

# Agriculture Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 1**

THE EARL OF DUNDEE

Page 2, line 31, at end insert—

- “( ) The Secretary of State may give financial and other assistance to urban and peri-urban areas in order to increase the supply of sustainably grown food produced by community, cooperative and commercial enterprises, including for the provision of training.”

***Member’s explanatory statement***

*This amendment assists new urban and peri-urban growing enterprises to provide fresh local produce close to the market where it is needed.*

LORD TEVERSON

Page 2, line 32, at end insert—

- “( ) Financial assistance may only be given for Environmental Land Management Schemes Tier 2 and Tier 3 if those individual schemes are in line with the local Nature Recovery Strategy of the area where those schemes are located.”

***Member’s explanatory statement***

*This amendment is to probe how the Government intends to coordinate at a local or regional level the environmental measures in the Agriculture Bill with the Nature Recovery Strategies required in the Environment Bill.*

BARONESS JONES OF MOULSECOOMB

Page 2, line 32, at end insert—

- “(3A) Financial assistance under this section may not be provided to livestock farms which—
- (a) use strict confinement of livestock, such as cages for laying hens or farrowing crates for sows,
  - (b) use mutilations such as tail docking, debeaking, tooth-pulling or castration without anaesthetic,
  - (c) have high instances of lameness or disease amongst livestock,

**Clause 1 - continued**

- (d) have high antibiotic use,
  - (e) exceed the proportional stocking density for relevant species defined by animal welfare codes of conduct,
  - (f) do not ensure that animals and livestock are kept in social groups of a species-appropriate number based on scientific evidence.
- (3B) For the purposes of subsection (3A)(d), the Secretary of State must by regulations provide a definition of “high antibiotic use” and a system for monitoring of farms’ use of antibiotics in livestock.”

BARONESS BENNETT OF MANOR CASTLE

Page 2, line 35, at end insert –

- “(4A) The Secretary of State must conduct a consultation with–
- (a) persons and organisations who represent animal welfare interests,
  - (b) relevant non-governmental organisations, and
  - (c) any other persons the Secretary of State considers appropriate,
- to establish the eligibility and criteria for receiving financial assistance under subsection (1) for transitioning from livestock to plant based production.
- (4B) Eligibility and criteria may include species-specific guidelines and requirements.
- (4C) The Secretary of State must lay before Parliament a report containing the outcomes of the consultation, including the recommended eligibility and criteria for receiving financial assistance under subsection (1) for transitioning from livestock to plant based production.
- (4D) The Secretary of State must conduct another consultation in the same terms under subsections (4A) to (4C) every two years.”

***Member’s explanatory statement***

*This relates to the amendment tabled by Baroness Bennett of Manor Castle to page 2, line 25 which provides that financial assistance may be provided for farms transitioning from livestock to plant-based production.*

LORD BRUCE OF BENNACHIE

Page 2, line 35, at end insert –

- “( ) In framing any financial assistance scheme, the Secretary of State must have regard to maintaining support for hill farms and other marginal land previously designated as less favoured areas.”

**Clause 2**

LORD CARRINGTON

Page 3, line 37, after “delegate” insert “administrative”

***Member’s explanatory statement***

*To ensure that the actual design and purpose of schemes is not delegated to non-governmental bodies or organisations.*

Page 4, line 3, at end insert –

“(9A) Information specified under subsection (9) must be proportionate and limited to protect the interests of the individuals and businesses concerned.”

***Member’s explanatory statement***

*To ensure that only strictly necessary information is published about recipients of financial assistance.*

**After Clause 3**

LORD GRANTCHESTER

Insert the following new Clause –

**“Financial assistance: duty to provide advice**

- (1) The Secretary of State must make regulations to secure the provision of training, guidance and advice to persons receiving financial assistance under this Act, for the purpose of enabling those persons to deliver the purpose or purposes for which the financial assistance is given.
- (2) Regulations under subsection (1) may include provision for advice on matters which include but are not limited to –
  - (a) the impact of any practice upon the environment,
  - (b) business management, including the development of business plans,
  - (c) the health and welfare of livestock,
  - (d) the safety and health of workers in any agricultural sector,
  - (e) innovation, including alternative methods of pest, disease and weed control,
  - (f) food safety, insofar as it relates to the production of food or any activity in, or in close connection with, an agri-food supply chain,
  - (g) the operation of any mechanism for applying for, or receiving, financial assistance under this Act, and
  - (h) marketing of any product falling within an agricultural sector under Schedule 1.
- (3) Regulations under this section are subject to affirmative resolution procedure.”

***Member’s explanatory statement***

*This new Clause would require the Secretary of State to make provision for training, guidance and advice to be made available to persons receiving financial assistance.*

**Clause 6**

LORD KREBS

Page 6, line 44, at end insert –

“(4A) Monitoring under subsection (1) or (2) must be carried out in such manner and for such period as to determine whether financial assistance given, in conjunction with other relevant provisions, has had a positive impact on the purposes set out under section 1(1)(a) to (j)

(4B) For the purposes of subsection (4A), “other relevant provisions” may include, but is not limited to –

**Clause 6 - continued**

- (a) legal obligations on producers in England relating to agricultural, horticultural or forestry activities;
- (b) financial assistance provided by virtue of section 1(2);
- (c) relevant provisions under Part 3 of this Act.”

***Member’s explanatory statement***

*This amendment would ensure that the total impact of the Bill on the public goods purposes included in Clause 1 is monitored and reported on, including taking into account regulation, support for productivity improvements and for ancillary activities and market interventions, amongst others as relevant.*

**Clause 8**

LORD TEVERSON

Page 7, line 39, leave out “seven” and insert “five”

***Member’s explanatory statement***

*This amendment reduces the period of transition to the new environmental land management scheme by two years.*

**After Clause 16**

THE EARL OF DUNDEE

Insert the following new Clause –

**“Development of agricultural smallholdings**

The Secretary of State may give financial assistance to local authorities to facilitate private investment for smallholdings development with the following purposes –

- (a) encourage the construction of affordable rural houses;
- (b) increase private investment in rural entrepreneurial job creation in farming and ancillary employment;
- (c) increase supplies of locally grown, fresh food to improve food security;
- (d) increase productivity and greater profitability through agroecological farming on smallholdings; and
- (e) reduce emissions of greenhouse gases, regenerating soil fertility and nurturing biodiversity through smallholder farming.”

***Member’s explanatory statement***

*This new Clause would give financial support to local authorities to encourage and incentivise private investment in smallholding development to promote employment whilst increasing local food supplies through more productive and profitable agroecological smallholder farming.*

**Clause 17**

LORD HAIN

Page 14, line 22, at end insert “, having beforehand shared the data and report with the devolved administrations and including sections of the report associated with the devolved administrations.”

***Member’s explanatory statement***

*This would enable the data and report to be used by the Welsh Government and devolved administrations to complement the UK Government in delivering an integrated food supply chain in the UK.*

Page 14, line 32, at end insert –

“( ) the provision of food to meet consumer diets and its impact on the environment.”

***Member’s explanatory statement***

*This amendment would make the link between food provision, diet and the environment.*

**Clause 18**

LORD HAIN

Page 15, line 3, after “markets” insert “including one caused by meeting the needs of the environment”

***Member’s explanatory statement***

*To meet the needs of the environment there may need to be a restructuring of the agricultural sector which is likely to cause exceptional market conditions.*

**Clause 21**

THE EARL OF CAITHNESS

Page 17, line 39, leave out from beginning to “so” and insert “that person's activities connected with the supply chain for the purposes set out in section 23”

Page 17, line 43, leave out “any of the” and insert “that”

Page 17, line 44, after “chain” insert “for the purposes set out in section 23”

Page 18, line 13, at end insert –

“(9) The Secretary of State may in addition authorise –

- (a) a non-departmental public body,
- (b) a non-Ministerial department, or
- (c) a body whose functions are provided for under any enactment,

to exercise any of the Secretary of State’s powers under this Part in respect of specified projects for the purposes set out in section 23, but any such authorisation must be in writing.

**Clause 21 - continued**

- (10) Any body authorised by the Secretary of State under subsection (9) must comply with the requirements imposed on the Secretary of State in exercising the powers under this Part, as if that body were the Secretary of State.”

***Member’s explanatory statement***

*This amendment aims explicitly to limit the information that can be required to the purposes listed in section 23, and to limit the persons able to use the powers in this Part.*

**Clause 22**

## THE EARL OF CAITHNESS

Page 18, line 39, leave out paragraph (c) and insert—

- “(c) any person whose activities do, or the Secretary of State reasonably suspects may, negatively affect the health of creatures or plants in the supply chain, or the safety or quality of the food and drink to be provided to consumers, and”

Page 18, line 42, at end insert “, where those bodies collect and hold statistical or numerical data on behalf of that person in relation to that person’s activities connected to the supply chain for the purposes set out in section 23, in which case the information which may be required to be provided from such bodies under section 21(1) or 21(2) is limited to such statistical or numerical data.”

***Member’s explanatory statement***

*This amendment aims to limit the persons who can be required to provide information and to ensure that the purposes for which the information can be required are clear.*

**Clause 23**

## THE EARL OF CAITHNESS

Page 19, line 19, leave out from second “or” to end of line 28 and insert—

- “(iii) improve the efficiency or environmental performance of the agri-food supply chain,  
 (iv) reduce waste in the agri-food supply chain, or  
 (v) manage market volatility;  
 (b) promoting transparency or fairness in agri-food supply chains;  
 (c) promoting the health, welfare or traceability of creatures of a kind kept for the production of food, drink, fibres or leathers;  
 (d) promoting the health or quality of plants, fungi or soil; or”

***Member’s explanatory statement***

*This amendment aims to ensure that the focus of the information collection requirements in Part 3 is tied to helping those within the agri-food supply chain improve their practices and enhance efficiencies, and not wider environmental and waste objectives.*

**Clause 25**

## THE EARL OF CAITHNESS

Page 20, line 29, at end insert –

- “( ) The requirement specifications made under subsections (5) and (6) must in all cases be reasonable and must not impose a manifestly unfair burden on the person from whom the information is required.
- ( ) Information may not be required under section 21(1) or 21(2) where that information is held by the person only by virtue of it having been disclosed to that person by a third party under a duty of confidence.”

***Member’s explanatory statement***

*This amendment seeks to ensure that requests for information are reasonable and not unfairly burdensome, and that information held in commercial confidence from a third party could not be required.*

Page 20, line 37, after “interests” insert “(including intellectual property rights)”

***Member’s explanatory statement***

*This amendment ensures that commercial interests explicitly include intellectual property rights.*

**Clause 26**

## THE EARL OF CAITHNESS

Page 21, line 13, at end insert “, or of obligations imposed on persons to whom disclosure is made under the provisions of section 25(9).”

Page 21, line 43, at end insert –

- “(5A) Any monetary penalties introduced under subsection (4)(a) must be proportionate, taking into account the nature of the non-compliance and the financial capacity of the party subject to the penalty.”

***Member’s explanatory statement***

*This amendment aims to ensure that any enforcement action is proportionate to the non-compliance.*

**Clause 27**

## BARONESS JONES OF MOULSECOOMB

Page 23, line 13, at end insert –

- “( ) For the purposes of subsection (7)(a), “quality” must include animal welfare standards which exceed the statutory minimums for the appropriate animal product, including those established under the Animal Welfare Act 2006, relevant regulations and codes of practice.”

