

Trade Bill

AMENDMENTS
TO BE MOVED
ON REPORT

After Clause 2

BARONESS MCINTOSH OF PICKERING
BARONESS HENIG
BARONESS JONES OF MOULSECOOMB
BARONESS RITCHIE OF DOWNPATRICK

Insert the following new Clause—

“Trade and Agriculture Commission

- (1) A body corporate called the Trade and Agriculture Commission (“TAC”) is established.
- (2) The TAC must establish criteria for maintaining standards equivalent to standards applied within the United Kingdom at the time of import for goods imported under a trade agreement between the United Kingdom and any other state.
- (3) When the Secretary of State is undertaking negotiations for an international trade agreement on behalf of the United Kingdom with another state, the Secretary of State must consider any advice given by the TAC for the purposes of ensuring that the international trade agreement does not reduce or compromise standards.
- (4) A Minister of the Crown may not lay a copy of an international trade agreement before Parliament under section 20(1) of the Constitutional Reform and Governance Act 2010 that contains provisions relating to the importation of goods into the United Kingdom unless Conditions A, B and C have been met.
- (5) Condition A is that the TAC has prepared a report assessing the extent to which the international trade agreement is likely to reduce the ability of the United Kingdom to maintain standards.
- (6) Condition B is that a Minister of the Crown has laid the report before Parliament.

After Clause 2 - continued

- (7) Condition C is that each House of Parliament has agreed a motion, moved in accordance with subsection (8) by a Minister of the Crown, that the international trade agreement does not diminish standards within the meaning of this section.
- (8) So far as practicable, a Minister of the Crown must make arrangements for the motion mentioned in subsection (7) to be debated and voted on by each House of Parliament within a period of 42 days beginning with the day on which the report was laid under subsection (6).
- (9) In this section, “standards” means standards relating to—
- (a) animal welfare,
 - (b) protection of the environment,
 - (c) food safety, hygiene and traceability,
 - (d) plant health, and
 - (e) employment and human rights.
- (10) Schedule (*The Trade and Agriculture Commission*) makes further provision about the TAC.”

Before Schedule 1

BARONESS MCINTOSH OF PICKERING
 BARONESS HENIG
 BARONESS JONES OF MOULSECOOMB
 BARONESS RITCHIE OF DOWNPATRICK

Insert the following new Clause—

“THE TRADE AND AGRICULTURE COMMISSION

Status

- 1 (1) The TAC is not to be regarded—
- (a) as the servant or agent of the Crown, or
 - (b) as enjoying any status, immunity or privilege of the Crown.
- (2) The TAC’s property is not to be regarded—
- (a) as the property of the Crown, or
 - (b) as property held on behalf of the Crown.

Membership

- 2 (1) The TAC is to consist of—
- (a) a Chair appointed by the Secretary of State,
 - (b) other non-executive members appointed by the Secretary of State,
 - (c) a chief executive appointed by the Chair with the approval of the Secretary of State or, if the first Chair has not been appointed, by the Secretary of State, and
 - (d) other executive members appointed by the Chair.
- (2) The Secretary of State must consult the Chair before appointing the other non-executive members.

Before Schedule 1 - continued

- (3) The Secretary of State and the Chair must ensure, so far as practicable, that the number of non-executive members is at all times greater than the number of executive members.

Terms of appointment and tenure of members

- 3 A person holds and vacates office as a member of the TAC in accordance with the terms and conditions of the person's appointment.
- 4 The terms and conditions of a person's appointment as a non-executive member of the TAC are to be determined by the Secretary of State; but that is subject to the following provisions of this Schedule.
- 5 The terms and conditions of a person's appointment as an executive member of the TAC are to be determined by the Chair with the approval of the Secretary of State; but that is subject to the following provisions of this Schedule.
- 6 The terms and conditions of a person's appointment may cover, among other things –
- (a) the period for which the person is to hold office;
 - (b) the person's eligibility for re-appointment;
 - (c) circumstances in which a person's membership may be suspended.
- 7 A person may resign from office as a non-executive member of the TAC by notifying the Secretary of State.
- 8 A person may resign from office as an executive member of the TAC by notifying the Chair.
- 9 The Secretary of State may remove a person from office as a non-executive member of the TAC if, in the opinion of the Secretary of State, the person is unable or unfit to carry out the functions of the office.
- 10 The Chair may remove a person from office as an executive member of the TAC if, in the opinion of the Chair, the person is unable or unfit to carry out the functions of the office.

Procedure

- 11 The TAC may determine its own procedure and the procedure of any TAC committee (including quorum).
- 12 The validity of any proceedings of the TAC is not affected by a vacancy or defective appointment.

Other provision

- 13 The Secretary of State may by regulations make other provision about the TAC including provision about –
- (a) staffing;
 - (b) remuneration of members and staff;
 - (c) delegation of functions;
 - (d) funding;
 - (e) accounts and reporting.
- 14 A statutory instrument containing regulations under paragraph 13 may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

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23 November 2020
