

# Retained EU Law (Revocation and Reform) Bill

---

## AMENDMENTS

### TO BE MOVED

#### IN COMMITTEE OF THE WHOLE HOUSE

---

#### Clause 1

LORD CALLANAN

Clause 1, page 1, line 7, leave out subsection (2)

***Member's explanatory statement***

*This amendment removes a power to except things from the sunset. The power is contained in new clause (Exceptions to sunset under section 1).*

BARONESS HAYMAN OF ULLOCK

Clause 1, page 1, line 9, at end insert—

- “(2A) Subsection (1) does not apply to the following instruments—
- (a) the REACH Regulation and the REACH Enforcement Regulations 2008,
  - (b) the Conservation of Habitats and Species Regulations 2017,
  - (c) the Conservation of Offshore Marine Habitats and Species Regulations 2017,
  - (d) the Urban Waste Water Treatment (England and Wales) Regulations 1994,
  - (e) the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010,
  - (f) the Bathing Waters Regulations 2013,
  - (g) the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017,
  - (h) the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (also known as the Farming Rules for Water),
  - (i) the Marine Strategy Regulations 2010,
  - (j) the Marine Works (Environmental Impact Assessment) Regulations 2007,
  - (k) the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017,
  - (l) the Town and Country Planning (Environmental Impact Assessment) Regulations 2017,
  - (m) the Environmental Assessment of Plans and Programmes Regulations 2004,

- (n) the Plant Protection Products Regulation (EC) 1107/2009,
- (o) the Sustainable Use Directive Regulation (EC) 396/2005,
- (p) the National Emission Ceilings Regulations 2018,
- (q) the Invasive Alien Species (Enforcement and Permitting) Order 2019,
- (r) the Animals (Scientific Procedures) Act 1986 Amendment Regulations 2012,
- (s) the Welfare of Farmed Animals (England) Regulations 2000,
- (t) Regulation 139/2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof, and
- (u) the Welfare of Animals (Transport) (England) Order 2006.”

***Member's explanatory statement***

*This amendment would exclude certain legislation which provides for environmental protections from the sunset in subsection (1).*

LORD CALLANAN

Clause 1, page 2, line 4, leave out subsection (6)

***Member's explanatory statement***

*See the statement relating to the Minister's amendment at Clause 1, page 1, line 7.*

**After Clause 1**

LORD CALLANAN

After Clause 1, insert the following new Clause –

**“Exceptions to sunset under section 1**

- (1) Section 1(1) does not apply (so far as it would otherwise apply) to –
  - (a) relevant financial services law;
  - (b) any specified instrument or provision of an instrument or anything having effect under the specified instrument or provision;
  - (c) any specified description of minor instruments;
  - (d) transitional, transitory or saving provision.
- (2) In this section –
  - “minor instrument” means an instrument other than any Order in Council, order, rules, regulations, scheme, warrant or byelaw;
  - “relevant financial services law” means –
    - (a) anything referred to in Schedule 1 to the Financial Services and Markets Act 2022, ignoring any regulations made under section 1(5) of that Act;
    - (b) any rules made by the Financial Conduct Authority, the Prudential Regulation Authority or the Bank of England;

- (c) any generally applicable requirements (within the meaning of Part 5 of the Financial Services (Banking Reform) Act 2013), or directions of general application, imposed by the Payment Systems Regulator; “specified” means specified in regulations made by a relevant national authority; “transitional, transitory or saving provision” includes any EU-derived subordinate legislation (within the meaning of section 1) or retained direct EU legislation so far as it continues to have effect or a particular effect, despite a revocation or amendment, by virtue of transitional, transitory or saving provision other than section 1B or 2 of the European Union (Withdrawal) Act 2018.
- (3) Any reference in subsection (1) or in regulations under this section to a thing is, unless otherwise stated, to the thing as it subsists immediately before the time when the revocation under section 1(1) would otherwise apply in relation to it.”

***Member's explanatory statement***

*This new clause contains new exceptions to the clause 1 sunset (subsection (1)(c) and (d)). It also contains existing exceptions to that sunset, which are currently in subsection (2) of clause 1 and subsection (5) of clause 22. The exception which is currently in subsection (2) of clause 1 is extended to include anything having effect under a specified instrument or provision.*

**Clause 2**

LORD CALLANAN

Clause 2, page 2, line 9, after “section 1,” insert “so far”

***Member's explanatory statement***

*This amendment ensures that regulations under subsection (1) may specify an instrument or description of legislation in cases where it is not clear whether the sunset applies in relation to the instrument or description. The effect of doing so would be to extend the sunset date so far as the instrument or description of legislation is subject to the sunset.*

**Clause 4**

LORD CALLANAN

Clause 4, page 3, line 2, leave out “183A and”

***Member's explanatory statement***

*This amendment leaves out a reference to section 183A of the Data Protection Act 2018 (inserted by clause 43 of the Data Protection and Digital Information Bill) from section 5(A3) of the European Union (Withdrawal) Act 2018 (inserted by clause 4 of the Bill).*

## LORD CALLANAN

Clause 4, page 3, leave out lines 3 and 4 and insert “(data subject’s rights and other prohibitions and restrictions);”

***Member's explanatory statement***

*This amendment is consequential on the Minister’s amendment to Clause 4, page 3, line 2.*

**Clause 6**

## LORD CALLANAN

Clause 6, page 4, line 15, at end insert –

“Retained EU law governing the CAP direct payment schemes	Assimilated law governing the CAP direct payment schemes
Retained direct EU CAP legislation	Assimilated direct CAP legislation”

***Member's explanatory statement***

*This amendment renames bodies of law relating to direct payments to farmers as regards times after the end of 2023.*

## LORD CALLANAN

Clause 6, page 5, line 7, at end insert –

““retained EU law governing the CAP direct payment schemes” and “retained direct EU CAP legislation” have the meaning given by section 2 of the Direct Payments to Farmers (Legislative Continuity) Act 2020 (as it has effect on the day on which this Act is passed).”

***Member's explanatory statement***

*This amendment is consequential on the Minister’s amendment to Clause 6, page 4, line 15 .*

**Schedule 1**

## LORD CALLANAN

Schedule 1, page 25, line 3, at end insert –

*“Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))*

- A1 (1) The Interpretation Act (Northern Ireland) 1954 is amended as follows.
- (2) In section 1(f) (meaning of “statutory provision”), for sub-paragraphs (ii) and (iii) substitute –
- “(ia) any assimilated direct legislation for the time being in force in Northern Ireland;”.

- (3) In section 11 (references to enactments), in subsections (1A) and (1AA), for “retained direct EU” substitute “assimilated direct”.
- (4) In section 44A (definitions relating to the United Kingdom’s withdrawal from the EU) –
  - (a) before the definition of “EU withdrawal agreement” insert –
 

““assimilated law”, “assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation” have the same meaning as in the European Union (Withdrawal) Act 2018 (see sections 6(7) and 20(1) of that Act) (see also paragraph 7 of Schedule 1 to the Direct Payments to Farmers (Legislative Continuity) Act 2020 and section 6 of the Retained EU Law (Revocation and Reform) Act 2023),

“assimilated obligation” means an obligation that –

    - (a) was created or arose by or under the EU Treaties before IP completion day, and
    - (b) forms part of assimilated law, as modified from time to time;”
  - (b) omit the definition of “retained EU law”, “retained direct minor EU legislation”, “retained direct principal EU legislation” and “retained direct EU legislation”;
  - (c) omit the definition of “retained EU obligation”.

