TURNBULL
BARONESS ALTMANN

Page 6, line 25, at end insert –

“() provide for the establishment of public authorities in the United Kingdom.”

Clause 7 - continued

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 6, line 25, at end insert –

- “() The consent of the Scottish Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Scottish Ministers within the meaning given to those words by paragraph 18 of Schedule 2.
- () The consent of the Welsh Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Welsh Ministers within the meaning given to those words by paragraph 19 of Schedule 2.”

LORD BERKELEY

Page 6, line 25, at end insert –

- “() No regulations affecting or amending the frontier control procedures for freight transport at borders between the United Kingdom and the European Union may be made unless a Minister of the Crown has laid before both Houses of Parliament a report demonstrating that the new or amended procedures will not increase delays to freight transport.”

Page 6, line 25, at end insert –

- “() No regulations altering the roles and responsibilities of the European Union Agency for Rail relating to rail transport and the application of legislation relating to it may come into force until a Minister of the Crown has laid before both Houses of Parliament a report setting out the benefits and costs of any such alteration for the passenger and freight rail sectors and the impact of the alterations on rail infrastructure managers in the United Kingdom in terms of capital and operation costs.”

LORD LISVANE
LORD JUDGE
LORD PANNICK
LORD TYLER

Page 6, line 27, at end insert –

- “() Where regulations under subsection (1) confer power to legislate by subordinate instrument, the instrument is subject to the same parliamentary control and the same time limit in subsection (8) as are the regulations.”

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 7 stand part of the Bill.

Clause 8

LORD LISVANE
LORD WILSON OF DINTON
LORD TYLER
LORD GOLDSMITH

Page 6, line 34, leave out “the Minister considers appropriate” and insert “is necessary”

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTAIRE
LORD CORMACK

Page 6, line 35, leave out “appropriate” and insert “necessary”

BARONESS SHERLOCK

Page 6, line 37, at end insert “, including those that occur where the EU has entered into an agreement on behalf of member States and that agreement has not been formally ratified by the United Kingdom”

LORD COLLINS OF HIGHBURY

Page 6, line 37, at end insert “, subject to the requirement in subsection (1A).

- (1A) Within one month of the passing of this Act, a Minister of the Crown must publish an assessment of each of the international treaties, agreements and obligations that will require amendment or renegotiation as a result of the withdrawal of the United Kingdom from the EU.
- (1B) The report required under subsection (1) must include an assessment of how the powers under this section may need to be used.
- (1C) A Minister of the Crown must lay the report under subsection (1A) before both Houses of Parliament.”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 6, line 39, at end insert –

- “() The consent of the Scottish Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Scottish Ministers within the meaning given to those words by paragraph 18 of Schedule 2.
- () The consent of the Welsh Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Welsh Ministers within the meaning given to those words by paragraph 19 of Schedule 2.”

Clause 8 - continued

LORD LISVANE
LORD PANNICK
LORD JUDGE
LORD TYLER

Page 6, line 40, at end insert –

“() impose or increase taxation,”

BARONESS HAYTER OF KENTISH TOWN
BARONESS KRAMER
LORD TURNBULL
LORD HIGGINS

Page 6, line 40, at end insert –

“() impose or increase taxation, fees or charges,”

LORD JUDGE
BARONESS HAYTER OF KENTISH TOWN
LORD MCNALLY
VISCOUNT HAILSHAM

Page 6, line 42, leave out “relevant”

LORD STEVENSON OF BALMACARA
LORD WARNER

Page 6, line 43, at end insert –

“() amend, repeal or revoke the General Data Protection Regulation, the Data Protection Act 2018 or any subordinate legislation made under that Act,”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 6, line 45, at end insert –

“() modify the Scotland Act 1998 without the consent of the Scottish Parliament, or
() modify the Government of Wales Act 2006 without the consent of the National Assembly for Wales.”

LORD LISVANE
LORD JUDGE
LORD PANNICK
LORD TYLER

Page 7, line 2, at end insert –

“() Where regulations under subsection (1) confer power to legislate by subordinate instrument, the instrument is subject to the same parliamentary control and same time limit in subsection (4) as are the regulations.”

Clause 8 - continued

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 8 stand part of the Bill.

