



HOUSE OF COMMONS

Wednesday 9 January 2019

Votes and Proceedings

The House met at 11.30 am.

Prayers

**1 Questions to (1) the Secretary of State for International Development
(2) the Prime Minister**

2 Armed Forces (Derogation from European Convention on Human Rights): Motion for leave to bring in a Bill (Standing Order No. 23)

Ordered, That leave be given to bring in a Bill to require Her Majesty's Government to derogate from the European Convention on Human Rights in its application to the conduct of members of the armed forces participating in combat operations overseas; and for connected purposes;

That Leo Docherty, Sir Nicholas Soames, Sir Henry Bellingham, Dr Julian Lewis, Johnny Mercer, Tom Tugendhat, Mr Mark Francois, Sir Mike Penning, Richard Benyon, James Heappey, Jim Shannon and Gavin Robinson present the Bill.

Leo Docherty accordingly presented the Bill.

Bill read the first time; to be read a second time on Friday 8 March, and to be printed (Bill 312).

3 Business of the House (Section 13 (1)(b) of the European Union (Withdrawal) Act 2018) (No. 2)

Motion made and Question proposed, That the Order of 4 December (Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018)) be varied as follows:

1. Leave out paragraph (2) and insert:

"(2A) The House shall sit on Friday 11 January.

(2B) The allotted days shall be Tuesday 4 December, Wednesday 5 December, Thursday 6 December, Monday 10 December, Wednesday 9 January, Thursday 10 January, Friday 11 January, Monday 14 January and Tuesday 15 January."

2. In paragraph (3):

a. after "this day" insert "and the fifth allotted day", and

b. leave out "the Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018) motion" and insert "a Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018) motion".

3. In paragraph (4) leave out "and fourth" and insert "fourth, sixth and eighth".

4. In paragraph (6) leave out "up to six amendments" and insert "any number of amendments".

5. Leave out paragraph (7) and insert:

"(7) On the final allotted day, the Speaker shall put the questions necessary to dispose of proceedings on the European Union withdrawal motion at 7.00pm; and such questions shall include the questions on any amendments selected by the Speaker in accordance with the provisions of paragraph 6 of this Order which may then be moved."

6. After paragraph (9) insert:

"(9A) Notwithstanding the practice of this House, a Member may be called to speak twice to the Question on the European Union withdrawal motion without the leave of the House."—(*Jeremy Quin.*)

Amendment (a) proposed, at end to add:

"7. In the event of the motion under Section 13(1)(b) being negatived or amended so as to be negatived, a Minister of the Crown shall table within three sitting days a motion under Section 13, considering the process of exiting the European Union under Article 50."—(*Mr Dominic Grieve.*)

Question put, That the Amendment be made.

The House divided.

Division No. 291

Ayes: 308 (Tellers: Alison McGovern, Guto Bebb)

Noes: 297 (Tellers: Amanda Milling, Rebecca Harris)

Question accordingly agreed to.

Main Question, as amended, put forthwith and agreed to (Order, 4 December 2018).

Ordered, That the Order of 4 December (Business of the House (Section 13(1)(b) of the European Union (Withdrawal) Act 2018)) be varied as follows:

1. Leave out paragraph (2) and insert:

"(2A) The House shall sit on Friday 11 January.

(2B) The allotted days shall be Tuesday 4 December, Wednesday 5 December, Thursday 6 December, Monday 10 December, Wednesday 9 January, Thursday 10 January, Friday 11 January, Monday 14 January and Tuesday 15 January."

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6. After paragraph (9) insert:

"(9A) Notwithstanding the practice of this House, a Member may be called to speak twice to the Question on the European Union withdrawal motion without the leave of the House."

7. In the event of the motion under Section 13(1)(b) being negatived or amended so as to be negatived, a Minister of the Crown shall table within three sitting days a motion under Section 13, considering the process of exiting the European Union under Article 50.

4 Section 13(1)(b) of the European Union (Withdrawal) Act 2018: Adjourned Debate on Question (fifth allotted day)

Debate resumed (Order, today).

Question again proposed, That this House approves for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018, the negotiated withdrawal agreement laid before the House on Monday 26 November 2018 with the title 'Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community' and the framework for the future relationship laid before the House on Monday 26 November 2018 with the title 'Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom'.

Ordered, That the debate be now adjourned.—(*Amanda Milling*.)

Debate to be resumed tomorrow (Order, today).

5 Statutory Instruments: Motions for Approval

(1) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Anti-social Behaviour, Crime and Policing Act 2014 (Amendment) Order 2018, which was laid before this House on 5 November 2018, be approved.—(*Amanda Milling*.)

Question agreed to.