#### *Interpretation Act 1978*

- B1 (1) The Interpretation Act 1978 is amended as follows.
  - (2) In section 21 (interpretation etc), for “retained direct EU” (in each place it appears) substitute “assimilated direct”.
  - (3) In section 23ZA (retained direct EU legislation) –
    - (a) in the heading, for “Retained direct EU” substitute “Assimilated direct”;
    - (b) for “retained direct EU” (in each place it appears) substitute “assimilated direct”.
  - (4) In section 23B (application of 1978 Act to Welsh legislation), in subsection (3) for “retained direct EU” substitute “assimilated direct”.
  - (5) In section 23C (interpretation of the 1978 Act in relation to Welsh legislation), in subsection (1)(d) for “retained direct EU” substitute “assimilated direct”.
  - (6) In Schedule 1 (words and expressions defined) –
    - (a) in the entry for “Enactment”, for “retained direct EU” substitute “assimilated direct”;
    - (b) before the entry for “The Communities” (but after the italic heading “*Definitions relating to the EU and the United Kingdom's withdrawal*”), insert –
 

““Assimilated law”, “assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation” have the same meaning as in the European Union

(Withdrawal) Act 2018 (see sections 6(7) and 20(1) of that Act) (see also paragraph 7 of Schedule 1 to the Direct Payments to Farmers (Legislative Continuity) Act 2020 and section 6 of the Retained EU Law (Revocation and Reform) Act 2023).

“Assimilated obligation” means an obligation that –

- (a) was created or arose by or under the EU Treaties before IP completion day, and
  - (b) forms part of assimilated law, as modified from time to time.”
  - (c) in the entry for “EEA agreement”, for “retained direct EU” substitute “assimilated direct”;
  - (d) in the entry for “EU instrument”, for “retained direct EU” substitute “assimilated direct”;
  - (e) omit the entry for “Retained EU law”, “retained direct minor EU legislation”, “retained direct principal EU legislation” and “retained direct EU legislation”;
  - (f) omit the entry for “Retained EU obligation”.
- (7) In Schedule 2 (application of Act to existing enactments), in paragraph 8 for “retained direct EU” substitute “assimilated direct”.

*Scotland Act 1998*

- C1 In section 106 of the Scotland Act 1998 (power to adapt functions), in subsection (5), for “a retained EU” substitute “an assimilated”.

*Northern Ireland Act 1998*

- D1 In section 27 of the Northern Ireland Act 1998 (quotas for purposes of international etc obligations) –
- (a) in subsection (1)(a), for “a retained EU” substitute “an assimilated”;
  - (b) in subsection (2), for “retained EU” substitute “assimilated”;
  - (c) in subsection (4A), for “a retained EU” substitute “an assimilated”.

*Government of Wales Act 2006*

- E1 (1) The Government of Wales 2006 is amended as follows.
- (2) In section 58A (executive ministerial functions), in subsection (4)(d), for “retained EU” substitute “assimilated”.
  - (3) In the italic heading before section 80 (retained EU obligations, human rights and international obligations etc) for “Retained EU” substitute “Assimilated”.
  - (4) In section 80 (retained EU obligations) –
    - (a) in the heading, for “Retained EU” substitute “Assimilated”;
    - (b) in subsection (1), for “A retained EU” substitute “An assimilated”;
    - (c) in subsection (2), for “a retained EU” substitute “an assimilated”;
    - (d) in subsection (3) –
      - (i) for “a retained EU” substitute “an assimilated”;

- (ii) for “the retained EU” substitute “the assimilated”;
- (e) in subsection (7) –
  - (i) for “a retained EU” substitute “an assimilated”;
  - (ii) for “the retained EU” substitute “the assimilated”.

*Legislative and Regulatory Reform Act 2006*

- F1 (1) The Legislative and Regulatory Reform Act 2006 (as amended by this Act) is amended as follows.
- (2) In section 1(6) (power to remove or reduce burdens: definition of “legislation”), in paragraph (ab), for “retained direct EU” substitute “assimilated direct”.
  - (3) In section 12 (procedure: introductory), in subsection (3), for “retained direct EU” substitute “assimilated direct”.

*Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)*

- G1 (1) The Interpretation and Legislative Reform (Scotland) Act 2010 is amended as follows.
- (2) In section 1 (application of Part 1), in subsection (4), for “retained direct EU” (in each place it appears) substitute “assimilated direct”.
  - (3) In section 55 (consequential revocation of transitional Orders) –
    - (a) in subsection (2A), for “retained direct EU” substitute “assimilated direct”;
    - (b) in subsection (2B)(d) –
      - (i) before the entry for “EU withdrawal agreement” (but after the italic heading), insert –
 

““assimilated law”, “assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation” have the same meaning as in the European Union (Withdrawal) Act 2018 (see sections 6(7) and 20(1) of that Act) (see also paragraph 7 of Schedule 1 to the Direct Payments to Farmers (Legislative Continuity) Act 2020 and section 6 of the Retained EU Law (Revocation and Reform) Act 2023).

“assimilated obligation” means an obligation that –

        - (a) was created or arose by or under the EU Treaties before IP completion day, and
        - (b) forms part of assimilated law, as modified from time to time.”;
      - (ii) omit the entry for “retained EU law”, “retained direct minor EU legislation”, “retained direct principal EU legislation” and “retained direct EU legislation”;
      - (iii) omit the entry for “retained EU obligation”;
      - (iv) in the entry for “EEA agreement”, for “retained direct EU” substitute “assimilated direct”;

- (v) in the entry for “EU instrument”, for “retained direct EU” substitute “assimilated direct”.
- (4) In Schedule 1 (definitions of words and expressions)—
- (a) in the entry for “enactment”, for “retained direct EU” (in each place it appears) substitute “assimilated direct”;
  - (b) in the entry for “subordinate legislation”, for “retained direct EU” substitute “assimilated direct”;
  - (c) before the entry for “EU withdrawal agreement” (but after the italic heading “*Definitions relating to EU exit*”), insert—
    - ““assimilated law”, “assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation” have the same meaning as in the European Union (Withdrawal) Act 2018 (see sections 6(7) and 20(1) of that Act) (see also paragraph 7 of Schedule 1 to the Direct Payments to Farmers (Legislative Continuity) Act 2020 and section 6 of the Retained EU Law (Revocation and Reform) Act 2023).
    - “assimilated obligation” means an obligation that—
      - (a) was created or arose by or under the EU Treaties before IP completion day, and
      - (b) forms part of assimilated law, as modified from time to time.”;
  - (d) omit the entry for “retained EU law”, “retained direct minor EU legislation”, “retained direct principal EU legislation” and “retained direct EU legislation”;
  - (e) omit the entry for “retained EU obligation”;
  - (f) in the entry for “EU instrument”, for “retained direct EU” substitute “assimilated direct”.

***Member's explanatory statement***

*This amendment contains amendments that are consequential on clause 6 of the Bill (as amended by the Minister's amendment at Clause 6, page 4, line 15).*

LORD CALLANAN

Schedule 1, page 28, line 16, after “paragraphs” insert “2A(6A)(b),”

***Member's explanatory statement***

*This amendment is consequential on Clause 6 of the Bill (as amended by the Minister's amendment to Clause 6, page 4, line 15).*



## LORD CALLANAN

Schedule 1, page 28, line 24, at end insert –

*“Legislation (Wales) Act 2019 (anaw 4)*

- 1A (1) The Legislation (Wales) Act 2019 is amended as follows.
- (2) In section 3 (legislation to which Part 2 applies), in subsection (2)(b) –
- (a) in the Welsh language text, for “UE a ddargedwir” substitute “a gymathwyd”;
  - (b) in the English language text, for “retained direct EU” substitute “assimilated direct”.
- (3) In section 32 (amendments made to or by Welsh legislation), in subsection (3) –
- (a) in the Welsh language text, for “UE a ddargedwir” substitute “a gymathwyd”;
  - (b) in the English language text, for “retained direct EU” substitute “assimilated direct”.
- (4) In section 39 (power to make subordinate legislation in different forms), in subsection (4)(a) –
- (a) in the Welsh language text, for “UE a ddargedwir” substitute “a gymathwyd”;
  - (b) in the English language text, for “retained direct EU” substitute “assimilated direct”.
- (5) In section 40 (combining subordinate legislation), in subsection (4)(a) –
- (a) in the Welsh language text, for “UE a ddargedwir” substitute “a gymathwyd”;
  - (b) in the English language text, for “retained direct EU” substitute “assimilated direct”.
- (6) In Schedule 1 (definition of words and expressions), in the table –
- (a) in the Welsh language text –
    - (i) for the entry for “cyfraith UE a ddargedwir” substitute –
 

