

Trade Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

BARONESS FAIRHEAD

Page 2, line 13, after “direct” insert “principal”

Clause 2

BARONESS FAIRHEAD

Page 2, line 41, after “direct” insert “principal”

BARONESS JONES OF MOULSECOOMB
LORD STEVENSON OF BALMACARA
BARONESS HENIG

Re-tabled version of the amendment printed on HL Bill 127 – R(c)

Page 2, line 47, at end insert –

- “(5A) Regulations under subsection (1) may not be used to make provision which will have the effect of reducing standards in comparison to those applying immediately before exit day.
- (5B) Standards in subsection (5A) include, but are not limited to, those relating to –
- (a) marketing of agricultural products,
 - (b) animal health, hygiene or welfare,
 - (c) environmental protection,
 - (d) food safety,
 - (e) public health,
 - (f) employment and labour,
 - (g) human rights.”

After Clause 5

BARONESS FAIRHEAD

Insert the following new Clause—

“Post-ratification report

- (1) This section applies where—
 - (a) the United Kingdom has ratified a free trade agreement, and
 - (b) the other party (or each other party) and the European Union were signatories to a free trade agreement immediately before exit day.
- (2) Before the end of the period of five years beginning with the date of ratification, a Minister of the Crown must publish a report giving the Minister’s assessment of the impact of the agreement on trade between the United Kingdom and the other party (or each other party) to the agreement.”

LORD LEA OF CRONDALL

Insert the following new Clause—

“UK membership of the European Free Trade Association and the European Economic Area

It shall be the objective of an appropriate authority to achieve before exit day the implementation of an international agreement to enable the United Kingdom to become a member of the European Free Trade Association and continue as a signatory to the EEA Agreement.”

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Parliamentary approval of international trade agreements

An international trade agreement may not be ratified under sections 20 to 25 of the Constitutional Reform and Governance Act 2010 unless the agreement has previously been laid before, and approved by a resolution of, both Houses of Parliament.”

Insert the following new Clause—

“Customs union

It shall be the objective of Her Majesty’s Government to take all necessary steps to implement an international trade agreement which enables the United Kingdom to participate after exit day in a customs union with the European Union.”

Insert the following new Clause—

“Parliamentary approval of regulations under section 8 of the Taxation (Cross-border Trade) Act 2018 (the customs tariff)

- (1) The Taxation (Cross-border Trade) Act 2018 is amended as follows.
- (2) In section 32(3)(a), leave out “the first”.
- (3) Omit section 32(3)(b).”

After Clause 5 - continued

Insert the following new Clause—

“Involvement of judicial systems in trade disputes

- (1) A trade agreement is not eligible for signature or ratification by the United Kingdom unless the agreement includes the provision in subsection (2).
- (2) Legal proceedings brought against the United Kingdom under investment protection provisions included in a trade agreement will be heard by the courts and tribunals system of the United Kingdom.”

Insert the following new Clause—

“Future partnership with the European Union: services

It shall be the objective of an appropriate authority to take all necessary steps to implement a future trade agreement with the European Union that—

- (a) ensures no additional barriers to trade in services between the European Union and the United Kingdom are erected after exit day;
- (b) protects—
 - (i) the right of UK nationals and businesses to provide or receive services in the European Union, and
 - (ii) reciprocal rights for EU nationals and businesses to provide or receive services in the United Kingdom;
- (c) protects—
 - (i) the right of UK businesses to establish a company in an EU member state, and
 - (ii) reciprocal rights for EU businesses to establish a company in the United Kingdom.”

LORD GRANTCHESTER

Insert the following new Clause—

“Division of agricultural tariff rate quotas

It shall be the objective of an appropriate authority to take all the necessary steps to ensure that after exit day the division of agricultural tariff rate quotas with the European Union remains at the same level as prior to exit day.”

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

“Geographical Indications

It shall be an objective of an appropriate authority to take all necessary steps to implement an international trade agreement which ensures mutual recognition of Geographical Indications in the United Kingdom and the European Union.”

After Clause 5 - continued

Insert the following new Clause –

“Time sensitive goods

It shall be the objective of an appropriate authority to take all the necessary steps to ensure that after exit day a trade agreement is in place to facilitate the transport of time-sensitive commercial goods by rail, road or a combination of the two between the United Kingdom and the European Union.”

Insert the following new Clause –

“Pet Travel Scheme: cross-border trade

It shall be the objective of an appropriate authority to take all necessary steps to implement an international trade agreement which enables the United Kingdom, after exit day, to participate in a reformed Pet Travel Scheme to the extent necessary to allow cross-border trade in small animals.”

