

Trade Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 2

LORD BRUCE OF BENNACHIE
BARONESS HUMPHREYS
BARONESS SUTTIE

Page 2, line 33, at end insert –

- “(6A) No regulations may be made under subsection (1) by a Minister of the Crown unless he or she has sought the consent of –
- (a) the Scottish Parliament,
 - (b) Senedd Cymru, and
 - (c) the Northern Ireland Assembly.
- (6B) If more than one of the devolved legislatures listed in subsection (6A) do not consent to the proposed regulations, the regulations may not proceed.”

After Clause 2

BARONESS MCINTOSH OF PICKERING

Insert the following new Clause –

“Environmental standards and trade

- (1) Regulations may only be made under section 2(1) if conditions A and B are met.
- (2) Condition A is that each House of Parliament has approved a motion that –
 - (a) the relevant trade agreement is consistent with the standards established by primary and subordinate legislation in the United Kingdom regarding –
 - (i) environmental protections;
 - (ii) food safety; and
 - (iii) animal welfare; or
 - (b) the goods which would be imported through the relevant trade agreement are produced to standards that are equivalent to those of the United Kingdom in the areas listed under paragraph (a)(i) to (iii).

After Clause 2 - continued

- (3) Condition B is that each House of Parliament has approved a motion that the relevant trade agreement does not have the effect of lowering marketing standards for agricultural products below the standards used by the European Union on the day on which the motion is passed.
- (4) For the purposes of subsection (2)(a)(iii), reference to “animal welfare” includes reference to animal health and hygiene.
- (5) In section 8 (the customs tariff) of the Taxation (Cross-border Trade) Act 2018, after subsection (5)(e) insert—
 - “(f) the desirability of maintaining United Kingdom standards of animal welfare, food safety and environmental protection.”

Clause 6

BARONESS HAYMAN

Page 4, line 22, at end insert—

- “() analysis of how proposed measures align with the United Kingdom’s environmental obligations in international law.”

Member’s explanatory statement

The amendment provides that, when the Trade Remedies Authority provides the Secretary of State with advice, that advice includes analysis of how any trade remedy measures being proposed would align (or not) with the United Kingdom’s environmental obligations in international law.

BARONESS KRAMER

Page 4, line 25, leave out from “TRA” to end of line 28 and insert—

- “(c) protect the TRA’s operational independence and its ability to make impartial assessments when performing its functions.”

Schedule 4

BARONESS KRAMER

Page 17, line 11, at end insert—

- “(3) The TRA is to be operationally independent of the Secretary of State.
- (4) In exercising any powers related to dumping, subsidisation, guarantees, anti-dumping amount and countervailing amount as laid out in Schedules 4 and 5 to the Taxation (Cross-border Trade) Act 2018, the Secretary of State may not exercise powers in the absence of a recommendation of the TRA and may not depart from a recommendation of the TRA except to reject it.
- (5) The Secretary of State may not instruct the opening or reopening of an investigation which the TRA has closed and on which the TRA made no recommendation unless there are changes in circumstances.”

Page 20, line 2, at end insert—

- “() The TRA may establish an advisory committee or committees comprising stakeholders including representatives of—

Schedule 4 - *continued*

- (a) the devolved nations,
- (b) the Trades Union Congress, and
- (c) business, including small business, and consumers.”

Page 20, line 35, at end insert “and undertake transferred liabilities under Schedule 5”

Page 21, line 22, after “functions” insert “and activities”

Page 22, line 15, leave out from “and” to end of line 18 and insert –

- “(c) protect the TRA’s operational independence and its ability to make impartial assessments when performing its functions”

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23 September 2020