(2) Motion made and Question put forthwith (Standing Order No. 118(6)), That the draft Money Laundering and Transfer of Funds (Information) (Amendment) (EU Exit) Regulations 2018, which were laid before this House on 29 November 2018, be approved.—(*Amanda Milling*.)

Question agreed to.

6 Adjournment

Subject: Basing arrangements for the Royal Marines (Luke Pollard)

Resolved, That this House do now adjourn.—(*Amanda Milling*.)

Adjourned at 10.17 pm until tomorrow.

Other Proceedings

General Committees: Reports

7 Fourth Delegated Legislation Committee

Philip Davies (Chair) reported the draft Investment Allowance and Cluster Area Allowance (Relevant Income: Tariff Receipts) Regulations 2018.

8 Sixth Delegated Legislation Committee

Geraint Davies (Chair) reported the draft Air Passenger Rights and Air Travel Organisers' Licensing (Amendment) (EU Exit) Regulations 2018.

9 Seventh Delegated Legislation Committee

Mr Virendra Sharma (Chair) reported the draft Alternative Investment Fund Managers (Amendment etc.) (EU Exit) Regulations 2018, the draft Venture Capital Funds (Amendment) (EU Exit) Regulations 2018 and the draft Social Entrepreneurship Funds (Amendment) (EU Exit) Regulations 2018.

General Committees: Appointments

The Speaker appoints the Chair of General Committees and members of Programming Sub-Committees, and allocates Statutory Instruments to Delegated Legislation Committees.

The Selection Committee nominates Members to serve on General Committees (and certain Members to serve on Grand Committees).

10 Mental Capacity (Amendment) Bill [Lords] Committee

(1) Chairs: Mark Pritchard and Ian Austin

(2) Members: Bim Afolami, Alex Chalk, Alex Cunningham, Thangam Debbonaire, Mr Tanmanjeet Singh Dhesi, Caroline Dinenage, Barbara Keeley, Steve McCabe, Damien Moore, James Morris, Wendy Morton, Alex Norris, Neil O'Brien, Paula Sherriff, Sir Robert Syms, Helen Whately and Dr Paul Williams

11 Animal Welfare (Service Animals) Bill Committee

Members: Mr Ben Bradshaw, Dr Lisa Cameron, Clive Efford, Mr Nigel Evans, Jim Fitzpatrick, David Hanson, Sir Oliver Heald, Kevin Hollinrake, Mr George Howarth, Stephen McPartland, Sir Mike Penning, Gavin Robinson, David Rutley, John Spellar, Derek Thomas and Maggie Throup

12 First Delegated Legislation Committee (draft Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2018)

(1) Chair: Philip Davies

(2) Members: Guto Bebb, Nick Boles, Mr Ronnie Campbell, Stephen Crabb, Rebecca Harris, Mr Jonathan Lord, Conor McGinn, Neil O'Brien, Claire Perry, Mr Mark Prisk, Andy Slaughter, Nick Smith, Royston Smith, Stephen Timms, Dr Alan Whitehead, Martin Whitfield and Phil Wilson

13 Second Delegated Legislation Committee (draft Higher Education (Fee Limits for Accelerated Courses) (England) Regulations 2018)

(1) Chair: Mr Laurence Robertson

(2) Members: Debbie Abrahams, Mrs Kemi Badenoch, Richard Benyon, Mr Clive Betts, Jack Brereton, Colleen Fletcher, Sir John Hayes, Mr Marcus Jones, Kerry McCarthy, Gordon Marsden, Amanda Milling, Jess Phillips, Mary Robinson, Mr Bob Seely, Chris Skidmore, Gareth Thomas and Anna Turley

14 Third Delegated Legislation Committee (draft Nuclear Safeguards (Fissionable Material and Relevant International Agreements) (EU Exit) Regulations 2018)

(1) Chair: Mr Virendra Sharma

(2) Members: Adam Afriyie, Margaret Beckett, Chris Davies, Martin Docherty-Hughes, Richard Drax, Julie Elliott, Dame Louise Ellman, Bill Grant, Richard Harrington, Rebecca Harris, Mr Stephen Hepburn, Andrea Jenkyns, Neil O'Brien, Ellie Reeves, Nick Smith, Giles Watling and Dr Alan Whitehead

15 Fourth Delegated Legislation Committee (draft Merchant Shipping and Other Transport (Environmental Protection) (Amendment) (EU Exit) Regulations 2018)

(1) Chair: Phil Wilson

(2) Members: Lucy Allan, Colin Clark, Leo Docherty, Michelle Donelan, Vicky Foxcroft, Ruth George, Ms Nusrat Ghani, Kate Green, James Heappey, Dr Caroline Johnson, Peter Kyle, Mr David Lammy, Alison McGovern, John McNally, Craig Tracey, Karl Turner and Mr William Wragg

16 Fifth Delegated Legislation Committee (draft Nuclear Safeguards (EU Exit) Regulations 2018)

(1) Chair: Mr Virendra Sharma

(2) Members: Alan Brown, Rehman Chishti, Robert Courts, Stella Creasy, Glyn Davies, Steve Double, Richard Harrington, Rebecca Harris, Mrs Pauline Latham, Ian C. Lucas, Anne Marie Morris, Ian Murray, Neil O'Brien, Nick Smith, Liz Twist, Matt Western and Dr Alan Whitehead

17 Sixth Delegated Legislation Committee (draft Air Passenger Rights and Air Travel Organisers' Licensing (Amendment) (EU Exit) Regulations 2018)

Members: Colin Clark discharged and Jack Brereton nominated in substitution

18 Sixth Delegated Legislation Committee (draft Justification Decision Power (Amendment) (EU Exit) Regulations 2018)

(1) Chair: Sir Henry Bellingham

(2) Members: Mr Richard Bacon, Maria Caulfield, Mr Simon Clarke, John Cryer, Martyn Day, Mary Glendon, Richard Harrington, Rebecca Harris, Gordon Henderson, Mr Ranil Jayawardena, Susan Elan Jones, Anna McMorrin, Stephen Metcalfe, Neil O'Brien, Nick Smith, Catherine West and Dr Alan Whitehead

19 Seventh Delegated Legislation Committee (draft Occupational and Personal Pension Schemes (Amendment etc.) (EU Exit) Regulations 2018 and the draft Occupational and Personal Pension Schemes (Amendment etc.) (Northern Ireland) (EU Exit) Regulations 2018)

(1) Chair: Mr Laurence Robertson

(2) Members: Tonia Antoniazzi, Bambos Charalambous, Rosie Cooper, Jack Dromey, Mr Philip Dunne, Michael Fabricant, Mrs Helen Grant, John Grogan, Sir Greg Knight, Guy Opperman, Rebecca Pow, Tom Pursglove, Ms Marie Rimmer, Paul Scully, Chris Stephens, Jo Stevens and Craig Whittaker

20 Eighth Delegated Legislation Committee (draft Statutory Auditors and Third Country Auditors (Amendment) (EU Exit) Regulations 2018)

Members: Mr Ranil Jayawardena discharged and Lee Rowley nominated in substitution

21 Ninth Delegated Legislation Committee (draft Services of Lawyers and Lawyer's Practice (Revocation etc.) (EU Exit) Regulations 2019)

(1) Chair: Mr Adrian Bailey

(2) Members: Ian Austin, Sarah Champion, Clive Efford, Jim Fitzpatrick, Vicky Foxcroft, Lucy Frazer, Hugh Gaffney, Mark Garnier, Greg Hands, Peter Heaton-Jones, Mr David Jones, Julia Lopez, Amanda Milling, Yasmin Qureshi, Faisal Rashid, Lee Rowley and Mr John Whittingdale

22 Eleventh Delegated Legislation Committee (draft Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2018)

(1) Chair: David Hanson

(2) Members: Bob Blackman, Fiona Bruce, Jon Cruddas, Michelle Donelan, Paul Farrelly, Marion Fellows, Ruth George, James Heappey, Dr Rupa Huq, Darren Jones, Daniel Kawczynski, John Lamont, Jesse Norman, Stephanie Peacock, Derek Thomas, Karl Turner and Martin Vickers

23 Twelfth Delegated Legislation Committee (draft Patents (Amendment) (EU Exit) Regulations 2018 and the draft Trade Marks (Amendment etc.) (EU Exit) Regulations 2018)

(1) Chair: Sir Henry Bellingham

(2) Members: Mr John Baron, Rosie Duffield, Bill Esterson, Sir David Evennett, Richard Graham, Rebecca Harris, Mike Hill, Diana Johnson, Mr Kevan Jones, Stephen Kerr, Seema Malhotra, Neil O'Brien, Andrew Percy, Chris Skidmore, Jeff Smith, Alison Thewliss and Theresa Villiers

24 Thirteenth Delegated Legislation Committee (Local Government Finance Act 1988 (Non-Domestic Rating Multipliers) (England) Order 2018)

(1) Chair: Stewart Hosie

(2) Members: Rushanara Ali, Vernon Coaker, Anneliese Dodds, Chris Elmore, Siobhain McDonagh, Catherine McKinnell, Mark Menzies, Huw Merriman, Grant Shapps, Dame Caroline Spelman, John Stevenson, Wes Streeting, Mel Stride, Sir Hugo Swire, David Tredinnick, Thelma Walker and Craig Whittaker

25 European Committee B in respect of Regulation 2018/1727 of the European Parliament and of the Council on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA

(1) Chair: Joan Ryan

(2) Members: Nic Dakin, Geraint Davies, Chris Green, Kirstene Hair, Mr Nick Hurd, Andrew Lewer, Stuart C. McDonald, Paul Masterton, Paul Maynard, Eleanor Smith, Owen Smith, Nick Thomas-Symonds and Michael Tomlinson

Reports from Select Committees

26 Business, Energy and Industrial Strategy Committee

(1) *Electric vehicles: driving the transition*: Government Response to the Fourteenth Report of the Business, Energy and Industrial Strategy Committee: Fifteenth Special Report, to be printed (HC 1881);

(2) *Rolling out smart meters*: Oral evidence evidence, to be published (HC 1851);

(3) *Carbon capture usage and storage*: Written evidence, to be published (HC 1094);

(4) *Correspondence with the Minister of State for Energy and Clean Growth relating to the European Court of Justice ruling on the Capacity Market*: Written evidence, to be published;

(5) *Small businesses and productivity*: Written evidence, to be published (HC 807)
(Rachel Reeves).

27 Draft Parliamentary Buildings (Restoration and Renewal) Bill (Joint Committee on)

Draft Parliamentary Buildings (Restoration and Renewal) Bill: Oral and written evidence, to be published (HC 1800) (Dame Caroline Spelman).

28 Environment, Food and Rural Affairs Committee

(1) *Brand Britain: promoting and marketing British food and drink*: Oral evidence, to be published (HC 1039);

(2) *Correspondence from the Minister of State for Agriculture, Fisheries and Food relating to the UK's schedule of goods at the World Trade Organization*: Written evidence, to be published

(Neil Parish).

29 European Scrutiny Committee

(1) Fiftieth Report, to be printed, with the formal minutes relating to the Report (HC 301-xlix);

(2) *Ministerial correspondence*: Written evidence, to be published (HC 301)

(Sir William Cash).

30 Exiting the European Union (Committee on)

(1) *The progress of the UK's negotiations on EU withdrawal: The rights of UK and EU citizens: Government Response to the Eighth Report of the Committee*: Eighth Special Report, to be printed (HC 1872);

(2) *The progress of the UK's negotiations on EU withdrawal*: Oral and written evidence, to be published (HC 372)

(Hilary Benn).

31 Foreign Affairs Committee

Correspondence with the Foreign Secretary relating to forced marriage repatriation charges: Written evidence, to be published (Tom Tugendhat).

32 Human Rights (Joint Committee on)

The detention of young people with learning disabilities and autism: Oral and written evidence, to be published (HC 1861) (Ms Harriet Harman).

33 International Trade Committee

(1) *Trade and the Commonwealth: Australia and New Zealand*: Oral evidence, to be published (HC 521);

(2) *Correspondence from the Secretary of State relating to his appearance and that of officials from the Trade Remedies Authority before the Committee*: Written evidence, to be published

(Angus Brendan MacNeil).

34 Northern Ireland Affairs Committee

Funding priorities in the 2018–19 Budget: Education: Oral evidence, to be published (HC 1497) (Dr Andrew Murrison).

35 Procedure Committee

Should there be a Commons Budget Committee?: Oral evidence, to be published (HC 1482) (Bob Blackman).

36 Public Accounts (Committee of)

(1) *Clinical commissioning groups*: Oral and written evidence, to be published (HC 1740);

(2) *Academy accounts and performance*: Written evidence, to be published (HC 1597);

(3) *Brexit and the UK border*: Written evidence, to be published (HC 1595);

(4) *Carbon capture and storage*: Written evidence, to be published (HC 761);

(5) *Correspondence from NHS England relating to bed closures in mental health hospitals*: Written evidence, to be published;

(6) *Department for Transport: Implementation for Brexit*: Written evidence, to be published (HC 1657);

(7) *Employment and Support Allowance*: Written evidence, to be published (HC 975);

(8) *Homeless households*: Written evidence, to be published (HC 462);

(9) *HMRC's performance: progress review*: Written evidence, to be published (HC 972);

(10) *Mental health in prisons*: Written evidence, to be published (HC 400);

(11) *Mental health services for children and young people*: Written evidence, to be published (HC 1593);

(12) *Price increases for generic medications*: Written evidence, to be published (HC 1184);

(13) *Rail franchising*: Written evidence, to be published (HC 1793);

(14) *The monitoring, inspection and funding of Learndirect Ltd*: Written evidence, to be published (HC 875);

(15) *Transforming Courts and Tribunals*: Written evidence, to be published (HC 976);

(16) *Universal Credit*: Written evidence, to be published (HC 1183)

(Meg Hillier).