“cyfraith a gymathwyd ( <i>assimilated law</i> )	mae i “cyfraith a gymathwyd” yr ystyr a roddir i “assimilated law” gan adran 6(7) o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) (gweler hefyd baragraff 7 o Atodlen 1 i Ddeddf Taliadau Uniongyrchol i Ffermwyr (Parhad Deddfwriaethol) 2020 (p. 2) ac adran 6 o Ddeddf Cyfraith yr UE a Ddargedwir (Dirymu a Diwygio) 2023”;
---	---
    - (ii) in the entries for “cytundeb yr AEE”, “deddfiad”, “is-ddeddfwriaeth” and “offeryn UE”, for “UE a ddargedwir” substitute “a gymathwyd”;

- (iii) for the entry for “deddfwriaeth uniongyrchol UE a ddargedwir” substitute –

<p>“deddfwriaeth uniongyrchol a gymathwyd (<i>assimilated direct legislation</i>)</p>	<p>mae i “deddfwriaeth uniongyrchol a gymathwyd” yr ystyr a roddir i “assimilated direct legislation” gan adran 20(1) o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) (gweler hefyd baragraff 7 o Atodlen 1 i Ddeddf Taliadau Uniongyrchol i Ffermwyr (Parhad Deddfwriaethol) 2020 (p. 2) ac adran 6 o Ddeddf Cyfraith yr UE a Ddargedwir (Dirymu a Diwygio) 2023”;</p>
---	---

- (iv) for the entry for “mân ddeddfwriaeth uniongyrchol UE a ddargedwir” and “prif ddeddfwriaeth uniongyrchol UE a ddargedwir” substitute –

<p>“mân ddeddfwriaeth uniongyrchol a gymathwyd (<i>assimilated direct minor legislation</i>)</p>	<p>mae i “mân ddeddfwriaeth uniongyrchol a gymathwyd” yr ystyr a roddir i “assimilated direct minor legislation” ac mae i “prif ddeddfwriaeth uniongyrchol a gymathwyd” yr ystyr a roddir i</p>
<p>prif ddeddfwriaeth uniongyrchol a gymathwyd (<i>assimilated direct principal legislation</i>)”;</p>	<p>“assimilated direct principal legislation” gan adran 20(1) o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) (gweler hefyd baragraff 7 o Atodlen 1 i Ddeddf Taliadau Uniongyrchol i Ffermwyr (Parhad Deddfwriaethol) 2020 (p. 2) ac adran 6 o Ddeddf Cyfraith yr UE a Ddargedwir (Dirymu a Diwygio) 2023)</p>

- (v) for the entry for “rhwymedigaeth UE a ddargedwir” substitute –

<p>“rhwymedigaeth a gymathwyd (<i>assimilated obligation</i>)</p>	<p>ystyr “rhwymedigaeth a gymathwyd” yw rhwymedigaeth –</p> <p>(a) a grëwyd neu a gododd gan neu o dan Gytuniadau UE cyn diwrnod cwblhau’r cyfnod gweithredu, a</p> <p>(b) sy’n ffurfio rhan o’r gyfraith a gymathwyd, fel y’i haddesir o bryd i’w gilydd”;</p>
---	---