**Clause 28**

LORD CARRINGTON

Page 25, leave out lines 9 and 10

**Member's explanatory statement**

*This amendment would remove the requirement to publish every Producer Organisation grant online.*

**Clause 30**

BARONESS JONES OF MOULSECOOMB

Page 26, line 18, at end insert –

- “( ) Where regulations under sections 28 or 29 may affect livestock producers, the Secretary of State must consult representatives of the animal welfare sector.”

**Clause 33**

BARONESS JONES OF MOULSECOOMB

Page 30, line 32, leave out subsection (1) and insert –

- “(1) The red meat levy is to be known as the animal slaughter levy.
- (1A) A scheme under this section (“the scheme”) –
- (a) may make provision for amounts of animal slaughter levy collected by the levy body for one country in Great Britain to be paid to the levy body for another such country, or
  - (b) may amend, suspend or revoke an earlier scheme made under this section, and
  - (c) must by regulations make provision so that the levy is applied to all meats and carcasses from animals slaughtered in the United Kingdom.
- (1B) For the purposes of subsection (1A)(c), regulations are subject to the affirmative resolution procedure.”

LORD HAIN

Page 30, line 36, at end insert –

- “(c) provide for repatriation of the levy collected in the United Kingdom supply chain to the devolved administration of origin.”

**Member's explanatory statement**

*The structure of the red meat sector means that animals raised in Wales and other devolved administrations are slaughtered in other parts of the UK and the levy maintained by the country of slaughter. This includes animals that are PGI marked so money is not returned for the promotion of the Welsh brand.*

BARONESS JONES OF MOULSECOOMB

Page 31, line 4, leave out “red meat” and insert “animal slaughter”

Page 31, line 11, leave out “red meat” and insert “animal slaughter”



**Clause 33 - continued**

Page 31, line 31, leave out “red meat” and insert “animal slaughter”

**After Clause 34**

BARONESS JONES OF MOULSECOOMB

Insert the following new Clause—

**“Farming activity and animal welfare standards: offence**

- (1) A person who is responsible for a farming activity that fails to meet animal welfare and environmental standards is guilty of an offence.
- (2) A person guilty of an offence is liable—
  - (a) on conviction on indictment, to a fine;
  - (b) on summary conviction in England and Wales, to a fine;
  - (c) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding the statutory maximum.”

BARONESS JONES OF WHITCHURCH

Insert the following new Clause—

**“Monitoring pesticide use and alternatives**

- (1) The Secretary of State must, within six months of this Act being passed, publish proposals—
  - (a) to monitor the use and effects of pesticides in the management of livestock or land, to conduct research into alternative methods of pest control and to promote their take-up,
  - (b) to conduct research into alternative methods of pest control and to promote their take-up, and
  - (c) to consult on a target to reduce the use of pesticides.
- (2) The proposals shall include steps to measure—
  - (a) the effect of pesticides on environmental health,
  - (b) the effect of pesticides on human health,
  - (c) the frequency with which individual pesticides are applied,
  - (d) the areas to which individual pesticides are applied, and
  - (e) the take-up of alternative methods of pest control by land use and sector.
- (3) “Environmental health” in subsection (2)(a) includes the health of flora, fauna, land, air or any inland water body.
- (4) “Human health” in subsection (2)(b) means the health of farmers, farm workers and their families, operators, bystanders, rural residents and the general public.”

***Member’s explanatory statement***

*This new clause would require the Secretary of State to publish proposals to monitor the impact of pesticides, to conduct research into alternative methods of pest control, to promote their take-up, and to consult on proposals to set a target to reduce the use of pesticides.*

