

Retained EU Law (Revocation and Reform) Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

BARONESS CHAPMAN OF DARLINGTON

Leave out Clause 1 and insert the following new Clause –

“Parliamentary revocation of EU-derived subordinate legislation and retained direct EU legislation

- (1) In order to revoke retained EU law, a Minister of the Crown must lay before each House of Parliament a draft revocation list which contains, as separate items, provisions of –
 - (a) EU-derived subordinate legislation, and
 - (b) retained direct EU legislation.
- (2) In order to be revoked, the items on a revocation list must be approved by a resolution of each House of Parliament by whichever is the later of –
 - (a) the end of the calendar year, or
 - (b) the end of the period of 6 months,from the day on which the list was laid.
- (3) Different revocation lists may be laid by different Ministers of the Crown, or by the same Minister at different times.
- (4) A revocation list may refer to any item of retained EU law (as defined in subsection (1)), in whole or in part, and different lists may refer to different provisions of the same instrument.
- (5) For the purposes of subsection (2), if each House of Parliament approves the revocation list on a different date, the list is considered as having been approved on the latest date.
- (6) The revocation of an item of retained EU law by a list under subsection (1) does not affect any amendment made by that item of retained EU law to any other enactment.
- (7) In this section, “EU-derived subordinate legislation” means any domestic subordinate legislation so far as –

- (a) it was made under section 2(2) of, or paragraph 1A of Schedule 2 to, the European Communities Act 1972, or
 - (b) it was made, or operated immediately before IP completion day, for a purpose mentioned in section 2(2)(a) of that Act (implementation of EU obligations etc), and as modified by any enactment.
- (8) In subsection (7), “domestic subordinate legislation” means any instrument (other than an instrument that is Northern Ireland legislation) that is made under primary legislation.”

Member's explanatory statement

Under this amendment, retained EU law would by default remain on the statute books, rather than disappearing, so that only legislation identified and approved by Parliament is revoked.

Clause 2

BARONESS CHAPMAN OF DARLINGTON

Leave out Clause 2

Member's explanatory statement

This is related to the amendment in the name of Baroness Chapman of Darlington to replace Clause 1.

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