

Retained EU Law (Revocation and Reform) Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD CLEMENT-JONES
LORD FOX

In Clause 1, page 1, line 4, at beginning insert “Except for the General Product Safety Regulations 2005,”

Member's explanatory statement

This amendment excludes the General Product Safety Regulations 2005 from the sunset in Clause 1. The Regulations ensure that as a minimum all consumer products must be safe.

LORD CLEMENT-JONES
LORD FOX

Clause 1, page 1, line 4, at beginning insert “Except for Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC, and the Personal Protective Equipment (Enforcement) Regulations 2018 (S.I. 2018/390),”

Member's explanatory statement

This amendment excludes Regulation (EU) 2016/425 of the European Parliament and Personal Protective Equipment (Enforcement) Regulations 2018 from the sunset in Clause 1. They regulate personal protective equipment safety requirements and provide for a penalty and enforcement regime for non-compliance with the regulatory regime.

LORD CLEMENT-JONES
LORD FOX

Clause 1, page 1, line 4, at beginning insert “Except for Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (recast) and the Cosmetic Product Enforcement Regulations 2013 (S.I. 2013/1478),”

Member's explanatory statement

This amendment excludes Regulation (EC) No. 1223/2009 and the Cosmetic Product Enforcement Regulations 2013 from the sunset in Clause 1. They regulate cosmetic products safety requirements and provide for a penalty and enforcement regime for non-compliance with the regulatory regime.

LORD CLEMENT-JONES
LORD FOX

Clause 1, page 1, line 4, at beginning insert “Except for the Control of Substances Hazardous to Health Regulations 2002,”

Member's explanatory statement

This amendment excludes the Control of Substances Hazardous to Health Regulations 2002 from the sunset in Clause 1. The Regulations make arrangements for controlling the risk to workers and others' health from exposure to substances hazardous to health.

LORD CLEMENT-JONES
LORD FOX

Clause 1, page 1, line 4, at beginning insert “Except for the Consumer Protection from Unfair Trading Regulations 2008,”

Member's explanatory statement

This amendment excludes the Consumer Protection from Unfair Trading Regulations 2002 from the sunset in Clause 1. The Regulations implement the Unfair Commercial Practices Directive to prevent misleading and aggressive business practices.

LORD CLEMENT-JONES
LORD FOX

Clause 1, page 1, line 4, at beginning insert “Except for the General Food Regulations 2004,”

Member's explanatory statement

This amendment excludes the General Food Regulations 2004 from the sunset in Clause 1. The Regulations prohibit the placing of unsafe food on the market, prohibits misleading information to consumers and places obligations on food business to ensure traceability of food.

BARONESS RITCHIE OF DOWNPATRICK

Clause 1, page 1, line 9, at end insert “or to human rights or equality legislation, to the extent that it has effect in Northern Ireland, including legislation that falls within the scope of Article 2 of the Northern Ireland Protocol”

Member's explanatory statement

This amendment would prevent the automatic revocation or “sunsetting” of EU-derived subordinate legislation and retained direct EU legislation that relates to human rights and equality, to the extent that this legislation is effective in Northern Ireland. This would include excluding all such legislation that falls within the scope of Protocol Article 2.

Clause 3

BARONESS RITCHIE OF DOWNPATRICK

Baroness Ritchie of Downpatrick gives notice of her intention to oppose the Question that Clause 3 stand part of the Bill.

Member's explanatory statement

This would prevent repeal of section 4 of the EU (Withdrawal Act) (saving for rights, powers, liabilities etc under section 2(1) of the European Communities Act 1972).

After Clause 5LORD FOX
BARONESS LUDFORD

After Clause 5, insert the following new Clause –

“Extension of sunset under sections 3 to 5

- (1) A Minister of the Crown may by regulations provide that the reference to “the end of 2023” in sections 3, 4 or 5 has effect as if it were a reference to a later specified time.
- (2) Regulations under subsection (1) may not specify a time later than the end of 23 June 2026.”

Clause 15

BARONESS RITCHIE OF DOWNPATRICK

Clause 15, page 19, line 16, at end insert –

- “(iii) effect substantial policy change (so far as it relates to human rights or equality legislation with effect in Northern Ireland).”

Member's explanatory statement

This amendment would ensure that substantial policy change with regards to human rights in Northern Ireland may not be effected via the exercise of delegated powers.

Clause 16

BARONESS RITCHIE OF DOWNPATRICK

Clause 16, page 20, line 9, at end insert –

- “(1A) Regulations under subsection (1) may not be used to effect substantial policy change (so far as it relates to human rights or equality legislation with effect in Northern Ireland).”

Member's explanatory statement

This amendment would ensure that substantial policy change with regards to human rights in Northern Ireland may not be effected via the exercise of delegated powers.

Clause 21

BARONESS RITCHIE OF DOWNPATRICK

Clause 21, page 23, line 18, at end insert –

“(4) The provisions of this Act have effect without prejudice to section 7A of the EU (Withdrawal) Act 2018.”

Member's explanatory statement

This amendment would ensure that the provisions of the current Bill are interpreted in conformity with section 7A of the EU (Withdrawal) Act 2018, which gives domestic effect to the UK EU Withdrawal Agreement.

Retained EU Law (Revocation and Reform) Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

13 February 2023

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS