

Retained EU Law (Revocation and Reform) Bill

AMENDMENT

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Third Marshalled List]

Amendment
No.

Clause 15

BARONESS THORNTON

118A★ Clause 15, page 18, line 38, at end insert –

- “(3A) A Minister of the Crown, whether acting alone or with another relevant national authority, may not exercise the power in subsection (2) or (3) unless –
- (a) a draft of the relevant regulations has been sent to the Equality and Human Rights Commission for an opinion on the impact on equalities and human rights of the proposed revocation or revocation and alternative provision,
 - (b) the Equality and Human Rights Commission sends the Minister an opinion which assesses the implications for equalities or human rights-based legal rights, including but not limited to those currently in force as part of retained EU law, and any aspect of the operation of the Equality Act 2010 or of the Human Rights Act 1998, and
 - (c) the opinion states that there is no negative impact from the proposed exercise of the power in subsection (2) or (3).”

Member's explanatory statement

The power in clause 15(2) is to revoke and the power in clause 15(3) is to revoke and replace any REUL. It can be exercised alone or with a devolved government without any consultation, including of Parliament. This amendment would require an opinion on the impact on equalities and human rights from the EHRC before these powers can be used by a Minister.

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1 March 2023
