

European Union (Withdrawal) Bill

ELEVENTH
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

The amendments have been marshalled in accordance with the Instruction of 7th February 2018, as follows –

Clauses 1 to 5	Clause 14
Schedule 1	Schedule 6
Clauses 6 to 9	Clause 15
Clause 16	Clause 12
Schedule 7	Schedule 4
Clause 17	Clause 13
Clause 10	Schedule 5
Schedule 2	Clauses 18 and 19
Clause 11	Schedules 8 and 9
Schedule 3	Title.

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

After Clause 13

LORD STEPHEN
BARONESS JOLLY
LORD WARNER
LORD WIGLEY

353

Insert the following new Clause –

“Duty to make arrangements for an independent evaluation: health and social care

- (1) No later than one year after this Act is passed, the Secretary of State must make arrangements for the independent evaluation of the impact of this Act on the health and social care sector.
- (2) The evaluation must be carried out by an independent person to be appointed by the Secretary of State, after consulting the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland departments, and must analyse and assess –
 - (a) the effects of this Act on the funding of the health and social care sector;
 - (b) the effects of this Act on the health and social care workforce;

After Clause 13 - continued

- (c) the impact of this Act on the economy, efficiency and effectiveness of the health and social care sector; and
 - (d) any other matters relevant to the impact of this Act on the health and care sector.
- (3) The person undertaking an evaluation under subsection (1) above must, in preparing an evaluation report, consult –
- (a) the Secretary of State, the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland departments;
 - (b) providers of health and social care services;
 - (c) individuals requiring health and social care services;
 - (d) organisations working for and on behalf of individuals requiring health and social care services; and
 - (e) any other relevant persons.
- (4) The Secretary of State must, as soon as reasonably practicable after receiving a report of the evaluation, lay a copy of the report before both Houses of Parliament.”

Schedule 5

BARONESS BOWLES OF BERKHAMSTED

- 354 Page 38, line 35, at end insert –
“() an EU directive;”

LORD LISVANE
LORD PANNICK
LORD JUDGE
LORD TYLER

- 355★ Page 39, line 18, leave out sub-paragraph (3) and insert –
“(3) Any direction given under this paragraph must be contained in regulations.”

BARONESS BOWLES OF BERKHAMSTED

- 355ZZA★ Page 40, line 10, at end insert “but regulations may not reduce the availability of judicial notice or the admissibility of matters, instruments or documents unless this is necessary in order to replace EU references which are no longer appropriate with domestic references”

BARONESS MCINTOSH OF PICKERING

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Schedule 5 be the Fifth Schedule to the Bill.

Clause 19

LORD CALLANAN

- 355ZA Page 15, line 12, at end insert –
“() section 11(4A) (including Part 1A of Schedule 3),”

Clause 19 - *continued*

355ZB Page 15, line 15, at end insert –

“() paragraph 30A of Schedule 8 (and section 17(6) so far as relating to that paragraph),”

LORD WIGLEY

355A Page 15, line 18, at end insert “, subject to subsection (2A)”

355B Page 15, line 18, at end insert “, subject to subsection (2AA)”

LORD CALLANAN

355C Page 15, line 18, at end insert –

“(1A) In section 11 –

- (a) subsection (2) comes into force on the day on which this Act is passed for the purposes of making regulations under section 30A of the Scotland Act 1998,
- (b) subsection (3A) comes into force on that day for the purposes of making regulations under section 109A of the Government of Wales Act 2006, and
- (c) subsection (3C) comes into force on that day for the purposes of making regulations under section 6A of the Northern Ireland Act 1998.

(1B) In Schedule 3 –

- (a) paragraph 1(b) comes into force on the day on which this Act is passed for the purposes of making regulations under section 57(4) of the Scotland Act 1998,
- (b) paragraph 2 comes into force on that day for the purposes of making regulations under section 80(8) of the Government of Wales Act 2006,
- (c) paragraph 3(b) comes into force on that day for the purposes of making regulations under section 24(3) of the Northern Ireland Act 1998,
- (d) paragraph 21(2) comes into force on that day for the purposes of making regulations under section 30A of the Scotland Act 1998,
- (e) paragraph 21(3) comes into force on that day for the purposes of making regulations under section 57(4) of the Scotland Act 1998,
- (f) paragraph 21A comes into force on that day for the purposes of making regulations under section 30A or 57(4) of the Scotland Act 1998,
- (g) paragraph 36A comes into force on that day for the purposes of making regulations under section 80(8) or 109A of the Government of Wales Act 2006, and
- (h) paragraphs 48A and 48B come into force on that day for the purposes of making regulations under section 6A or 24(3) of the Northern Ireland Act 1998;

and section 11(4) and (5), so far as relating to each of those paragraphs, comes into force on that day for the purposes of making the regulations mentioned above in relation to that paragraph.”

