

Agriculture Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

BARONESS NEVILLE-ROLFE

Page 2, line 35, at end insert—

- “() In framing any financial assistance scheme, the Secretary of State must—
- (a) publish an impact assessment for that scheme, and
 - (b) have regard to that impact assessment and any public responses to it.”

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.

After Clause 3 - continued

- (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 4

BARONESS JONES OF WHITCHURCH

Page 5, line 14, at end insert—

- “() The Secretary of State must have regard to the current environmental improvement plan when setting out strategic priorities for giving financial assistance during the plan period.”

Member’s explanatory statement

This amendment would require the Secretary of State to have regard to environmental improvement plans when planning the provision of financial assistance for agriculture.

Clause 8

LORD GRANTCHESTER

Leave out Clause 8 and insert the following new Clause—

“The agricultural transition period for England and the termination of relevant payments

- (1) The agricultural transition period for England is the period of seven years starting on such day as the Secretary of State may by regulations appoint.
- (2) The Secretary of State may only appoint a commencement day for the transition period if a Minister of the Crown has laid before Parliament a statement confirming that in their opinion—
 - (a) any essential financial assistance schemes enabled by this Act for which there was no equivalent prior to EU Exit have been designed and subjected to appropriate trials or pilot schemes, and
 - (b) the outcomes of such trials or pilot schemes have been deemed satisfactory.
- (3) After the end of the transition period, no relevant payments are to be made in relation to England other than in respect of the last year of that period (or an earlier year).
- (4) The Secretary of State may by regulations—
 - (a) amend the length of the transition period in subsection (1), or
 - (b) amend the day on which the transition period commences.
- (5) Regulations under subsection (4) are subject to affirmative resolution procedure.
- (6) In this section—

Clause 8 - continued

“essential financial assistance schemes” means any schemes that are intended to operate, in whole or in part, at any point during the first year of the transition period;

“deemed satisfactory” means that a Minister of the Crown believes the trial or pilot scheme provides evidence that the scheme will contribute to one or more of the purposes under section 1.”

Member’s explanatory statement

This amendment would alter the current provision around commencement of the seven-year transition period, ensuring the Secretary of State can only appoint a start date by regulations once a statement has been laid before Parliament confirming that year-one schemes have been designed and satisfactorily tested.

Clause 17

BARONESS JONES OF WHITCHURCH

Page 14, line 20, leave out “at least once every five years” and insert “within 12 months of the passing of this Act, and every three years thereafter”

Member’s explanatory statement

This amendment would require the Secretary of State to lay the first report on UK food security within 12 months of the Act being passed and publish further reports every three years thereafter.

Clause 27

LORD GRANTCHESTER

Page 23, line 15, leave out “a specified person” and insert “the Groceries Code Adjudicator”

Member’s explanatory statement

This amendment is intended to ensure that the role of regulating agricultural contracts is given to the Groceries Code Adjudicator’s office.

Page 23, line 23, at end insert –

“() The Groceries Code Adjudicator Act 2013 is amended as follows.

() After section 2 (arbitration) insert –

“2A Fair dealing: determination of complaints alleging non-compliance

- (1) If a complaint relating to alleged non-compliance is referred to the Adjudicator under section 27(8)(a) of the Agriculture Act 2020, the Adjudicator must determine the complaint.
- (2) In determining any allegation of non-compliance under subsection (1), the Adjudicator must act in accordance with any regulations made under section 27(1) of the Agriculture Act 2020 which make provision for investigation of complaints, imposition of penalties or a requirement to pay compensation, as specified by section 27(8) of that Act.”

Member's explanatory statement

This amendment would specify the process to be followed by the Groceries Code Adjudicator's office in determining a complaint made under the Agriculture Act 2020.

Page 23, line 25, after "any" insert "competent and appropriate"

Member's explanatory statement

This amendment would ensure that the role of regulating agricultural contracts is given to a body which is competent to undertake qualitative assessments; for example, the Groceries Code Adjudicator's office.

Page 23, line 26, after first "a" insert "competent and appropriate"

Member's explanatory statement

This amendment would ensure that the role of regulating agricultural contracts is given to a body which is competent to undertake qualitative assessments; for example, the Groceries Code Adjudicator's office.

