

Trade Bill

AMENDMENT
TO BE MOVED
ON REPORT

After Clause 2

LORD PURVIS OF TWEED

Insert the following new Clause—

“Parliamentary approval of trade agreements

- (1) Nothing in this section restricts the power conferred by Her Majesty’s prerogative to commence, conduct negotiations towards and then conclude a trade agreement.
- (2) If a decision has been made by the Secretary of State to commence negotiations towards a free trade agreement, a statement must be made to both Houses of Parliament.
- (3) Negotiations for that trade agreement may not proceed until the Secretary of State has laid draft negotiating objectives in respect of that agreement before Parliament, and a motion endorsing draft negotiating objectives has been approved by a resolution of each House of Parliament.
- (4) Prior to the draft negotiating objectives being laid, the Secretary of State must—
 - (a) consult each devolved authority on the content of the draft negotiating objectives, and
 - (b) produce a sustainability impact assessment including, but not limited to, an assessment of the impact of the proposed negotiating objectives on human, animal or plant life or health, animal welfare, environmental protection, human rights and equalities, and employment and labour.
- (5) A sustainability impact assessment under subsection (4)(b) must include—
 - (a) a statement on how the proposed trade agreement will advance the meeting of the Sustainable Development Goals; and
 - (b) a plan to maintain UK levels of statutory protection on the protection of human, animal or plant life or health, animal welfare, environmental protection, human rights and equalities, and employment and labour.

After Clause 2 - continued

- (6) The Secretary of State must inform both Houses of Parliament, and any Select Committee charged by the relevant House with scrutinising trade negotiations in a manner and to an extent agreed with the Committee, of developments in the negotiations, but this does not affect the power of the Secretary of State to conduct negotiations as the Secretary of State considers appropriate.
- (7) For the purposes of subsection (6), “developments” means –
- (a) a pause in negotiations;
 - (b) an ending of negotiations;
 - (c) the conclusion of a negotiated round of discussions;
 - (d) the decision to agree in principle an agreement; or
 - (e) other necessary aspects of the negotiations of which the Secretary of State considers it necessary to inform Parliament.
- (8) The United Kingdom may not become a signatory to a free trade agreement to which this section applies unless a draft of the agreement in the terms in which it is to be presented for signature by parties to the agreement has been laid before, and approved by, a resolution of each House of Parliament.
- (9) Before a Minister of the Crown moves a resolution to approve the text of a proposed free trade agreement in either House of Parliament, the Secretary of State must –
- (a) consult each devolved authority on the text of the proposed agreement, and
 - (b) lay before Parliament an independent impact assessment of the agreement including, but not limited to, the requirements in subsection (4).
- (10) In this section –
- “devolved authority” has the meaning given in section 4(1) of this Act;
 - “free trade agreement” means any agreement which is –
 - (a) within the definition given in section 4(1) of this Act, and
 - (b) an agreement between the United Kingdom and one or more partners that includes components that facilitate the trade of goods, services or intellectual property;
 - “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 relevant part of the United Kingdom, on the date on which the sustainability impact assessment is produced.”

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17 November 2020