Clause 9

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTAIRE
LORD CORMACK

Page 7, line 5, leave out “appropriate” and insert “necessary”

LORD MONKS
LORD LEA OF CRONDALL
LORD CAMPBELL OF PITTENWEEM
BARONESS WHEATCROFT

Page 7, line 7, after “to” insert “–

- (a) approval by both Houses of Parliament of a mandate for negotiations about the United Kingdom's future relationship with the European Union; and
- (b) ”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 7, line 9, at end insert –

- “() The consent of the Scottish Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Scottish Ministers within the meaning given to those words by paragraph 18 of Schedule 2.
- () The consent of the Welsh Ministers is required before any provision is made in regulations under this section so far as the provision would be within the devolved competence of the Welsh Ministers within the meaning given to those words by paragraph 19 of Schedule 2.
- () The consent of the Scottish Ministers is required before any provision is made in regulations under this section that modifies the Scotland Act 1998.
- () The consent of the Welsh Ministers is required before any provision is made in regulations under this section that modifies the Government of Wales Act 2006.”

Clause 9 - continued

BARONESS HAYTER OF KENTISH TOWN
 LORD WALLACE OF SALTAIRE
 LORD HANNAY OF CHISWICK
 LORD PATTEN OF BARNES

Page 7, line 9, at end insert –

- “() The statute provided for by subsection (1) must include the terms of the withdrawal agreement and make provision for any transitional arrangements which have been negotiated within or alongside the withdrawal agreement.
- () In addition to the statute provided for by subsection (1), the Minister of the Crown must, as a further precondition of making regulations under subsection (1), seek interim approval for the withdrawal agreement by means of motions in both Houses of Parliament, with such motions to be voted on, so far as practicable, before the European Parliament votes on the withdrawal agreement.”

LORD CORMACK
 LORD BALFE
 BARONESS VERMA
 BARONESS MCDONAGH

Page 7, line 9, at end insert –

- “() It is an objective of the Government to ensure the enactment of the statute described in subsection (1) prior to the ratification of the withdrawal agreement by the European Parliament.”

LORD JUDGE
 BARONESS HAYTER OF KENTISH TOWN
 BARONESS SMITH OF NEWNHAM
 VISCOUNT HAILSHAM

Page 7, line 10, leave out subsection (2)

LORD LISVANE
 LORD JUDGE
 LORD TYLER
 BARONESS ANDREWS

Page 7, line 11, leave out “(including modifying this Act)”

BARONESS HAYTER OF KENTISH TOWN
 BARONESS KRAMER
 LORD TURNBULL
 LORD HIGGINS

Page 7, line 13, at end insert “fees or charges,”

Clause 9 - continued

LORD JUDGE
BARONESS HAYTER OF KENTISH TOWN
LORD MCNALLY
VISCOUNT HAILSHAM

Page 7, line 15, leave out “relevant”

LORD STEVENSON OF BALMACARA
LORD WARNER

Page 7, line 15, at end insert –

“() amend, repeal or revoke the General Data Protection Regulation, the Data Protection Act 2018 or any subordinate legislation made under that Act,”

LORD WIGLEY

Page 7, line 17, at end insert –

“(3A) No regulations may be made under this section until the Chancellor of the Exchequer has laid before Parliament an assessment of the impact of exiting the EU single market and customs union on levels of GDP growth.

(3B) Any assessment under subsection (3A) must set out an assessment of the impact of exiting the EU single market and customs union on levels of GDP growth in –

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

BARONESS GARDEN OF FROGNAL
LORD STOREY

Page 7, line 17, at end insert –

“() No regulations may be made under this section until the Secretary of State has laid a report before both Houses of Parliament setting out a strategy for the United Kingdom to seek to retain membership of the Erasmus programme on existing terms after withdrawal from the EU.”

LORD WIGLEY

Page 7, line 18, at end insert –

“() No regulations may be made under this section unless the Secretary of State has signed an agreement with the European Union that the United Kingdom will remain a full member of the EU single market and customs union.”

Clause 9 - continued

Page 7, line 18, at end insert—

- “() It is an objective of Her Majesty’s Government, in negotiating a withdrawal agreement with the EU, to ensure that in the event of Parliament not approving the terms of the UK’s withdrawal, the United Kingdom could remain a member of the EU.”

BARONESS MCGREGOR-SMITH
LORD ALLI

Page 7, line 18, at end insert—

- “() It is a negotiating objective of the Government to ensure that the withdrawal agreement provides for the United Kingdom's continued participation in an internal single market with the European Union.”