## BARONESS YOUNG OF OLD SCONE

Insert the following new Clause –

**“Land use strategy for England**

- (1) The Secretary of State must, no later than 31 March 2022, lay an agricultural land use strategy for England before Parliament.
- (2) The strategy must set out –
  - (a) the Secretary of State’s objectives in relation to sustainable agricultural land use within an integrated land use framework;
  - (b) proposals and policies for meeting those objectives;
  - (c) the timescales over which those proposals and policies are expected to take effect.
- (3) The objectives, proposals and policies referred to in subsection (2) must contribute to –
  - (a) achievement of the purposes for financial assistance under section 1(1) and 1(2);
  - (b) achievement of objectives in relation to mitigation and adaptation to climate change, including achieving carbon budgets under Part 1 of the Climate Change Act 2008;
  - (c) sustainable development including the use of previously agricultural land for development and infrastructure;
  - (d) the achievement of objectives of the 25 Year Environment Plan for halting the decline of biodiversity.
- (4) Before laying the strategy before Parliament, the Secretary of State must publish a draft strategy and consult with –
  - (a) such bodies as he or she considers appropriate, and
  - (b) the general public.
- (5) The Secretary of State must, no later than –
  - (a) 5 years after laying a strategy before Parliament under subsection (1), and
  - (b) the end of every subsequent period of 5 years,
 lay a revised strategy before Parliament under the terms set out in subsections (2) to (4).
- (6) The Secretary of State must, no later than 3 years after the laying of a strategy before Parliament under this section, lay before Parliament a report on the implementation of the strategy and progress in achieving the objectives, proposals and policies under subsection (2).”

***Member’s explanatory statement***

*This new Clause would provide a land use context to enable the Secretary of State to make optimal decisions about the balance of financial assistance to the various purposes in Clause 1.*

**Clause 35**

LORD CARRINGTON

Page 32, line 9, at end insert “for the purposes of improving the economic conditions for the production, marketing and quality of agricultural products, and to take into account the expectations of consumers.”

***Member’s explanatory statement***

*To ensure that regulations are only brought in for legitimate purposes. This is taken from the purposes in the CMO Regulation (EU Regulation 1308/2013). The rest of the clause mirrors the relevant provisions in the CMO Regulation.*

BARONESS JONES OF MOULSECOOMB

Page 32, line 36, at end insert –

“( ) the traceability of animals used in agri-food products or sold as meat.”

LORD HOLMES OF RICHMOND

Page 32, line 36, at end insert –

“( ) the administration of maintaining marketing standards of imported wine products, including the digitisation of VI-1 forms.”

**Clause 42**

LORD HAIN

Page 38, line 47, at end insert –

- “( ) Regulations under this section may not be used to make provisions which will have the effect of lowering –
- (a) animal health, hygiene or welfare standards,
  - (b) plant health standards,
  - (c) food safety and traceability for agricultural products, or
  - (d) environmental standards in relation to agricultural processes and production
- below established European Union or United Kingdom standards.”

***Member’s explanatory statement***

*This will support the delivery of the Wales well-being goals in terms of global responsibility and also reduce the impact of trade on pressurising agricultural or environmental standards.*

**After Clause 42**

LORD CURRY OF KIRKHARLE

Insert the following new Clause –

**“Trade, Food and Farming Standards Commission**

- (1) The Trade, Food and Farming Standards Commission (“the TSC”) is established.

**After Clause 42 - continued**

- (2) Within six months of the day on which this Act is passed, the TSC must produce a report making recommendations to the Secretary of State to promote, maintain and safeguard current standards of food production through international trade policy, including standards related to food safety, the environment and animal welfare.
- (3) The Secretary of State must lay the report under subsection (2) before Parliament on the date of publication and Ministers of the Crown must table motions to approve the recommendations in the report in each House of Parliament within two weeks of the report being laid.
- (4) The report under subsection (2) must include—
  - (a) recommendations, including for the policies and legislation that the Government may adopt, including the necessary processes and institutions, in order to ensure that imported agri-food products placed on the market in the United Kingdom meet equivalent standards to those required of UK producers and that UK law and policy relating to food imports is effectively supportive of high standards, including in relation to food safety, the environment and animal welfare both domestically and internationally;
  - (b) where relevant production standards are not provided for in existing primary or secondary legislation in the United Kingdom, recommendations for the policies and legislation that the Government may adopt, including the necessary processes and institutions (such as testing regimes, assurance schemes and certification bodies), in order to ensure that imported agri-food products sold in the United Kingdom are produced to appropriately high standards in relation to food safety, the environment and animal welfare;
  - (c) the scope of agri-food standards and regulations for production methods and final and intermediate products that are relevant to agri-food products which the Government will aim to maintain in future trade negotiations relating to the trade of agri-food products;
  - (d) identification of existing powers exercisable by a Minister of the Crown for administering, enforcing and monitoring standards as set out in paragraph (c), including import restrictions based on those standards;
  - (e) recommendations about how to ensure effective and transparent comparison of agri-food production standards with international standards, including how different production systems and regulatory approaches might be considered equivalent to those that apply in the United Kingdom;
  - (f) recommendations for how to monitor imports of agri-food products in order to assess and compare the standards as defined under paragraph (c);
  - (g) consideration of exceptions to import restrictions of agricultural products, for example where a requirement may have negative impacts on consumer interests or on developing countries, and recommendations of how to manage such exceptions; and

