

Product Regulation and Metrology Bill [HL]

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
7 February 2025*

[Amendments marked ★ are new or have been altered]

Clause 1

LORD LANSLEY

Clause 1, page 1, line 4, at end insert –

“(za) securing that products to which this section applies are safe;”

LORD LANSLEY

Clause 1, page 1, line 8, at end insert –

“(1A) In considering whether regulations should be made under subsection (1), the Secretary of State must have regard to the likelihood of the United Kingdom being seen as a favourable place in which to develop, manufacture or supply products.”

LORD LANSLEY

Clause 1, page 2, line 13, at end insert –

““safe”, in relation to any products, means such that there is no risk, or no risk apart from one reduced to a minimum, that any of the following will (whether immediately or after a definite or indefinite period) cause the death of, or any personal injury to, any person whatsoever, that is to say –

- (a) the products,
- (b) the keeping, use or consumption of the products,
- (c) the assembly of any of the products which are, or are to be, supplied unassembled,
- (d) any emission or leakage from the products or, as a result of the keeping, use or consumption of the products, from anything else, or

- (e) reliance on the accuracy of any measurement, calculation or other reading made by or by means of the products;”

After Clause 1

LORD RUSSELL OF LIVERPOOL

★ After Clause 1, insert the following new Clause—

“Alignment with EU law

- (1) Where equivalent or similar EU law exists in relation to relevant product regulations, the Secretary of State must, when making provision under section 1, update Parliament on whether the Government proposes to vary the regulations from alignment with EU law.
- (2) If the Secretary of State believes divergence from relevant EU law to be in the interests of the United Kingdom, they must arrange for a statement to be made in Parliament on the benefits to United Kingdom business to be achieved by this divergence, at least fourteen days before the relevant regulations are laid before Parliament.
- (3) If the Secretary of State believes alignment with the relevant EU law to be in the interests of the United Kingdom, they must arrange for a statement to be made in Parliament on the benefits to United Kingdom business to be achieved by this alignment, at least fourteen days before the relevant regulations are laid before Parliament.
- (4) The statement under subsection (2) or (3) must include the date by which any such regulations will be reviewed, which can be no later than 36 months after implementation.”

Member's explanatory statement

This amendment provides greater regulatory certainty for UK businesses by requiring scrutiny of all decisions to diverge or align with EU regulations and a process for Parliamentary scrutiny and review, whether Ministers determine that divergence or alignment from such regulations would be in the best interests of the UK.

Clause 2

LORD LANSLEY

Clause 2, page 3, line 26, at end insert—

- “(d) the identification of and availability, including licensing, of standard essential patents that relate to technology essential for implementing a technical standard.”

LORD LANSLEY

Clause 2, page 3, line 37, at end insert –

- “(7A) Provision made in reliance on subsection (1) may (among other things) identify product requirements by reference to international agreements or standards relating to the marketing or use of products, including agreements or standards as they have effect from time to time.”

After Clause 4

LORD HOPE OF CRAIGHEAD
LORD THOMAS OF CWMGIEDD

After Clause 4, insert the following new Clause –

“Product regulations: devolved administrations

- (1) Product regulations under section 1 may not be made unless and until the Secretary of State has consulted the devolved administrations as to their impact and effect on the marketing and use of products in the areas within the United Kingdom over which they have legislative competence.
- (2) The Secretary of State may by regulations exclude the application of this Act to products to be marketed or used in areas within the United Kingdom over which the devolved administrations have legislative competence to enable effect to be given to an agreement that forms part of a common framework agreement.
- (3) A “common framework agreement” is a consensus between a Minister of the Crown and one or more devolved administrations as to how devolved or transferred matters previously governed by EU law are to be regulated.”

Member's explanatory statement

This amendment ensures that devolved administrations are consulted before regulations are made under this Part of the Act, and that common framework agreements receive the same protection to enable them to receive effect as they have under section 10 of the United Kingdom Internal Market Act 2020.

Clause 9

LORD LANSLEY

Clause 9, page 9, line 26, at end insert –

- “(c) sections 48, 48B, 49, 50, 52, 53 and 54 of the Patents Act 1977 (licences of right and compulsory licences).”

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