

European Union (Withdrawal) Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 3

LORD WARNER
LORD HUNT OF KINGS HEATH

Page 2, line 30, at end insert—

- “() For the purposes of this section, Article 168 of the Treaty on the Functioning of the European Union, so far as it requires a Minister of the Crown or a public authority to 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, is deemed to be direct EU legislation operative immediately before exit day, and therefore it forms part of retained EU law.”

Clause 5

LORD FAULKES

Page 3, line 21, at end insert “except in so far as the Charter is a necessary part of retained EU law ”

Clause 6

LORD FAULKES

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

- “(2) A court or tribunal may have regard to decisions of the European Court made on or after exit day if it considers them relevant and helpful.”

After Clause 6

LORD JUDD

Insert the following new Clause—

“Safeguarding biodiversity policy

The Secretary of State must ensure that before exit day all necessary action has been taken to safeguard the UK’s commitment to the protection and enhancement of biodiversity and to integrate all relevant EU law and regulations into UK legislation.”

After Clause 9

LORD WARNER

LORD HUNT OF KINGS HEATH

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 YOUNG OF OLD SCONE

LORD JUDD

Insert the following new Clause—

“Replication of EU law: consultation on impact and equivalence

- (1) This section applies to regulations (whether or not under this Act) which—
 - (a) are designed to replicate a provision of EU legislation (with or without modifications), or
 - (b) amend or replace legislation which was made under section 2(2) of the European Communities Act 1972 or which was otherwise made for the purpose of giving effect to EU obligations.
- (2) Before making the regulations a Minister of the Crown must publish a statement that the Minister is satisfied that a draft has been published in such a manner, and for such a period, as to give persons representing interests affected by the regulations a reasonable opportunity to consider and make representations about—
 - (a) the environmental, social and other impacts of the regulations, and
 - (b) equivalence with EU legislation.
- (3) The period referred to in subsection (2) must not be less than 3 months, except where the Minister includes a statement that—
 - (a) the Minister is satisfied that 3 months’ notice could not reasonably be given in the circumstances, and
 - (b) as much notice was given as the Minister considers reasonably practicable.
- (4) This section ceases to have effect on 31st December 2021 unless the Secretary of State by regulation continues it.”

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10 April 2018