**After Clause 42 - continued**

- (h) recommendations for public and Parliamentary scrutiny of any current or future trade negotiations relating to the trade of agri-food products with a view to agreeing an international trade agreement consistent with the TSC's other recommendations under subsection (2).
- (5) The TSC may produce one or more interim reports in addition to the report under subsection (2) in the event that an international trade agreement is negotiated or concluded by the Government within the period of six months beginning with the day on which this Act is passed.
- (6) An interim report under subsection (5) must assess the terms and impact of the international trade agreement on the Secretary of State's ability to promote, maintain and safeguard standards of agri-food production, including in relation to food safety, the environment and animal welfare.
- (7) The Secretary of State must lay any interim report under subsection (5) before Parliament on the date of publication, and a Minister of the Crown must move a motion to consider any recommendations in the report in each House of Parliament.
- (8) "International trade agreement" means –
  - (a) an agreement that is or was notifiable under –
    - (i) paragraph 7(a) of Article XXIV of the General Agreement on Tariffs and Trade, part of Annex 1A to the WTO Agreement (as modified from time to time), or
    - (ii) paragraph 7(a) of Article V of the General Agreement on Trade in Services, part of Annex 1B to the WTO Agreement (as modified from time to time), or
  - (b) an international agreement that mainly relates to trade, other than an agreement mentioned in paragraph (a)(i) or (ii).
- (9) The TSC may create such working groups and commission such research as it deems appropriate to meet its duties under subsection (2).
- (10) Within three months of a report being laid under subsection (3), the Secretary of State must –
  - (a) lay before Parliament a response to the TSC's report and all its recommendations, including how the Secretary of State intends to maintain the United Kingdom's standards for food production in importing agricultural products in relation to food safety, the environment and animal welfare, and
  - (b) make a statement to Parliament on the response to the TSC's recommendations.
- (11) Ministers of the Crown must table motions for resolution regarding the response under subsection (10) in each House of Parliament.
- (12) It shall be an objective of the Secretary of State to achieve outcomes consistent with relevant resolutions under subsection (11).
- (13) The Secretary of State may by regulations dissolve the TSC at any time after the publication of the report under subsection (2).
- (14) The Secretary of State may by regulations confer further functions on the TSC after the report in subsection (2) has been published.

**After Clause 42 - continued**

- (15) The Secretary of State may by regulations amend the period of six months under subsection (2) provided that such an extension is agreed by the TSC in writing.
- (16) Regulations under subsections (13) and (14) are subject to affirmative resolution procedure.
- (17) Regulations under subsection (15) are subject to negative resolution procedure.”

***Member’s explanatory statement***

*The amendment establishes a Trade, Food and Farming Standards Commission (TSC), which will report to Parliament on how best Government can meet its manifesto pledge not to compromise on the UK’s high environmental protection, animal welfare and food standards through its international trade policy.*

LORD BRUCE OF BENNACHIE

Insert the following new Clause—

**“Report on lamb and beef sector**

- (1) If Her Majesty’s Government has not made an agreement with the European Union on agricultural tariff rate quotas by IP completion day, the Secretary of State must lay a report before Parliament on the expected impact upon the lamb and beef sector.
- (2) A report under subsection (1) must be laid within three months of such an agreement being unable to be reached.”

