

United Kingdom Internal Market Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[For Second Marshalled List]

Clause 8

LORD YOUNG OF COOKHAM

Page 7, line 2, leave out “vary or remove” and insert “or broaden”

Member’s explanatory statement

This amendment amends Clause 8(7) to limit the ability of the Secretary of State to amend by regulations Clause 8(6), which sets out the meaning of “legitimate aim” such that “legitimate aim” can only be added or broadened by regulations and not varied or removed.

Clause 10

LORD YOUNG OF COOKHAM

Page 7, line 23, leave out “amend that Schedule” and insert “broaden the exclusions to the market access principles set out in Schedule 1.”

Member’s explanatory statement

This amendment amends Clause 10(2) to limit the ability of the Secretary of State to amend by regulations Schedule 1, Exclusions from market access rules, such that the exclusions can only be broadened by regulations and not varied or removed.

After Clause 10

LORD YOUNG OF COOKHAM

Insert the following new Clause—

“Exclusions to market access principles for legitimate aims

- (1) The United Kingdom market access principles do not apply to legislation that can reasonably be considered a necessary means of achieving a legitimate aim.
- (2) “Legitimate aim” means one, or a combination, of the following aims—
 - (a) the protection of the life or health of humans, animals or plants;
 - (b) the protection of public safety or security.

After Clause 10 - continued

- (3) The application of subsection (1) is to be determined with regard to the availability of alternative means of achieving the aim in question.”

Member’s explanatory statement

This amendment takes the legitimate aims exclusion from indirect non-discrimination in Clause 8 and applies it to all market access principles. It omits the ability of the Secretary of State to change the list of legitimate aims through an affirmative resolution procedure.

Clause 17

LORD WIGLEY

Page 12, line 40, at end insert—

- “() Before making any regulations under subsection (2), the Secretary of State must consult, and obtain the consent of, the Welsh Ministers, the Scottish Ministers and the Department for the Economy in Northern Ireland.”

Clause 20

LORD WIGLEY

Page 14, line 26, at end insert—

- “() Before making regulations under subsection (7), the Secretary of State must consult, and obtain the consent of, the Welsh Ministers, the Scottish Ministers and the Department for the Economy in Northern Ireland.”

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22 October 2020