Clause 19 - continued

LORD WIGLEY
LORD ROBERTS OF LLANDUDNO

356 Page 15, line 18, at end insert –

- “() None of the sections of this Act may come into force 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 Act, unless –
- (a) direct rule is in place;
 - (b) the devolved legislature has been formally suspended; or
 - (c) the devolved legislature has been dissolved for reasons other than recess or an election.”

LORD FOULKES OF CUMNOCK

357 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 EU.
- (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 WIGLEY

357ZA Page 15, line 19, at beginning insert “Subject to subsection (2AA),”

LORD CALLANAN

357ZB Page 15, line 19, leave out “The remaining provisions of this Act” and insert “The provisions of this Act, so far as they are not brought into force by subsections (1) to (1B),”

LORD WIGLEY

357A Page 15, line 20, after “appoint” insert “, subject to subsection (2A)”

Clause 19 - continued

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

358 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.”

LORD WIGLEY

358A Page 15, line 21, at end insert –

“(2A) Sections 1 to 18 do not come into force until the Secretary of State has laid a report before –
(a) Parliament, and
(b) the National Assembly for Wales,
outlining whether, and if so how, the money provided to Wales through EU funding will be replicated after exit day.”

LORD WIGLEY
THE EARL OF CLANCARTY

358B Page 15, line 21, at end insert –

“(2AA) None of the sections of this Act may come into force unless it is an objective of Her Majesty’s Government, in negotiating a withdrawal agreement, to secure continued EU citizenship for UK citizens.”

Schedule 8

LORD PANNICK
LORD NORTON OF LOUTH
LORD BEITH
BARONESS TAYLOR OF BOLTON

358C Page 55, line 33, leave out sub-paragraphs (1) and (2)

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF
LORD WALLACE OF TANKERNESS
LORD THOMAS OF GRESFORD

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

360 [*Withdrawn*]

Schedule 8 - continued

LORD PANNICK
LORD NORTON OF LOUTH
LORD BEITH
BARONESS TAYLOR OF BOLTON

360A Page 56, line 26, leave out paragraph 5

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF
LORD WALLACE OF TANKERNESS
LORD THOMAS OF GRESFORD

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

362 [*Withdrawn*]

363 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 CALLANAN

363A Page 60, line 38, leave out “29(4A)” and insert “30A(1)”

LORD BASSAM OF BRIGHTON
LORD PANNICK

364 Page 61, line 2, leave out paragraph 19

LORD LISVANE
LORD JUDGE
LORD PANNICK
BARONESS HAYTER OF KENTISH TOWN

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

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF
LORD WALLACE OF TANKERNESS
LORD THOMAS OF GRESFORD

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

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

368 [*Withdrawn*]

BARONESS FINLAY OF LLANDAFF

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

Schedule 8 - continued

LORD HOPE OF CRAIGHEAD
BARONESS FINLAY OF LLANDAFF
LORD WALLACE OF TANKERNESS
LORD THOMAS OF GRESFORD

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

371 [*Withdrawn*]

LORD CALLANAN

371A Page 66, line 43, at end insert –

“30A Consultation undertaken by a Minister of the Crown before the day on which this Act is passed is as effective for the purposes of –

(a) section 30A(3)(a) or 57(6)(a) of the Scotland Act 1998,

(b) section 80(8B)(a) or 109A(3)(a) of the Government of Wales Act 2006, or

(c) section 6A(3)(a) or 24(5)(a) of the Northern Ireland Act 1998,

as consultation undertaken on or after that day.”

Schedule 9

LORD ADONIS
BARONESS ALTMANN

372 Page 67, leave out line 38

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26 March 2018