Insert the following new Clause –

“Implementation of the United Nations Guiding Principles on Business and Human Rights

- (1) Any trade agreement implemented in accordance with the provisions of this Act must comply with the United Nations Guiding Principles on Business and Human Rights.
- (2) For the purposes of subsection (1), the Secretary of State must within the period of twelve months beginning with the day on which this Act is passed publish a draft Bill consisting of provisions to implement the United Nations Guiding Principles on Business and Human Rights in respect of the United Kingdom’s international trade agreements with third countries.”

After Clause 6

BARONESS FAIRHEAD

Insert the following new Clause –

“Statement on equalities legislation

- (1) This section applies where a Minister of the Crown proposes to make regulations under section 2(1).
- (2) Before a draft of the statutory instrument containing the regulations is laid before either House of Parliament, the Minister must make a statement –
 - (a) as to whether the statutory instrument would, if made, modify any provision of equalities legislation, and
 - (b) if it would, explaining what the effect of each such modification would be.
- (3) If the Minister fails to make a statement as required by subsection (2), the Minister must make a statement explaining why.
- (4) A statement under this section must be made in writing and published in such manner as the Minister making it considers appropriate.

After Clause 6 - continued

- (5) In this section, “equalities legislation” means the Equality Act 2006, the Equality Act 2010 and any subordinate legislation made under either of those Acts.”

Clause 7

BARONESS FAIRHEAD

Page 5, line 15, leave out subsection (2)

Clause 8

BARONESS FAIRHEAD

Page 6, line 12, leave out from “has” to end of line 13 and insert “the meaning given in section 20(1) of the European Union (Withdrawal) Act 2018;”

Page 6, line 33, at end insert –

- “(6) In this section, “domestic law” means the law of England and Wales, Scotland or Northern Ireland.”

After Clause 12

LORD BILIMORIA

LORD HANNAY OF CHISWICK

Insert the following new Clause –

“Collection of export information on international education

- (1) The Office for National Statistics (or anyone acting on their behalf) must collect and publish detailed information on the export earnings from non-UK-domiciled students which should include –
- (a) fee income,
 - (b) living cost expenditure,
 - (c) research and other similar contracts,
 - (d) education products and services for non-UK-domiciled students,
 - (e) education related travel and tourism services,
 - (f) tourism expenditure by visitors linked to non-UK-domiciled students.
- (2) For the purposes of subsection (1) non-UK-domiciled students includes all non-UK domiciled students studying in the United Kingdom, including but not limited to –
- (a) all non-UK-domiciled students studying at education providers on the Tier 4 sponsor list including schools, English language providers, further education colleges, embedded colleges, private providers and universities,
 - (b) all non-UK domiciled students studying on a short-term study visa at a provider with approved accreditation including those on student mobility programmes.

After Clause 12 - continued

- (3) Information published for the purposes of subsection (1) must be broken down with regard to—
- (a) the regions and nations of the United Kingdom,
 - (b) levels of study including school, further education, higher education, and English language provision,
 - (c) subjects which facilitate entry into jobs on the shortage occupation list.
- (4) Within one month of publication of information under subsection (1), the Secretary of State must publish a target for future export earnings from non-UK-domiciled students which, as a percentage of the global market, must equal or exceed the level reported by the Office for National Statistics.”

Schedule 1

BARONESS FAIRHEAD

Page 11, line 28, leave out sub-paragraph (7)

Page 12, line 3, after “Ministers” insert “acting alone”

Page 12, line 7, after “department” insert “acting alone”

Page 12, line 17, after “authority” insert “acting alone”

Page 13, line 29, after “Ministers” insert “acting alone”

Page 13, line 34, after “Ministers” insert “acting alone”

Page 13, line 41, after “Ministers” insert “acting alone”

Page 13, line 47, after “department” insert “acting alone”

Page 14, line 1, leave out “department” and insert “devolved authority”

Schedule 2

BARONESS FAIRHEAD

Page 15, line 18, after “Crown” insert “acting alone”

Page 15, line 21, leave out “or by the Welsh Ministers acting jointly with a Minister of the Crown” and insert “acting alone”

Page 15, line 24, leave out “(other than when acting jointly with a Minister of the Crown)” and insert “acting alone”

Page 15, line 29, after “Ministers” insert “acting alone”

Schedule 2 - continued

Page 15, line 35, after “Crown” insert “acting alone”

Page 15, line 38, after “Ministers” insert “acting alone”

Page 16, line 1, after “Ministers” insert “acting alone”

Page 16, line 4, after “department” insert “acting alone”

Page 16, line 8, leave out sub-paragraph (5)

Page 17, line 20, after “Crown” insert “acting alone”

Page 17, line 23, after “Ministers” insert “acting alone”

Page 17, line 26, after “Ministers” insert “acting alone”

Page 17, line 29, after “department” insert “acting alone”

Page 17, line 32, leave out sub-paragraph (5)

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28 February 2019