After Clause 34

BARONESS JONES OF WHITCHURCH

Insert the following new Clause—

"Duty to sustain the UK agricultural industry workforce"

- (1) The Secretary of State must, before the end of the period of six months beginning with the day on which this Act is passed, lay before Parliament a strategy outlining the steps that Her Majesty's Government proposes to take to—
 - (a) ensure an appropriate supply of seasonal agricultural workers,
 - (b) increase the number of people undertaking—
 - (i) practical training, and
 - (ii) formal qualifications
 relating to agricultural work,
 - (c) ensure agricultural workers have sufficient access to—
 - (i) financial advice,
 - (ii) affordable housing,
 - (iii) mental health support, and
 - (iv) any other support the Secretary of State deems appropriate, and
 - (d) ensure agricultural workers are subject to fair sectoral terms and conditions.
- (2) In preparing the strategy under subsection (1), the Secretary of State must consult—
 - (a) other relevant UK Ministers,
 - (b) the Scottish Ministers,
 - (c) the Welsh Ministers,
 - (d) the Northern Ireland department, and
 - (e) bodies that appear to the Secretary of State to represent the interests of the UK agricultural industry."

Clause 35

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

Page 33, line 20, at end insert –

- “() Regulations under this section (or under Part 5 of this Act) may not be used to make provisions which will have the effect of lowering animal health, hygiene or welfare standards for agricultural products below established EU or UK standards.”

BARONESS NEVILLE-ROLFE

Page 33, line 20, at end insert –

- “() Before making regulations under this section, the Secretary of State must consult anyone reasonably likely to be affected by the regulations and lay a report summarising the responses to that consultation before Parliament.”

After Clause 42

LORD GRANTCHESTER

Insert the following new Clause –

“Requirement for agricultural and food imports to meet domestic standards

- (1) Chapters of an international trade agreement that contain provisions relating to the importation of agricultural and food products into the United Kingdom may not be ratified unless the conditions in subsections (2) to (5) have been met.
- (2) The condition in this subsection is that a Minister of the Crown has laid before Parliament a statement confirming that –
 - (a) the agreement contains an affirmation of the United Kingdom’s rights and obligations under the World Trade Organisation Sanitary and Phytosanitary Agreement, and
 - (b) any agricultural or food product imported into the United Kingdom under the agreement will have been produced or processed according to standards which, on the date of their importation, are equivalent to, or exceed, the relevant domestic standards and regulations in relation to –
 - (i) animal health and welfare,
 - (ii) protection of the environment,
 - (iii) food safety, hygiene and traceability, and
 - (iv) plant health.
- (3) The condition in this subsection is that the Secretary of State has by regulations specified –
 - (a) the process by which the Secretary of State will determine –

After Clause 42 - continued

- (i) that the standards to which any agricultural or food product imported into the United Kingdom under a trade agreement is produced or processed are equivalent to, or exceed, the relevant domestic standards and regulations in relation to animal health and welfare, protection of the environment, food safety, hygiene and traceability, and plant health, and
 - (ii) that the enforcement of standards in relation to any product under subsection (3)(a)(i) is at least as effective as the enforcement of the equivalent domestic standards and regulations in the United Kingdom;
- (b) the “relevant domestic standards and regulations” for the purposes of subsections (2)(b) and (3)(a)(i).
- (4) The condition in this subsection is that the chapters have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown.
- (5) The condition in this subsection is that a motion for the House of Lords to take note of the chapters has been tabled in the House of Lords by a Minister of the Crown and—
- (a) the House of Lords has debated the motion, or
 - (b) the House of Lords has not concluded a debate on the motion before the end of the period of five Lords sitting days beginning with the first Lords sitting day after the day on which the House of Commons passes the resolution mentioned in subsection (4).
- (6) A Minister of the Crown may, where the Minister considers appropriate, make regulations amending any regulations made under subsection (3).
- (7) Regulations made under subsection (3) or (6) are subject to affirmative resolution procedure.
- (8) In this section—
- “chapters” means any individual section or sections of an international trade agreement;
- “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);
- “Lords sitting day” means a day on which the House of Lords is sitting (and a day is only a day on which the House of Lords is sitting if the House begins to sit on that day);
- “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;

After Clause 42 - continued

“ratified” has the same meaning as in the Constitutional Reform and Governance Act 2010;

“World Trade Organisation Sanitary and Phytosanitary Agreement” means the agreement on the Application of Sanitary and Phytosanitary Measures, part of Annex 1A to the WTO Agreement (as modified from time to time);

“WTO Agreement” means the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994.”

Agriculture Bill

AMENDMENTS
TO BE MOVED
ON REPORT

29 July 2020