**Clause 47**

LORD CARRINGTON

Page 40, line 28, leave out “primary legislation,”

***Member’s explanatory statement***

*This amendment seeks to remove the power for statutory instruments to be used to amend primary legislation*

**After Clause 49**

BARONESS JONES OF WHITCHURCH

Insert the following new Clause—

**“Additional amendments to secondary legislation**

Schedule (*Additional amendments to secondary legislation*) contains amendments of subordinate legislation relating to agricultural practices.”

***Member’s explanatory statement***

*This new Clause gives effect to a new Schedule, which amends two regulations relating to intensive farming and managing livestock and soil.*

**Clause 50**

LORD CARRINGTON

Page 42, line 23, leave out “primary legislation,”

***Member’s explanatory statement****This amendment seeks to remove the power for statutory instruments to be used to amend primary legislation.***Clause 53**

LORD GARDINER OF KIMBLE

Page 43, line 35, leave out subsection (1) and insert –

- “(1) The following provisions come into force on the day on which this Act is passed –
- (a) any provision of Parts 1 to 7 which –
    - (i) confers a power to make regulations, or
    - (ii) modifies legislation so as to confer a power to make regulations or a power to make an order by statutory instrument;
  - (b) any other provision of those Parts so far as it, or a modification of legislation it makes, affects the exercise of such a power (for example by defining an expression used in the provision conferring it);
  - (c) this Part, apart from section 49 and Schedule 7.”

***Member’s explanatory statement****The Amendment enables legislative powers created by the Bill to be exercised on or after the day on which the Bill receives Royal Assent.*

Page 43, line 37, after “provisions” insert “, so far as not brought into force by subsection (1)(a) or (b),”

***Member’s explanatory statement****The amendment excludes from the commencement power under subsection (2) any provision mentioned in Clause 53(2)(a) to (f) to the extent it is brought into force by the new subsection (1) substituted by Lord Gardiner’s first amendment to Clause 53.*

Page 43, line 39, leave out “to 20” and insert “and 19”

***Member’s explanatory statement****Clause 20 has effect from Royal Assent under Lord Gardiner’s first amendment to Clause 53, so it should not be mentioned in subsection (2)(a).*

Page 43, line 40, leave out “to 30” and insert “and 29”

***Member’s explanatory statement****Clause 30 will have effect from Royal Assent under Lord Gardiner’s first amendment to Clause 53, so it should not be mentioned in subsection (2)(b).*

Page 44, line 1, after “to” insert “16 and”

***Member’s explanatory statement***

*Paragraph 17 of Schedule 3 has effect from Royal Assent under Lord Gardiner’s first amendment to Clause 53, so should not be mentioned in subsection (2)(c).*

Page 44, leave out lines 3 and 4

***Member’s explanatory statement***

*Clause 35 and Schedule 4 and clauses 38 and 39 and Schedule 4 have effect from Royal Assent under Lord Gardiner’s first amendment to Clause 53, so they should not be mentioned in subsection (2).*

Page 44, line 7, after “provisions” insert “, so far as not brought into force by subsection (1)(a) or (b),”

***Member’s explanatory statement***

*The amendment excludes from the commencement power under subsection (3) any provision mentioned in Clause 53(3)(a) to (c) to the extent it is brought into force by the new subsection (1) substituted by Lord Gardiner’s first amendment to Clause 53.*

Page 44, line 11, after “to” insert “16 and”

***Member’s explanatory statement***

*Paragraph 17 of Schedule 3 has effect in relation to Wales from Royal Assent under Lord Gardiner’s first amendment to Clause 53, so it should not be mentioned in subsection (3)(a).*