- (b) in the English language text –

- (i) after the entry for “Assembly Measure” insert –

<p>“assimilated direct legislation (<i>deddfwriaeth uniongyrchol a gymathwyd</i>),</p> <p>assimilated direct minor legislation (<i>mân ddeddfwriaeth uniongyrchol a gymathwyd</i>), and</p> <p>assimilated direct principal legislation (<i>prif ddeddfwriaeth uniongyrchol a gymathwyd</i>)</p>	<p>“assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation” have the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018 (c. 16) (see also paragraph 7 of Schedule 1 to the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c. 2) and section 6 of the Retained EU Law (Revocation and Reform) Act 2023)</p>
<p>assimilated law (<i>cyfraith a gymathwyd</i>)</p>	<p>“assimilated law” has the meaning given by section 6(7) of the European Union (Withdrawal) Act 2018 (c. 16) (see also paragraph 7 of Schedule 1 to the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c. 2) and section 6 of the Retained EU Law (Revocation and Reform) Act 2023)</p>
<p>assimilated obligation (<i>rhwymedigaeth a gymathwyd</i>)</p>	<p>“assimilated obligation” means an obligation that –</p> <p>(a) was created or arose by or under the EU Treaties before implementation period completion day, and</p> <p>(b) forms part of assimilated law, as modified from time to time”;</p>

- (ii) in the entries for “EEA agreement”, “enactment”, “EU instrument” and “subordinate legislation”, for “retained direct EU” substitute “assimilated direct”;
- (iii) omit the entries for “retained direct EU legislation”, “retained direct minor EU legislation”, “retained direct principal EU legislation”, “retained EU law” and “retained EU obligation”.

*Direct Payments to Farmers (Legislative Continuity) Act 2020*

- 1B (1) The Direct Payments to Farmers (Legislative Continuity) Act 2020 is amended as follows.
- (2) In section 2 (interpretation and status) –
- (a) in subsection (1) –
- (i) for “retained EU” substitute “assimilated”;

- (ii) for “EU law retained under that Act” substitute “assimilated law within the meaning given by that section”;
  - (b) in subsection (3) –
    - (i) for “retained direct EU” substitute “assimilated direct”;
    - (ii) for “direct EU legislation retained under that Act” substitute “assimilated direct legislation within the meaning given by section 20(1) of that Act”;
  - (c) in subsection (5), in the table –
    - (i) in the entry for “retained EU law”, for “retained EU” (in each place it appears) substitute “assimilated”;
    - (ii) in the entry for “retained direct EU legislation”, for “retained direct EU” (in each place it appears) substitute “assimilated direct”;
    - (iii) in the entry for “retained direct principal EU legislation”, for “retained direct principal EU” substitute “assimilated direct principal”;
    - (iv) in the entry for “retained direct minor EU legislation”, for “retained direct minor EU” substitute “assimilated direct minor” and for “retained direct EU” substitute “assimilated direct”;
  - (d) in subsection (6) –
    - (i) for “retained” (in the first and second places it appears) substitute “assimilated”;
    - (ii) in paragraph (a), for “2, 3 or 4” substitute “2 or 3”;
  - (e) in subsection (7), for “retained EU” (in each place it appears) substitute “assimilated”;
  - (f) in subsection (8)(b), for “retained direct EU” substitute “assimilated direct”;
  - (g) in subsection (10) –
    - (i) in the definition of “retained EU law governing the CAP direct payment schemes”, for “retained EU” substitute “assimilated”;
    - (ii) in the definition of “retained direct EU CAP legislation”, for “retained direct EU” substitute “assimilated direct”.
- (3) In section 3 (regulations), in subsections (4), (9) and (10), for “retained EU” substitute “assimilated”.
- (4) In section 8 (interpretation) –
- (a) before the definition of “CAP direct payment schemes” insert –
    - ““assimilated direct CAP legislation” has the meaning given by section 2;
    - “assimilated law governing the CAP direct payment schemes” has the meaning given by section 2;”
  - (b) in the definition of “enactment”, in paragraph (d), for “retained direct EU” substitute “assimilated direct”;
  - (c) omit the definitions of “retained direct EU CAP legislation” and “retained EU law governing the CAP direct payment schemes”.

