

# Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Bill [HL]

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SECOND MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

*The amendments have been marshalled in accordance with the Instruction of 21st November 2023, as follows –*

Clauses 1 to 3  
Schedule

Clauses 4 to 8  
Title

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

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**After Clause 5**

THE EARL OF CLANCARTY  
LORD FOSTER OF BATH  
LORD FREYBERG

**12** After Clause 5, insert the following new Clause –

**“Artist’s resale right**

Within 12 months of the passing of this Act, the Secretary of State must lay before Parliament an impact assessment of the possible benefits of seeking to extend the Intellectual Property Chapter of the CPTPP to include provisions on the artist’s resale right.”

LORD HOLMES OF RICHMOND

**13** After Clause 5, insert the following new Clause –

**“Review: inward investment into the United Kingdom**

- (1) A Minister of the Crown must publish a review of the impact of the implementation of the CPTPP Chapter on investment on inward investment into the United Kingdom.

- (2) The review under subsection (1) should include a consultation of such persons the Minister of the Crown considers appropriate.
- (3) The review under subsection (1) must be published within 12 months of the passing of this Act and every 12 months thereafter.”

## LORD HOLMES OF RICHMOND

14 After Clause 5, insert the following new Clause –

**“Impact assessment: financial services**

- (1) A Minister of the Crown must publish an assessment of the impact of the implementation of CPTPP Chapters on –
  - (a) the cross-border trade in services; and
  - (b) financial services
 on the financial services sector in the United Kingdom.
- (2) The impact assessment under subsection (1) must include –
  - (a) an analysis of the domestic regulatory barriers between CPTPP members to cross-border financial services trade;
  - (b) consideration of the role of UK financial regulators in developing consistent regulatory approaches between CPTPP member countries;
  - (c) an assessment of the scope for mutual recognition of professional qualifications in the financial services sector between CPTPP member countries;
  - (d) a consultation of such persons the Minister of the Crown considers appropriate.
- (3) The impact assessment under subsection (1) must be published within 12 months of the passing of this Act and every 12 months thereafter.”

BARONESS BOYCOTT  
LORD RANDALL OF UXBRIDGE  
BARONESS WILLIS OF SUMMERTOWN  
LORD GOLDSMITH OF RICHMOND PARK

15 After Clause 5, insert the following new Clause –

**“Review: interaction with powers on deforestation**

Within six months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament a review of how the Secretary of State’s powers under Schedule 17 of the Environment Act 2021 interact with the implementation of Chapter 20 of the CPTPP.”

***Member’s explanatory statement***

*This new clause would require the Government to lay out the interactions between the requirement in the CPTPP to co-operate to tackle deforestation and the as-yet-uncommenced powers in Schedule*

*17 of the Environment Act 2021 to lay regulations on the import of goods which are considered to be forest risk commodities.*

BARONESS WILLIS OF SUMMERTOWN  
LORD RANDALL OF UXBRIDGE  
BARONESS BOYCOTT  
LORD CURRY OF KIRKHARLE

16 After Clause 5, insert the following new Clause –

**“Review: import checks for pesticides**

- (1) The Secretary of State must publish a review of the impact of the implementation of import checks in the CPTPP Chapter on sanitary and phytosanitary measures on the risk of contamination by residue levels of pesticides on food and feed of plant and animal origin.
- (2) The review under subsection (1) must include –
  - (a) an assessment of whether current import checks are sufficient to reduce the risk of contamination by pesticides;
  - (b) where it is identified that there is a risk of contamination by residue levels of pesticides, an assessment of whether listing the products in Annex 1 or Annex 2 of Commission Implementing Regulation (EU) 2019/1793 would address the risk.
- (3) The review under subsection (1) must be published within 12 months of the passing of this Act and every 12 months thereafter.”

***Member's explanatory statement***

*This amendment requires a review of the impact of the implementation of import check provisions in the CPTPP on the risk of contamination by residue levels of pesticides on imports from CPTPP countries, and seeks to ensure that high risk commodities from CPTPP countries will be picked up through border testing regimes.*

LORD ALTON OF LIVERPOOL  
LORD LEONG

17 After Clause 5, insert the following new Clause –

**“Report: accession of the People's Republic of China to the CPTPP**

- (1) Before any decision is made by the Government of the United Kingdom on the accession of the People's Republic of China to the CPTPP under Chapter 30 of the CPTPP, the Secretary of State must publish a report assessing the impact of China's accession on the United Kingdom.
- (2) Both Houses of Parliament must be presented with a motion for resolution on the report under subsection (1).”

## LORD MCNICOL OF WEST KILBRIDE

18 After Clause 5, insert the following new Clause –

**“Impact assessment: climate change**

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on tackling climate change, not less than two years, but not more than three years, after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires a climate change impact assessment of the procurement Chapter.*

## LORD MCNICOL OF WEST KILBRIDE

19 After Clause 5, insert the following new Clause –

**“Impact assessment: local business**

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on the level of procurement by local authorities from businesses in the respective local authority area, not less than two years, but not more than three years, after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires an assessment of the impact of the procurement Chapter on local businesses.*

## LORD MCNICOL OF WEST KILBRIDE

20 After Clause 5, insert the following new Clause –

**“Impact assessment: manufacturing**

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on manufacturing in the United Kingdom, not less than two years, but not more than three years, after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires an assessment of the impact of the procurement Chapter on UK manufacturing.*

LORD MCNICOL OF WEST KILBRIDE

21 After Clause 5, insert the following new Clause –

**“Impact assessment: job market**

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on the United Kingdom’s job market, including but not limited to gender inequality therein, not less than two years, but not more than three years, after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires an assessment of the impact of the procurement Chapter on the UK market, including gender inequality.*

LORD MCNICOL OF WEST KILBRIDE

22 After Clause 5, insert the following new Clause –

**“Impact assessment: public services**

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on delivery of public services in the United Kingdom, not less than two years, but not more than three years, after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires an assessment of the impact of the procurement Chapter on UK public services.*

LORD MCNICOL OF WEST KILBRIDE

23 After Clause 5, insert the following new Clause –

**“Review of negotiation of Government Procurement Chapter**

Within one year of the day on which this Act is passed, the Secretary of State must publish –

- (a) a review of the lessons learned from the negotiation of the CPTPP Chapter on government procurement, and
- (b) an assessment of how this experience might inform negotiations of future free trade agreements.”

*Member's explanatory statement*

*This amendment requires a review of the negotiation of the Government Procurement Chapter.*

## LORD MCNICOL OF WEST KILBRIDE

24 After Clause 5, insert the following new Clause –

**“Review of negotiation of Intellectual Property Chapter**

Within one year of the day on which this Act is passed, the Secretary of State must publish –

- (a) a review of the lessons learned from the negotiation of the CPTPP Chapter on intellectual property, and
- (b) an assessment of how this experience might inform negotiations of future free trade agreements.”

*Member's explanatory statement*

*This amendment requires a review of the negotiation of the IP Chapter.*

## LORD MCNICOL OF WEST KILBRIDE

25 After Clause 5, insert the following new Clause –

**“Impact assessment: labour standards**

The Secretary of State must lay before Parliament an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on the Government's commitments to the conventions of the International Labour Organisation, not less than two years, but not more than three years, after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires an impact assessment of the procurement chapter of the CPTPP on labour standards.*

## LORD MCNICOL OF WEST KILBRIDE

26 After Clause 5, insert the following new Clause –

**“Review: Investor-State Dispute Settlement**

The Secretary of State must lay before Parliament a review of the financial risk of the implementation of the Investor-State Dispute Settlement aspect of the Investment Chapter of the CPTPP, not more than 18 months after the day on which this Act is passed.”

*Member's explanatory statement*

*This amendment requires a review of the risk to the UK from implementing the Investment Chapter.*

BARONESS MCINTOSH OF PICKERING

27 After Clause 5, insert the following new Clause –

**“Impact assessment: procurement chapter**

A Minister of the Crown must, within 12 months of the passing of this Act and every 12 months thereafter, publish an assessment of the impact of the implementation of the CPTPP Chapter on government procurement on environmental protection and animal welfare, health and hygiene.”

LORD FOSTER OF BATH

28 After Clause 5, insert the following new Clause –

**“Impact assessment: UK performers' rights**

- (1) The Secretary of State must publish an assessment of the impact of the implementation of performers' rights provisions in the CPTPP.
- (2) The impact assessment under subsection (1) must include –
  - (a) consideration of the impact of performers' rights provisions on qualifying individuals in the UK;
  - (b) an assessment of the reciprocity of rights across qualifying countries;
  - (c) consultation with such persons as the Secretary of State thinks appropriate.
- (3) The impact assessment under subsection (1) must be published within three years of the passing of this Act.”

*Member's explanatory statement*

*This amendment would mean the Government must publish an assessment of the impact the performer's rights provisions in the CPTPP will have on qualifying individuals in the UK.*

LORD PURVIS OF TWEED

LORD FOSTER OF BATH

29 After Clause 5, insert the following new Clause –

**“Impact assessment of implementation of the CPTPP Chapter on Government Procurement on developing country trading partners**

- (1) The Secretary of State must, within 12 months of the passing of this Act and every 12 months thereafter, publish a report on the impact of the Government Procurement chapter of the CPTPP on developing country trading partners of the United Kingdom.
- (2) The impact assessment under subsection (1) must include an assessment of –
  - (a) the social, environmental, and economic impact on countries with high levels of dependence on the UK market;
  - (b) the steps that have been taken to consult with affected trading partners;
  - (c) proposed remediation measures for potential economic damage;

(d) how this experience might inform negotiations of future trade agreements.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to report on the impact of Chapter 15 (Government Procurement) on developing country trading partners.*

LORD PURVIS OF TWEED  
LORD FOSTER OF BATH

30 After Clause 5, insert the following new Clause—

**“Parliamentary debate on CPTPP impact assessment**

The Secretary of State must allow time for a parliamentary debate on the impact assessment of the accession of the United Kingdom to the CPTPP published by the Department for Business and Trade on 17 July 2023 in both Houses of Parliament within six months of the passing of this Act.”

***Member's explanatory statement***

*This amendment is intended to provide time for Parliament to debate the impact assessment of the accession of the United Kingdom to the CPTPP.*

LORD PURVIS OF TWEED  
LORD FOSTER OF BATH

31 After Clause 5, insert the following new Clause—

**“Impact assessment: procurement**

The Secretary of State must, within two years of the passing of this Act, publish an assessment of the impact of the implementation of procurement provisions in the CPTPP on businesses in the United Kingdom.”

***Member's explanatory statement***

*The Government must publish an assessment of the impact procurement provisions will have on businesses in the United Kingdom.*

LORD PURVIS OF TWEED  
LORD FOSTER OF BATH

32 After Clause 5, insert the following new Clause—

**“Impact assessment on new parties acceding to the CPTPP**

- (1) The Secretary of State must lay before Parliament an impact assessment of the impact on the United Kingdom of the accession of countries that have submitted a request to the Depository of the CPTPP to accede to the CPTPP within the last five years.



- (2) The Secretary of State must lay the impact assessment under subsection (1) within one month of the Depositary receiving an accession request or within three months of the passing of this Act, if the request was made before this Act comes into force.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to provide an impact assessment on the accession of countries that have made formal notice to accede to the CPTPP.*

LORD DAVIES OF BRIXTON

33 After Clause 5, insert the following new Clause –

**“Review: investor-state dispute settlement**

- (1) The Secretary of State must, within 18 months of the day on which this Act is passed, lay before Parliament a review of the impact of the implementation of the investor-state dispute settlement aspect of the Investment Chapter of the CPTPP on the United Kingdom.
- (2) The review under subsection (1) must include –
  - (a) an assessment of the possible benefits of removing the right for an investor in the United Kingdom to have recourse under the investor state dispute settlement procedure in Chapter 9 of the CPTPP;
  - (b) an assessment of possible alternatives to the investor state dispute settlement procedures in the CPTPP.”

***Member's explanatory statement***

*This amendment requires a review of the use of Investor-State Dispute Settlement procedures in the CPTPP.*

LORD DAVIES OF BRIXTON

34 After Clause 5, insert the following new Clause –

**“Direction on the Secretary of State to have regard to certain provisions**

- (1) In any actions under this Act to implement the provisions of the CPTPP, the Secretary of State should have regard to the following –
  - (a) the United Nations Convention on Biological Diversity;
  - (b) the precautionary principle, as set out in the Environmental Principles Policy statement provided for by the Environment Act 2021;
  - (c) the provisions of the Food Safety Act 1990.
- (2) The Secretary of State must lay a report before the House of Commons, at least annually, regarding the carrying out of the direction in subsection (1).”

***Member's explanatory statement***

*This amendment seeks to bring into decision-making about UK implementation of the CPTPP a set of already existing legal requirements about food safety and the environment.*

## BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

35 After Clause 5, insert the following new Clause –

**“Impact assessment: farming**

A Minister of the Crown must publish an assessment of the impact of the implementation of the relevant CPTPP Chapters on farming in the United Kingdom.”

*Member's explanatory statement*

*This amendment would require the Government to publish an impact assessment on farming in the UK following the implementation of CPTPP.*

## BARONESS LAWLOR

36★ After Clause 5, insert the following new Clause –

**“Review: application in Northern Ireland**

Within twelve months of the day on which this Act is passed and every twelve months thereafter the Secretary of State must lay before Parliament a review of the application of section 4 to Northern Ireland, including –

- (a) a consultation of such persons as the Secretary of State considers appropriate;
- (b) an assessment of the impact of European Union legislation relating to geographical indications and conformity assessment of goods listed in Annex 2 of the Windsor Framework on Northern Ireland;
- (c) an assessment of the impact of Northern Ireland being subject to different geographical indication and technical barriers to trade provisions to England and Wales and Scotland.”

*Member's explanatory statement*

*This is related to the amendment in the name of Baroness Lawlor to clause 6, page 6, line 42.*

**Clause 6**

## BARONESS LAWLOR

37★ Clause 6, page 6, line 42, at end insert –

“(4) Section 4 extends to but does not apply in Northern Ireland.”

*Member's explanatory statement*

*This amendment is intended to probe the claim in the explanatory notes that GI and Technical Barriers to Trade (TBT) provisions in this Bill will extend to but will not apply in Northern Ireland.*



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LIST OF AMENDMENTS  
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*12 December 2023*

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