Page 44, line 13, leave out “Parts 2 and 4” and insert “Part 2”

***Member’s explanatory statement***

*Part 4 of Schedule 5 will have effect from Royal Assent under Lord Gardiner’s first amendment to Clause 53, so it should not be mentioned in subsection (3)(b).*

Page 44, line 13, leave out “those Parts” and insert “that Part”

***Member’s explanatory statement***

*This amendment is consequential on Lord Gardiner’s earlier amendment to line 13 on page 44.*

Page 44, line 17, after “provisions” insert “, so far as not brought into force by subsection (1)(a) or (b),”

***Member’s explanatory statement***

*The amendment excludes from the commencement power under subsection (4) any provision mentioned in Clause 53(4)(a) or (b) to the extent it is brought into force by the new subsection (1) substituted by Lord Gardiner’s first amendment to Clause 53.*

Page 44, line 20, leave out “Parts 2 and 4” and insert “Part 2”



**Member's explanatory statement**

*Part 4 of Schedule 6 will have effect from Royal Assent under Lord Gardiner's first amendment to Clause 53, so it should not be mentioned in subsection (4)(a).*

Page 44, line 20, leave out "those Parts" and insert "that Part"

**Member's explanatory statement**

*The amendment is consequential on Lord Gardiner's earlier amendment to line 20 on page 44.*

**Schedule 2**

## LORD CARRINGTON

Page 45, line 22, leave out "For sub-paragraph (1) substitute" and insert "After sub-paragraph (1) insert"

**Member's explanatory statement**

*This amendment would retain the current Common Agricultural Policy objectives exemption from competition law for relevant agreements.*

Page 47, line 12, leave out ", provided that the condition in sub-paragraph (2) is also met"

Page 47, leave out lines 16 to 39

**After Schedule 7**

## BARONESS JONES OF WHITCHURCH

Insert the following new Schedule –

## "SCHEDULE 8

## ADDITIONAL AMENDMENTS TO SECONDARY LEGISLATION

*The Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154)*

- 1 (1) The Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016/1154) are amended as follows.
  - (2) Section 6.9 of Schedule 1 Part 2 Chapter 6 (intensive farming) is amended in accordance with sub-paragraph (3).
  - (3) In Part A(1) –
    - (a) after "pigs (over 30 kg)" omit "or",
    - (b) after "sows" insert ", or  
(iv) 150 places for beef or dairy cows", and
    - (c) at end insert –
      - "(b) Rearing pigs on any land at a density greater than 20 pigs per hectare."

*The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (S.I. 2018/151)*

- 2 (1) The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (S.I. 2018/151) are amended as follows.

**After Schedule 7 - continued**

- (2) Regulation 10 (managing livestock and soil) is amended in accordance with sub-paragraphs (3) to (5).
- (3) In paragraph (5), after “agricultural land” insert “and that soils are managed sustainably”.
- (4) After paragraph (5) insert –
  - “(5A) In relation to the growing of potatoes, maize or any other crop that the Secretary of State may by order prescribe –
    - (a) a land manager must take all reasonable precautions as specified in sub-paragraph (6)(a) that are applicable to the growing of that crop on any land,
    - (b) upon request by the Environment Agency, a land manager must provide information on the reasonable precautions taken on any land, and
    - (c) if, in the opinion of the Environment Agency, that information shows that any applicable reasonable precaution specified in sub-paragraph (6)(a) was not taken on that land, Regulation 12 shall not apply.”
- (5) In sub-paragraph (6)(a)(v) –
  - (a) omit “and”, and
  - (b) at end insert –
    - “(vi) maintaining maximum soil cover;
    - (vii) taking actions to limit soil erosion by wind;
    - (viii) maintaining and increasing the carbon and organic content of soil; and”

***Member’s explanatory statement***

*This new Schedule makes a range of changes to agricultural regulations relating to intensive farming and the management of livestock and soil.*

# Agriculture Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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*30 June 2020*

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