- (5) In Schedule 1 (consequential provision) –
- (a) omit paragraphs 3 to 6;
  - (b) in paragraph 7 –
    - (i) the existing text becomes sub-paragraph (2) of that paragraph;
    - (ii) before sub-paragraph (2), insert –
      - “(1) Sub-paragraph (2) applies in relation to the definitions of “assimilated law”, “assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation” in each of –
        - (a) Schedule 1 to the Interpretation Act 1978;
        - (b) section 55(2B)(d) of and Schedule 1 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10);
        - (c) Schedule 1 to the Legislation (Wales) Act 2019 (anaw 4);
        - (d) section 44A of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.).”;
    - (iii) in sub-paragraph (2), for “For the purposes of the definitions amended by paragraphs 3 to 6” substitute “For the purposes of those definitions”;
    - (iv) in paragraph (a) of sub-paragraph (2), for “retained EU” substitute “assimilated”;
    - (v) in paragraph (b) of sub-paragraph (2), for “retained direct EU” substitute “assimilated direct”;
    - (vi) in paragraphs (c) and (d) of sub-paragraph (2), for “retained direct principal EU” substitute “assimilated direct principal”;
    - (vii) in paragraph (d) of sub-paragraph (2), for “retained direct minor EU” substitute “assimilated direct minor”;
  - (c) In paragraph 8 –
    - (i) omit “3 or”;
    - (ii) for “the terms mentioned in paragraph 3” substitute ““assimilated law”, “assimilated direct legislation”, “assimilated direct minor legislation” and “assimilated direct principal legislation””.

***Member's explanatory statement***

*This amendment contains amendments that are consequential on Clause 6 of the Bill (as amended by the Minister's amendment to Clause 6, page 4, line 15).*

**After Clause 17**

BARONESS HAYMAN OF ULLOCK

After Clause 17, insert the following new Clause—

**“Maintaining environmental standards**

- (1) The relevant national authority may only make provision in relation to the regulations specified in subsection (4) if satisfied that the provision does not reduce the level of environmental protection arising from the retained EU law to which the provision relates.
- (2) In making regulations under this section the relevant national authority must have regard to the particular importance of—
  - (a) furthering the conservation and enhancement of biodiversity,
  - (b) improving water quality,
  - (c) protecting people and the environment from hazardous chemicals.
- (3) Before making regulations under this section the relevant national authority must lay before the relevant Parliament or Assembly, and publish, a statement explaining why the relevant national authority is satisfied as mentioned in subsection (1).
- (4) The regulations are:
  - (a) the Conservation of Habitats and Species Regulations 2017,
  - (b) the Conservation of Offshore Marine Habitats and Species Regulations 2017,
  - (c) the REACH Regulation (1907/2006),
  - (d) the REACH Enforcement Regulations 2008, and
  - (e) the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.”

***Member's explanatory statement***

*This amendment would ensure that the powers to amend these important pieces of retained EU environment law must not reduce the level of environmental protection provided by them. It would also specify that when exercising these powers, authorities must have regard to the conservation and enhancement of biodiversity, improvement of water quality and protection of people and the environment from hazardous chemicals.*

**Schedule 4**

LORD CALLANAN

Schedule 4, page 37, line 37, leave out “1” and insert “(Exceptions to sunset under section 1)”

***Member's explanatory statement***

*This amendment is consequential on the Minister's amendments at Clause 1, page 1, line 7 and After Clause 1. It also makes procedural provision in relation to subsection (1)(c) of new clause (Exceptions to sunset under section 1).*

**Clause 22**

LORD CALLANAN

Clause 22, page 23, line 40, leave out subsection (5)

***Member's explanatory statement***

*This amendment removes an exception from the clause 1 sunset. The exception is contained in new clause (Exceptions to sunset under section 1).*

**Clause 23**

BARONESS RITCHIE OF DOWNPATRICK

Clause 23, page 24, line 14, leave out “and Northern Ireland”

# Retained EU Law (Revocation and Reform) Bill

---

---

AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

---

*16 February 2023*

---

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS