

# Trade Bill

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MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
ON THIRD READING

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*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

**Clause 2**

BARONESS FAIRHEAD  
BARONESS JONES OF MOULSECOOMB  
BARONESS HENIG  
BARONESS MCINTOSH OF PICKERING

- 1 Page 2, line 22, leave out “(4)” and insert “(4A)”
- 2 Page 2, line 43, at end insert –
- “(4A) If regulations under subsection (1) include provision in any of the areas listed in subsection (4B), the provision must be consistent with maintaining UK levels of statutory protection in that area.
- (4B) The areas referred to in subsection (4A) are –
- (a) the protection of human, animal or plant life or health;
  - (b) animal welfare;
  - (c) environmental protection;
  - (d) employment and labour.
- (4C) “UK levels of statutory protection” means levels of protection provided for by or under any –
- (a) primary legislation,
  - (b) subordinate legislation, or
  - (c) retained direct EU legislation,
- which has effect in the United Kingdom, or the part of the United Kingdom in which the regulations have effect, on the date on which a draft of the regulations is laid.”

**Clause 2 - continued**

LORD STEVENSON OF BALMACARA  
 BARONESS JONES OF MOULSECOOMB  
 LORD PURVIS OF TWEED

*As an amendment to Amendment 2*

- 3 After subsection (4B)(d) insert –  
 “(e) human rights.”

BARONESS MCINTOSH OF PICKERING  
 BARONESS JONES OF MOULSECOOMB  
 BARONESS HENIG

*As an amendment to Amendment 2*

- 4 After subsection (4B)(d) insert –  
 “(f) food safety.”

BARONESS FAIRHEAD

- 5 Page 3, line 5, after first “for” insert “civil”

LORD JUDGE  
 LORD PANNICK  
 LORD PURVIS OF TWEED

- 6 Page 3, line 5, at end insert –  
 “( ) Regulations under subsection (1) may not create or extend criminal offences, impose fees, amend primary legislation other than retained EU law, or create new public bodies.”

**Clause 11**

LORD STEVENSON OF BALMACARA  
 BARONESS JONES OF MOULSECOOMB  
 BARONESS HENIG  
 BARONESS MCINTOSH OF PICKERING

- 7 Leave out Clause 11 and insert the following new Clause –

**“UK participation in EU and EEA organisations**

- (1) The Secretary of State must seek to negotiate an international trade agreement with the EU which will enable the United Kingdom to continue, after exit day, to co-operate closely with the bodies listed in subsection (2).
- (2) The bodies are –
  - (a) the European Medicines Agency;
  - (b) the European Chemicals Agency;
  - (c) the European Aviation Safety Agency;
  - (d) the European Maritime Safety Agency;
  - (e) the European Network of Transmission System Operators for Electricity;
  - (f) the European Network of Transmission System Operators for Gas.”

**After Clause 13**

LORD STEVENSON OF BALMACARA  
LORD PURVIS OF TWEED

8 Insert the following new Clause—

**“Convention about Ministers of the Crown legislating on devolved matters**

- (1) Regulations made under section 1(1) by a Minister of the Crown may not normally make provision which would be within the devolved competence of a devolved authority unless—
  - (a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 2), the Scottish Ministers consent, or
  - (b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 2), the Welsh Ministers consent, or
  - (c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 9 of Schedule 2), the Northern Ireland department has given consent.
- (2) Regulations made under section 2(1) by a Minister of the Crown may not normally make provision which would be within the devolved competence of a devolved authority unless—
  - (a) so far as they contain provision which would be within the devolved competence of the Scottish Ministers (within the meaning given in paragraph 7 of Schedule 2), the Scottish Ministers consent, or
  - (b) so far as they contain provision which would be within the devolved competence of the Welsh Ministers (within the meaning given in paragraph 8 of Schedule 2), the Welsh Ministers consent, or
  - (c) so far as they contain provision which would be within the devolved competence of a Northern Ireland department (within the meaning given in paragraph 9 of Schedule 2), the Northern Ireland department has given consent.”

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*19 March 2019*

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