

Agriculture Bill

AMENDMENTS TO BE MOVED ON REPORT

Clause 8

LORD CARRINGTON

Page 7, line 40, at end insert—

- “(1A) Where any business is in receipt of direct payments under the basic payment scheme, any financial assistance from the Secretary of State may not be reduced by more than 25% of the specified amount in subsection (1B) prior to a scheme providing financial assistance under section 1(1) being introduced.
- (1B) The specified amount is an amount to be determined by the Secretary of State by regulations, and may be based on—
- (a) the amount a business received under the basic payment scheme for a specified year, or
 - (b) the average amount a business received under the basic payment scheme over specified years before 2021 determined by the Secretary of State.
- (1C) Regulations under subsection (1B) must provide for a right of appeal if a business believes that any financial assistance they receive will be reduced by more than 25% of the specified amount prior to a scheme providing financial assistance under section 1(1) being introduced.”

Member’s explanatory statement

This will ensure that cuts in direct payments for 2021, together with the currently unknown cuts in the following years, do not inadvertently damage the viability of farming businesses before they can adapt their business plans to benefit from the productivity grant schemes due to uncertainties regarding trade agreements and the proposed agri-environment schemes.

Page 8, line 10, leave out “subsection” and insert “subsections (1B) and”

Member’s explanatory statement

This amendment ensures that regulations made under the amendment tabled by Lord Carrington to Clause 7, page 7, line 40 are subject to the affirmative procedure.

Clause 11

BARONESS ROCK

Page 9, line 36, at end insert –

“() Regulations under this section must set out timescales within which direct payments must be paid to entitled persons.”

Member’s explanatory statement

This amendment would ensure that those entitled to payments receive those payments within guaranteed timescales to help ensure certainty of cash flow.

After Clause 42

VISCOUNT TRENCHARD

As an amendment to the amendment in the name of Lord Grantchester to insert the new clause "Requirement for agricultural and food imports to meet domestic standards", printed on sheet HL Bill 130(a)

In subsection (2)(b), leave out “their importation, are equivalent to, or exceed, the relevant domestic standards and regulations” and insert “its import, are equivalent to, or exceed, the relevant international standards and regulations and which are consistent with the United Kingdom’s obligations contained in subsection (2)(a),”

Member’s explanatory statement

This amendment, and the others in the name of Viscount Trenchard to Lord Grantchester's amendment, recognise that domestic standards are identical to EU standards and in certain respects are not compliant with WTO rules, correct the conflict between subsection (2)(a) and subsection (2)(b) as drafted, and ensure that international trade agreements will be compliant with WTO rules.

As an amendment to the amendment in the name of Lord Grantchester to insert the new clause "Requirement for agricultural and food imports to meet domestic standards", printed on sheet HL Bill 130(a)

In subsection (3)(a)(i), leave out “domestic” and insert “international”

Member’s explanatory statement

This amendment, and the others in the name of Viscount Trenchard to Lord Grantchester's amendment, recognise that domestic standards are identical to EU standards and in certain respects are not compliant with WTO rules, correct the conflict between subsection (2)(a) and subsection (2)(b) as drafted, and ensure that international trade agreements will be compliant with WTO rules.

As an amendment to the amendment in the name of Lord Grantchester to insert the new clause "Requirement for agricultural and food imports to meet domestic standards", printed on sheet HL Bill 130(a)

In subsection (3)(b), leave out “domestic” and insert “international”

Member's explanatory statement

This amendment, and the others in the name of Viscount Trenchard to Lord Grantchester's amendment, recognise that domestic standards are identical to EU standards and in certain respects are not compliant with WTO rules, correct the conflict between subsection (2)(a) and subsection (2)(b) as drafted, and ensure that international trade agreements will be compliant with WTO rules.

As an amendment to the amendment in the name of Baroness McIntosh of Pickering to insert the new clause "Trade and Agriculture Commission", printed on sheet HL Bill 130(b)

In subsection (1), leave out "as high as, or higher than," and insert "which (a) are equivalent to or exceed"

Member's explanatory statement

This amendment and the other in the name of Viscount Trenchard to Baroness McIntosh's amendment would ensure that the Trade and Agriculture Commission would establish criteria which would ensure that United Kingdom standards comply with WTO rules.

As an amendment to the amendment in the name of Baroness McIntosh of Pickering to insert the new clause "Trade and Agriculture Commission", printed on sheet HL Bill 130(b)

In subsection (1), at end insert "and (b) are consistent with the terms of the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures"

Member's explanatory statement

This amendment and the other in the name of Viscount Trenchard to Baroness McIntosh's amendment would ensure that the Trade and Agriculture Commission would establish criteria which would ensure that United Kingdom standards comply with WTO rules.

Schedule 3**BARONESS ROCK**

Page 50, line 15, leave out "may" and insert "must"

Member's explanatory statement

This amendment makes it a requirement for the Government to bring forward the regulations to protect farm tenants by providing the mechanism for tenants to object to a landlord's refusal of consent to enter financial assistance schemes.

Page 50, line 29, at end insert "or

(iii) the landlord's consent to a matter which otherwise requires such consent,"

Member's explanatory statement

This amendment and the amendment in the name of Baroness Rock to page 50, line 36 close a potential loophole in the provisions of the Bill around the consent of the landlord where this is required not by the tenancy agreement or legislation but by the financial assistance scheme itself.

Page 50, line 36, leave out "and" and insert "or

(iii) securing the full and efficient farming of the holding or an environmental improvement, and"

Schedule 3 - continued

Page 53, line 9, at end insert –

“Succession on death of tenant: eligible relatives

16A (1) Section 35 (application of sections 36 to 48) is amended as follows.

(2) After subsection (2)(c) insert –

“(ca) a nephew or niece of the deceased;

(cb) a grandchild of the deceased;”

(3) In subsection (2)(d), after “(c)” insert “or (ca) or (cb)”.

(4) In subsection (2)(d), after “civil partnership” in both places insert “or cohabitation”.

Member’s explanatory statement

This amendment will extend the franchise for farm tenancy succession on death to include nephews, nieces and grandchildren.

Page 53, line 35, at end insert –

“Succession on retirement of tenant: eligible relatives

18A (1) Section 49 (application of sections 50 to 58) is amended as follows.

(2) After subsection (3)(c) insert –

“(ca) a nephew or niece of the retiring tenant;

(cb) a grandchild of the retiring tenant;”

(3) In subsection (3)(d), after “(c)” insert “or (ca) or (cb)”.

(4) In subsection (3)(d), after “civil partnership” in both places insert “or cohabitation”.

Member’s explanatory statement

This amendment will extend the franchise for farm tenancy succession on retirement to include nephews, nieces and grandchildren.

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4 September 2020