37 Scottish Affairs Committee

(1) *Fisheries Bill*: Oral and written evidence, to be published (HC 1787);

(2) *Digital connectivity in Scotland*: Written evidence, to be published (HC 654);

(3) *The future of Scottish agriculture post Brexit*: Written evidence, to be published (HC 1637)

(Pete Wishart).

38 Statutory Instruments (Joint Committee on)

Forty-third Report, to be printed (HC 542-xliii) (Jessica Morden).

39 Women and Equalities Committee

(1) *Tackling inequalities faced by Gypsy, Roma and Traveller communities*: Oral evidence, to be published (HC 360);

(2) *The use of non-disclosure agreements in discrimination cases*: Written evidence, to be published (HC 1720)

(Mrs Maria Miller).

40 Work and Pensions Committee

(1) *Two-child limit*:

(i) Twenty-third Report, to be printed, with the formal minutes relating to the Report (HC 1540);

(ii) Written evidence, to be published (HC 1540);

(2) *Universal Support: Government response to the Eighteenth Report of the Committee, Session 2017–19*: Seventeenth Special Report, to be printed (HC 1862);

(3) *Benefit cap*: Written evidence, to be published (HC 1477);

(4) *Collective defined contribution pension schemes*: Written evidence, to be published (HC 580);

(5) *Correspondence with the Minister for Pensions and Financial Inclusion relating to state pension age equalisation*: Written evidence, to be published;

(6) *Correspondence with the Minister for Pensions and Financial Inclusion relating to reappointment of the Pensions Ombudsman*: Written evidence, to be published;

(7) *Defined benefit pension schemes*: Written evidence, to be published (HC 579);

(8) *Motability*: Written evidence, to be published (HC 847);

(9) *Universal Credit*: Written evidence, to be published (HC 336);

(10) *Welfare safety net: follow up*: Written evidence, to be published (HC 1539)

(Frank Field).

41 Work and Pensions and Treasury Committees

Motability: Oral and written evidence, to be published (HC 847) (Frank Field).

John Bercow

Speaker

Westminster Hall

The sitting began at 9.30 am.

Business appointed by the Chairman of Ways and Means (Standing Order No. 10(6))

1 Diabetes

Resolved, That this House has considered diabetes.—(*Sir John Hayes.*)

2 Planned closure of RMB Chivenor

Resolved, That this House has considered the planned closure of RMB Chivenor.—(*Peter Heaton-Jones.*)

The sitting was suspended between 11.28 am and 2.30 pm (Standing Order No. 10(1)(b)).

3 Bailiff regulatory reform

Resolved, That this House has considered bailiff regulatory reform.—(*Emma Reynolds.*)

4 Social mobility in the North West

Resolved, That this House has considered social mobility in the North West.—(*Jo Platt.*)

5 International protection of journalists

Motion made and Question proposed, That this House has considered international protection of journalists.—(*Mr John Whittingdale.*)

The Chair announced a time limit on backbench speeches (under the authority of the Chairman of Ways and Means and Standing Order No. 47(1)).

Resolved, That this House has considered international protection of journalists.

Sitting adjourned without Question put (Standing Order No. 10(14)).

Adjourned at 5.30 pm until tomorrow.

Lindsay Hoyle

Chairman of Ways and Means

Papers Laid

Papers subject to Affirmative Resolution

1 Exiting the European Union (Consumer Protection)

Draft REACH etc. (Amendment etc.) (EU Exit) Regulations 2019 (by Act), with an Explanatory Memorandum and an Impact Assessment (by Act) (Secretary Michael Gove)

2 Exiting The European Union (Financial Services)

Draft Packaged Retail and Insurance-based Investment Products (Amendment) (EU Exit) Regulations 2019 (by Act), with an Explanatory Memorandum (by Act) (John Glen)

3 Northern Ireland

Draft Northern Ireland (Ministerial Appointment Functions) Regulations 2019 (by Act), with an Explanatory Memorandum (by Command) (Secretary Karen Bradley)

Papers subject to Negative Resolution

4 Exiting the European Union (European Union)

Protocol 1 to the EEA Agreement (Amendment) (EU Exit) Regulations 2019 (S.I., 2019, No. 6), dated 8 January 2019 (by Act), with an Explanatory Memorandum (by Act) (Chris Heaton-Harris)