

# Retained EU Law (Revocation and Reform) Bill

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AMENDMENTS  
TO BE MOVED  
ON REPORT

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**Clause 1**

LORD HACKING

Leave out Clause 1

**After Clause 2**

LORD HOPE OF CRAIGHEAD

After Clause 2, insert the following new Clause –

**“Extension of sunset under section 1 by Scottish and Welsh Ministers and a Northern Ireland department**

- (1) The Scottish Ministers may by regulations provide that section 1, as it applies to a specified instrument or a specified description of legislation within section 1(1)(a) or (b) that is within their devolved competence, has effect as if the reference in section 1(1) to the end of 2023 was a reference to a later specified time.
- (2) The Welsh Ministers may by regulations provide that section 1, as it applies to a specified instrument or a specified description of legislation within section 1(1)(a) or (b) that is within their devolved competence, has effect as if the reference in section 1(1) to the end of 2023 was a reference to a later specified time.
- (3) A Northern Ireland department may by regulations provide that section 1, as it applies to a specified instrument or a specified description of legislation within section 1(1)(a) or (b) that is within its devolved competence, has effect as if the reference in section 1(1) to the end of 2023 was a reference to a later specified time.
- (4) In subsections (1), (2) and (3) “specified” means specified in regulations.
- (5) Regulations under subsections (1), (2) and (3) may not specify a time later than the end of June 2026.”

***Member's explanatory statement***

*This amendment gives the Scottish and Welsh Ministers and a Northern Ireland Department a power to extend the sunset date for devolved retained EU law equivalent to that conferred on a Minister of the Crown by clause 2.*

**Clause 8**

LORD ANDERSON OF IPSWICH

Clause 8, page 6, line 30, at end insert –

- “(d) the consequences of disturbing a settled understanding of the law;
- (e) the importance of legal certainty, clarity and predictability.”

***Member's explanatory statement***

*This amendment balances the specific factors to which higher courts should have regard when deciding whether to depart from retained EU case law by the addition of two further factors.*

LORD ANDERSON OF IPSWICH

Clause 8, page 6, line 41, at end insert –

- “(d) the consequences of disturbing a settled understanding of the law;
- (e) the importance of legal certainty, clarity and predictability.”

***Member's explanatory statement***

*This amendment balances the specific factors to which higher courts should have regard when deciding whether to depart from their own retained domestic case law by the addition of two further factors.*



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*27 March 2023*

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