LORD LISVANE
LORD JUDGE
LORD ADONIS
LORD TYLER

The above-named Lords give notice of their intention to oppose the Question that Clause 9 stand part of the Bill.

After Clause 9

LORD DAVIES OF OLDHAM
LORD TUNNICLIFFE

Insert the following new Clause—

“Economic outlook taking account of the terms of the withdrawal agreement

- (1) Following the completion of negotiations between the United Kingdom and the EU on the terms of the withdrawal agreement, the Secretary of State must commission an economic outlook from the Office for Budget Responsibility.
- (2) The economic outlook provided for by subsection (1) must—
 - (a) take account of the terms of the withdrawal agreement, and
 - (b) be laid before both Houses of Parliament before Parliament considers legislation to approve the withdrawal agreement.”

LORD LIDDLE

Insert the following new Clause—

“Failure to negotiate a withdrawal agreement by 31 October 2018

- (1) Subsection (2) applies if either of the conditions in subsections (3) and (4) is met.
- (2) The Prime Minister must seek an agreement with the EU on one or more of the following—
 - (a) extending the negotiations beyond the two-year period specified in Article 50 of the Treaty on European Union; or

After Clause 9 - continued

- (b) agreeing that the conclusion of negotiations over the final terms of the United Kingdom's withdrawal from the EU may take place during a time-limited transitional period which broadly reflects current arrangements and begins upon expiration of the Article 50 notice period; or
- (c) any other course of action in relation to the negotiations (with the EU over the withdrawal of the United Kingdom) which has been—
 - (i) approved in accordance with this section by a resolution of the House of Commons, and
 - (ii) subject to consideration of a motion in the House of Lords.
- (3) The condition in this subsection is that no withdrawal agreement under Article 50 has been reached between the United Kingdom and the EU by 31 October 2018.
- (4) The condition in this subsection is that a withdrawal agreement under Article 50 has been reached between the United Kingdom and the EU but the proposed terms of this agreement have not been—
 - (a) subject to consideration of a motion in the House of Lords, and
 - (b) adopted by a resolution in the House of Commons.
- (5) Nothing in this section may be amended by regulations made under any provision of this Act.”

LORD WIGLEY

Insert the following new Clause—

“Participation in the single market and customs union

It is an objective of Her Majesty's Government, in negotiating a withdrawal agreement, to secure the same rights, freedoms and access available to United Kingdom businesses trading with the European Union as exist through the United Kingdom's membership of the European Union.”

LORD HAIN
BARONESS ALTMANN
LORD KERSLAKE
BARONESS SUTTIE

Insert the following new Clause—

“Republic of Ireland and Northern Ireland

- (1) Nothing in section 8 or 9 of this Act shall authorise regulations which—
 - (a) breach any of the obligations of Her Majesty's Government under the Belfast Agreement implemented in the Northern Ireland Act 1998, or
 - (b) create hard border arrangements between Northern Ireland and the Republic of Ireland, or
 - (c) diminish the alignment of the United Kingdom with rules of the Internal Market and the Customs Union so far as they support North-South cooperation, the all-island economy and the protection of the Belfast Agreement.

After Clause 9 - continued

- (2) Subsection (1)(c) applies unless Her Majesty’s Government, the Government of the Republic of Ireland and the European Union agree alternative specific solutions which address the circumstances of the island of Ireland, the obligations of the Belfast Agreement and the avoidance of a hard border arrangement between Northern Ireland and the Republic of Ireland.”

LORD CORMACK
LORD BALFE
BARONESS VERMA
BARONESS MCDONAGH

Insert the following new Clause –

“House of Commons motion on withdrawal agreement or future relationship with the European Union

If the House of Commons declines to approve a motion tabled in the name of the Minister of the Crown or Parliament declines to pass the statute under subsection (1) in respect of the final terms of the withdrawal agreement or future relationship with the European Union, it will be the policy of the Government to seek to maintain the existing arrangements and relationship with the European Union and to seek an extension to the period set out in Article 50(3) of the TEU.”

Before Clause 10

LORD PATTEN OF BARNES
BARONESS SMITH OF BASILDON
BARONESS O’NEILL OF BENGARVE
LORD ALDERDICE

Insert the following new Clause –

“Northern Ireland: the Belfast principles

- (1) In exercising any of the powers under this Act to make any provision affecting Northern Ireland, a Minister of the Crown or any devolved authority must have regard to the requirement to preserve and abide by the principles and obligations contained within the Belfast Agreement and given effect by the Northern Ireland Act 1998 (“the Belfast principles”).
- (2) The Belfast principles include, but are not limited to –
- (a) partnership,
 - (b) equality, and
 - (c) mutual respect,
- as the basis of relationships within Northern Ireland, between the North and South of Ireland, and between the islands of Ireland and Great Britain.
- (3) In particular, in relation to this Act –

Before Clause 10 - continued

- (a) a Minister of the Crown must not give consent under paragraph 6 of Schedule 2 to this Act before any provision is made by a Northern Ireland department except where the Secretary State has considered the requirement to preserve and abide by the Belfast principles and considers the provision is necessary only as a direct consequence of the withdrawal of the United Kingdom from the European Union, and
 - (b) the powers under paragraph 16(b) of Schedule 7 to this Act to make supplementary, incidental, consequential, transitional, transitory or saving provision (including provision restating any retained EU law in a clearer or more accessible way) may not be exercised to do anything beyond the minimum changes strictly required only as a direct consequence of the withdrawal of the United Kingdom from the European Union.
- (4) Section 11(3) of this Act does not permit the Northern Ireland Assembly to do anything which is not in accordance with the Belfast principles.”

Clause 10

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 10 stand part of the Bill.

Clause 11

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 7, line 25, leave out subsection (1) and insert—

- “(1) In section 29(2)(d) of the Scotland Act 1998 (legislative competence for the Scottish Parliament), omit “or with EU law”.”

LORD GRIFFITHS OF BURRY PORT
LORD KERR OF KINLOCHARD
LORD WALLACE OF TANKERNESS
LORD BOWNESS

Page 7, line 25, leave out subsections (1) to (3) and insert—

- “(1) In section 29(2)(d) of the Scotland Act 1998 (no competence for Scottish Parliament to legislate incompatibly with EU law), omit “or with EU law”.
- (2) In section 108A(2)(e) of the Government of Wales Act 2006 (no competence for National Assembly for Wales to legislate incompatibly with EU law), omit “or with EU law”.
- (3) In section 6(2)(d) of the Northern Ireland Act 1998 (no competence for the Assembly to legislate incompatibly with EU law), omit “is incompatible with EU law”.
- (4) The Secretary of State must lay before each House of Parliament proposals for replacing European Union legal frameworks with legal frameworks for the United Kingdom.

Clause 11 - *continued*

- (5) United Kingdom-wide legal frameworks may be proposed if, and only if, they are necessary to –
- (a) enable the functioning of the United Kingdom’s internal market,
 - (b) ensure compliance with international obligations,
 - (c) ensure the United Kingdom can negotiate, enter into and implement new trade agreements and international treaties,
 - (d) enable the management of common resources,
 - (e) administer and provide access to justice in cases with a cross-border element, or
 - (f) safeguard the security of the United Kingdom.
- (6) Ministers of the Crown may create UK-wide frameworks only if they have consulted with, and secured the agreement of, the affected devolved administrations.”

LORD WIGLEY

Page 7, line 25, leave out subsections (1) to (3) and insert –

- “(1) In section 29(2)(d) of the Scotland Act 1998 (no competence for Scottish Parliament to legislate incompatibly with EU law), omit “or with EU law”.
- (2) In section 108A(2)(e) of the Government of Wales Act 2006 (no competence for National Assembly for Wales to legislate incompatibly with EU law), omit “or with EU law”.
- (3) In section 6(2) of the Northern Ireland Act 1998 (no competency for the Assembly to legislate incompatibly with EU law), omit paragraph (d).”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 7, line 39, leave out subsection (2) and insert –

- “(2) In section 108A(2)(e) of the Government of Wales Act 2006 (legislative competence of the National Assembly for Wales), omit “or with EU law”.”

LORD FOULKES OF CUMNOCK

Page 8, line 38, at end insert –

- “() This section applies only to –
- (a) an Act of the Scottish Parliament,
 - (b) an Act of the National Assembly for Wales; and
 - (c) an Act of the Northern Ireland Assembly,
- which was introduced to the Parliament or Assembly, as the case may be, after exit day.”

Page 8, line 41, at end insert –

- “() This section and Part 1 of Schedule 3 will cease to have effect after the end of the period of two years beginning with exit day.”

Clause 11 - continued

LORD ADONIS
LORD WIGLEY
BARONESS FINLAY OF LLANDAFF

The above-named Lords give notice of their intention to oppose the Question that Clause 11 stand part of the Bill.

After Clause 11

LORD HOPE OF CRAIGHEAD

Insert the following new Clause—

“UK-wide frameworks

- “(1) A Minister of the Crown must lay before each House of Parliament proposals for replacing European frameworks with UK ones.
- (2) UK frameworks may be proposed only if they are necessary to—
 - (a) enable the functioning of the UK internal market,
 - (b) ensure compliance with international obligations,
 - (c) ensure that the UK can negotiate, enter into and implement new trade agreements and international treaties,
 - (d) enable the management of common resources,
 - (e) administer and provide access to justice in cases with a cross-border element, or
 - (f) safeguard the security of the UK.
- (3) Ministers of the Crown may create UK-wide frameworks only if they have consulted with, and secured the agreement of, the affected devolved administrations.”

BARONESS BUTLER-SLOSS

Insert the following new Clause—

“Saving of acquired rights: Gibraltar

- (1) Nothing in this Act is to be construed as removing, replacing, altering or prejudicing the exercise of an acquired right.
- (2) Any power, howsoever expressed, contained in this Act may not be exercised if the exercise of that power is likely to or will remove, replace or alter or prejudice the exercise of an acquired right.
- (3) In subsection (2) a reference to a power includes a power to make regulations.
- (4) In this section an acquired right means a right that existed immediately before exit day whereby—
 - (a) a person from or established in Gibraltar could exercise that right (either absolutely or subject to any qualification) in the United Kingdom; and

After Clause 11 - continued

- (b) the right arose in the context of the United Kingdom's membership of the European Union and Gibraltar's status as a European territory for whose external relations the United Kingdom is responsible within the meaning of Article 355(3) TFEU and to which the provisions of the EU Treaties apply, subject to the exceptions specified in the 1972 Act of Accession.
- (5) Nothing in this section prevents the use of the powers conferred by this Act to the extent that acquired rights are not altered or otherwise affected to the detriment of persons enjoying such rights.
- (6) In this section, reference to the “1972 Act of Accession” is reference to the treaty concerning the accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and to the European Atomic Energy Community.”

Clause 12

LORD ADONIS

Lord Adonis gives notice of his intention to oppose the Question that Clause 12 stand part of the Bill.

Clause 14

LORD GOLDSMITH
BARONESS LUDFORD
LORD KERSLAKE
LORD BOWNESS

Page 9, leave out lines 25 to 27

BARONESS HAYTER OF KENTISH TOWN
LORD NEWBY
LORD HANNAY OF CHISWICK
THE DUKE OF WELLINGTON

Page 10, line 40, leave out from “means” to end of line 41 and insert “such day as a Minister of the Crown may by regulations appoint (and see subsection (2A));”

BARONESS SHERLOCK

Page 10, line 41, at end insert –

““family law” means any area included in, or legal proceedings relating to, the provisions of Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations, and any associated instruments incorporated into domestic law by this Act;”

Clause 14 - continued

LORD JAY OF EWELME
BARONESS HAYTER OF KENTISH TOWN
BARONESS LUDFORD
BARONESS WHEATCROFT

Page 10, line 41, at end insert –

““final terms of withdrawal” means the same as “withdrawal agreement”.”

LORD STEVENSON OF BALMACARA
LORD WARNER

Page 10, line 41, at end insert –

““General Data Protection Regulation” means Regulation 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data;”

LORD JUDGE
BARONESS HAYTER OF KENTISH TOWN
LORD MCNALLY
VISCOUNT HAILSHAM

Page 11, leave out lines 8 to 12

LORD JAY OF EWELME
BARONESS HAYTER OF KENTISH TOWN
BARONESS LUDFORD
BARONESS WHEATCROFT

Page 11, line 37, at end insert “, or the absence of an agreement”

BARONESS HAYTER OF KENTISH TOWN
LORD NEWBY
LORD HANNAY OF CHISWICK
THE DUKE OF WELLINGTON

Page 11, line 38, leave out subsections (2) to (5) and insert –

“(2) In this Act –

- (a) where a Minister of the Crown appoints a time as well as a day as exit day (see paragraph 19 of Schedule 7), references to before, after or on that day, or to beginning with that day, are to be read as references to before, after or at that time on that day or (as the case may be) to beginning with that time on that day, and
- (b) where a Minister of the Crown does not appoint a time as well as a day as exit day, the reference to exit day in section 1 is to be read as a reference to the beginning of that day.”

Clause 14 - continued

BARONESS WHEATCROFT
LORD KENNEDY OF SOUTHWARK

Page 11, line 44, at end insert “or if the House of Commons resolves to instruct the Government to make a request to the European Council to extend the period set out in Article 50(3)”

Clause 15

LORD GOLDSMITH
BARONESS LUDFORD
LORD KERSLAKE
LORD BOWNESS

Page 12, leave out line 28

Clause 17

LORD LISVANE
LORD WILSON OF DINTON
LORD TYLER
LORD GOLDSMITH

Page 14, line 14, leave out “the Minister considers appropriate” and insert “is necessary”

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTAIRE
LORD CORMACK

Page 14, line 15, leave out “appropriate” and insert “necessary”

LORD SHARKEY

Page 14, line 16, leave out subsections (2) and (3)

LORD LISVANE
LORD WILSON OF DINTON
LORD TYLER
LORD GOLDSMITH

Page 14, line 22, leave out “the Minister considers appropriate” and insert “is necessary”

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTAIRE
LORD CORMACK

Page 14, line 22, leave out “appropriate” and insert “necessary”

Clause 19

LORD FOULKES OF CUMNOCK

Page 15, line 19, leave out subsection (2) and insert –

- “(2) The remaining provisions of this Act come into force following a referendum on whether the United Kingdom should approve the United Kingdom and Gibraltar exit package proposed by HM Government at conclusion of the negotiations triggered by Article 50(2) for withdrawal from the European Union or remain a member of the European Union.
- (2A) The Secretary of State must, by regulations, appoint the day on which the referendum is to be held.
- (2B) The question that is to appear on the ballot papers is – “Do you support the Government’s proposed new agreement between the United Kingdom and Gibraltar and the European Union or Should the United Kingdom remain a member of the European Union?”
- (2C) The Secretary of State may make regulations by statutory instrument on the conduct of the referendum.”

LORD GOLDSMITH
LORD KERR OF KINLOCHARD
VISCOUNT HAILSHAM
LORD WALLACE OF TANKERNES

Page 15, line 21, at end insert –

- “() If the United Kingdom agrees transitional arrangements with the European Union, a Minister of the Crown may not appoint a day on which section 6 is to come in force unless this day follows the expiration of those transitional arrangements.”

Schedule 1

LORD FOULKES OF CUMNOCK

Page 16, line 21, leave out paragraph 3

LORD DAVIES OF STAMFORD

Page 16, line 27, leave out paragraph 4

LORD GOLDSMITH

Page 16, line 29, at end insert “, except in cases where the breach of Community law took place on or before exit day.

- () For the purposes of sub-paragraph (1), exit day must not be before the end of any transitional period agreed between the United Kingdom and the EU.”

LORD GOLDSMITH
BARONESS LUDFORD
LORD KERSLAKE
LORD BOWNES

Page 16, line 32, leave out “the Charter of Fundamental Rights,”

Schedule 1 - continued

Page 17, line 1, leave out “Charter”

Schedule 2

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTAIRE
LORD CORMACK

Page 17, line 13, leave out “appropriate” and insert “necessary”

Page 17, line 18, leave out “appropriate” and insert “necessary”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 17, line 32, at end insert –

“() Sub-paragraph (4)(b) does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 18, line 39, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 19, line 2, at end insert –

“() No regulations may be made under this Part by the Scottish Ministers or the Welsh Ministers acting alone so far as the regulations –
(a) are to come into effect before exit day, or
(b) remove (whether wholly or partly) reciprocal arrangements of the kind mentioned in section 7(2)(c) or (e),
unless the regulations are, to that extent, made after consulting with a Minister of the Crown.”

Page 19, line 2, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 21, line 29, leave out “and retained EU law”

Page 22, line 4, leave out “and retained EU law”

Schedule 2 - continued

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH

Page 23, line 18, leave out “appropriate” and insert “necessary”

LORD FOULKES OF CUMNOCK

Page 23, line 18, leave out “appropriate” and insert “necessary”

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTIRE
LORD CORMACK

Page 23, line 22, leave out “appropriate” and insert “necessary”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 23, line 34, at end insert –

“() Sub-paragraph (4)(d) does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 24, line 15, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 25, line 15, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 25, line 15, at end insert –

“Requirement for consultation in certain circumstances

- (1) No regulations may be made under this Part by the Scottish Ministers or by the Welsh Ministers acting alone so far as the regulations –
 - (a) are to come into force before exit day,
 - (b) are for the purpose of preventing or remedying any breach of the WTO Agreement, or
 - (c) make provision about any quota arrangements or are incompatible with any such arrangements unless the regulations are, to that extent, made after consulting with a Minister of the Crown.
- (2) In sub-paragraph (1) –

“the WTO Agreement” has the meaning given in paragraph 16(2),

Schedule 2 - continued

“quota arrangements” has the meaning given in paragraph 16(3).”

Page 25, line 25, leave out “and retained EU law”

Page 25, line 29, leave out “and section 57(4) and (5) of that Act”

Page 25, line 35, leave out “and retained EU law”

Page 25, line 39, leave out “80(8)” and insert “80”

LORD FOULKES OF CUMNOCK
LORD GOLDSMITH
LORD WALLACE OF SALTAIRE
LORD CORMACK

Page 26, line 15, leave out “appropriate” and insert “necessary”

Page 26, line 19, leave out “appropriate” and insert “necessary”

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 26, line 36, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 27, line 15, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 27, line 43, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Page 28, line 13, at end insert –

“() This paragraph does not apply to regulations made under this Part by the Scottish Ministers or by the Welsh Ministers with regard to matters that are within their devolved competence.”

Schedule 2 - continued

Page 28, line 13, at end insert –

“Requirement for consultation in certain circumstances

- (1) No regulations may be made under this Part by the Scottish Ministers or by the Welsh Ministers acting alone so far as the regulations make provision about any quota arrangements or are incompatible with any such arrangements unless the regulations are, to that extent, made after consulting with a Minister of the Crown.
- (2) In sub-paragraph (1) “quota arrangements” has the meaning given in paragraph 16(3).”

Schedule 3

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 28, line 22, leave out paragraphs 1 and 2 and insert –

“Scotland Act 1998

- 1 In section 57(2) of the Scotland Act 1998 (no power for members of the Scottish Government to make subordinate legislation, or otherwise act incompatibly with EU law or Convention rights) leave out “or with EU law”.

Government of Wales Act 2006

- 2 In the Government of Wales Act 2006, omit section 80 (EU law).”

Page 30, line 29, leave out paragraph (b)

Page 31, line 26, leave out from “(d)” to end of line 27 and insert “omit “or with EU law””

BARONESS FINLAY OF LLANDAFF

Page 31, line 32, leave out paragraph 21

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 32, line 20, leave out from “subsection” to end of line 21 and insert “(4), omit paragraph (d)”

LORD HOPE OF CRAIGHEAD

Page 32, line 30, leave out paragraph 30

BARONESS FINLAY OF LLANDAFF

Page 32, line 31, leave out “before “EU” insert “Retained”” and insert “for “EU law, human” substitute “Human”

Schedule 3 - continued

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 32, line 32, leave out paragraph 31

Schedule 4

LORD LISVANE
LORD JUDGE
LORD TYLER

Page 35, line 26, leave out paragraph (c)

LORD LISVANE
LORD JUDGE
LORD PANNICK
LORD TYLER

Page 35, line 28, at end insert –

“() Regulations under this paragraph may not impose or increase taxation.”

BARONESS HAYTER OF KENTISH TOWN

Page 37, line 16, at end insert –

“Scrutiny of powers

Regulations under this Part, including those made in tertiary legislation, may not be made unless a draft has been laid before, and approved by a resolution of, both Houses of Parliament.”

Page 38, line 21, at end insert –

“Scrutiny of powers

Regulations under this Part, including those made by tertiary legislation, may not be made unless a draft has been laid before, and approved by a resolution of, both Houses of Parliament.”

BARONESS HAYTER OF KENTISH TOWN

BARONESS KRAMER
LORD TURNBULL
LORD HIGGINS

The above-named Lords give notice of their intention to oppose the Question that Schedule 4 be the Fourth Schedule to the Bill.

Schedule 5

LORD LISVANE
LORD PANNICK
LORD JUDGE
LORD TYLER

Page 39, line 18, leave out sub-paragraph (3) and insert –

“(3) Any direction given under this paragraph must be contained in regulations.”

Schedule 7

LORD FOULKES OF CUMNOCK

Page 41, line 37, at end insert –

“(a) the Minister laying the instrument has made a declaration that the instrument does no more than necessary to prevent, remedy or mitigate –
 (i) any failure of retained EU law to operate effectively, or
 (ii) any other deficiency in retained EU law arising from the withdrawal of the United Kingdom from the EU,
 (b) ”

LORD BERKELEY

Page 42, line 9, at end insert –

“() creates or amends the frontier control procedures for checking freight transport at borders between the United Kingdom and the European Union.”

Page 42, line 9, at end insert –

“() amends the roles and responsibilities of the European Union Agency for Rail and the application of legislation relating to it.”

LORD LISVANE
LORD TYLER

Page 44, line 36, leave out from beginning to end of line 20 on page 45 and insert –

“Parliamentary committees to sift regulations made under sections 7, 8, 9, or 17

- (1) This paragraph applies if a Minister of the Crown –
 - (a) proposes to make a statutory instrument to which paragraph 1(3), 6(3), 7(3) or 11 applies, and
 - (b) is of the opinion that the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament (“the negative procedure”).
- (2) Before making the instrument, the Minister must lay before both Houses of Parliament a draft of the instrument together with a memorandum setting out the reasons for the Minister's opinion that the instrument should be subject to the negative procedure.
- (3) The negative procedure applies unless within the relevant period either House of Parliament requires the affirmative procedure to apply, in which case the affirmative procedure applies.

Schedule 7 - continued

- (4) A House of Parliament is taken to have required the affirmative procedure to apply within the relevant period if—
- (a) a committee of the House charged with reporting on the instrument has recommended, within the period of 10 sitting days beginning with the first sitting day after the day on which the draft instrument was laid before the House, that the affirmative procedure should apply, and
 - (b) that House has not by resolution rejected the recommendation within a period of 5 sitting days beginning with the first sitting day after the day on which the recommendation is made.
- (5) For the purposes of this paragraph—
- (a) where an instrument is subject to the affirmative procedure, it may not be made unless the draft of the instrument laid under sub-paragraph (2) has been approved by a resolution of each House of Parliament,
 - (b) “sitting day” means, in respect of either House, a day on which that House sits.
- (6) Nothing in this paragraph prevents a Minister of the Crown from deciding, at any time before a statutory instrument mentioned in sub-paragraph (1)(a) is made, that another procedure should apply in relation to the instrument.”

LORD SHARKEY

Page 45, line 10, at end insert “and the Minister has, if required, re-laid the instrument in accordance with the procedure recommended to be followed.”

**LORD LISVANE
LORD JUDGE
LORD PANNICK
LORD TYLER**

Page 48, line 2, leave out from “authority” to “, or” in line 4

**BARONESS HAYTER OF KENTISH TOWN
LORD NEWBY
LORD HANNAY OF CHISWICK
THE DUKE OF WELLINGTON**

Page 48, line 22, leave out “14(4)” and insert “14(2A)”

Schedule 8

**LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF**

Page 56, line 4, leave out from “as” to “section” in line 5

Page 56, line 30, leave out from “as” to second “section” in line 31

Schedule 8 - continued

Page 60, line 34, leave out paragraphs (a) and (b), and insert—
“(a) in paragraph (a), omit sub-paragraph (ii), and
(b) in paragraph (b), omit “or with EU law”.”

LORD LISVANE
LORD JUDGE
LORD PANNICK
BARONESS HAYTER OF KENTISH TOWN

Page 64, line 33, leave out from first “time” to end of line 34

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 65, line 7, leave out paragraphs (b) and (c)

Page 65, line 20, leave out paragraphs (b) and (c)

BARONESS FINLAY OF LLANDAFF

Page 65, line 44, leave out paragraphs (b) and (c)

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF

Page 66, line 8, leave out paragraphs (b) and (c)

European Union (Withdrawal) Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

1 February 2018
