

Animal Welfare (Sentience) Bill [HL]

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 1

LORD FORSYTH OF DRUMLEAN
LORD HAMILTON OF EPSOM

- 1 Page 1, line 3, after “must” insert “by regulations”
- 2 Page 1, line 4, at end insert –
“(1A) The Committee is to subsume the Animal Welfare Committee of the Department for Environment, Food and Rural Affairs.”

LORD TREES

- 3★ Page 1, line 4, at end insert –
“(1A) The function of the Committee is to determine whether, in relation to the process of the formulation and implementation of policy subsequent to the Committee’s establishment, it is satisfied the government is having all due regard to the ways in which the policy might have an adverse effect on the welfare of animal as sentient beings.”

Member’s explanatory statement

This makes clear that the Committee’s remit relates to the process of the formulation and implementation of policy but only that which has been formulated and implemented after the Committee’s formation.

LORD FORSYTH OF DRUMLEAN
BARONESS MALLALIEU
LORD HAMILTON OF EPSOM

- 4 Page 1, line 5, leave out subsections (2) and (3) and insert –
“(2) The regulations must set out –
(a) details of how the Animal Sentience Committee is to be composed, and
(b) its terms of reference.

Clause 1 - continued

- (3) Regulations under this section must be made by statutory instrument.
- (4) Regulations under this section may not be made unless a draft of the instrument containing them has been laid before, and approved by resolution of, each House of Parliament.”

BARONESS HAYMAN OF ULLOCK
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

5 Page 1, line 5, leave out subsections (2) and (3) and insert –

- “(2) The Committee is to consist of –
 - (a) a member appointed by the Secretary of State to chair the Committee, and
 - (b) at least 8 but no more than 11 other members appointed by the Secretary of State.
- (3) When appointing members to the Animal Sentience Committee, the Secretary of State must have regard to the desirability of appointing members who, between them, have expertise in –
 - (a) animal behavioural science;
 - (b) veterinary science;
 - (c) agricultural science;
 - (d) animal welfare science;
 - (e) the commercial use of animals;
 - (f) the care, breeding, and management of companion animals;
 - (g) ethical standards and conduct in respect of animals;
 - (h) animal welfare advocacy;
 - (i) the public interest in respect of animals;
 - (j) ecology;
 - (k) environmental and conservation management;
 - (l) other such areas as the Secretary of State considers relevant.
- (4) Before appointing a person under subsection (2) the Secretary of State must consult –
 - (a) persons, groups and organisations with expertise relevant to the welfare of animals as sentient beings;
 - (b) other such persons as the Secretary of State considers appropriate.
- (5) A member of the Committee may serve a term of no longer than 3 years, as determined by the Secretary of State in the terms of appointment.
- (6) The Secretary of State may reappoint a person who is or has been a member of the Committee.
- (7) A person may resign as a member of the Committee or as its Chair by notice in writing to the Secretary of State.
- (8) The Secretary of State may terminate the appointment of a member if satisfied that the person is unable or unfit to carry out the functions of the office.”

Member's explanatory statement

This would add detail to the terms of membership for the Committee, including number of members, the appointment of a Chair, the expertise that the Committee should include and the need for the Secretary of State to consult on its membership.

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

6 Page 1, line 5, leave out subsections (2) and (3) and insert –

“(2) The function of the Committee is to determine whether, in relation to the formulation and implementation of policy, it is satisfied the government is having, or has had, due regard to how the policy might have an adverse effect on the welfare of animals as sentient beings.

(3) Schedule (*Establishment of the Animal Sentience Committee*) has effect.

BARONESS MCINTOSH OF PICKERING

7 Page 1, line 5, at end insert “for a period of three years”

LORD MOYLAN
THE EARL OF CAITHNESS
LORD HAMILTON OF EPSOM

8 Page 1, line 5, at end insert –

“(2A) At least 50% of the Committee must have recent commercial experience of –

- (a) animal husbandry,
- (b) livestock farming,
- (c) the management of abattoirs, or
- (d) the management of game and fishing stocks.”

Member's explanatory statement

This amendment ensures that the Committee benefits from the knowledge of those with direct understanding of the experience of animals.

LORD MOYLAN

9 Page 1, line 7, at end insert “but no member of the Committee may serve a term greater than three years, not to be renewed.”

Member's explanatory statement

This amendment helps to ensure that the Committee's work benefits from fresh knowledge and new perspectives.

BARONESS MCINTOSH OF PICKERING
LORD CARRINGTON

10 Page 1, line 7, at end insert –

“(4) The membership of the Committee is to include, amongst others –

- (a) a veterinary surgeon;
- (b) an active farmer or person with knowledge of livestock production or land management; and
- (c) a person with knowledge of slaughterhouses.”

Clause 1 - continued

LORD FORSYTH OF DRUMLEAN

11 Page 1, line 7, at end insert –

- “(4) Before establishing the Committee, the Secretary of State must seek and obtain the approval of each House of Parliament in respect of the –
- (a) composition,
 - (b) budget, and
 - (c) terms of reference,
- of the Committee.”

LORD MANCROFT

12 Page 1, line 7, at end insert –

- “(4) No person may be appointed a member of the Committee if they –
- (a) are affiliated to an organisation promoting animal rights;
 - (b) are a member of an organisation promoting animal rights;
 - (c) have been employed by an organisation promoting animal rights; or
 - (d) are employed by an organisation promoting animal rights.”

Member’s explanatory statement

The purpose of this amendment is to ensure that any person who is a member of, is affiliated to, was employed by, or is employed by an organisation promoting animal rights cannot be appointed a member of the Animal Sentience Committee.

BARONESS MCINTOSH OF PICKERING

13 Leave out Clause 1 and insert the following new Clause –

“Animal Sentience Committee

- (1) A body corporate called the Animal Sentience Committee is established.
- (2) The Animal Sentience Committee is not to be regarded –
 - (a) as the servant or agent of the Crown, or
 - (b) as enjoying any status, immunity or privilege of the Crown.
- (3) The Animal Sentience Committee’s property is not to be regarded –
 - (a) as the property of the Crown, or
 - (b) as property held on behalf of the Crown.
- (4) The Animal Sentience Committee is to consist of –
 - (a) a Chair appointed by the Secretary of State,
 - (b) other non-executive members appointed by the Secretary of State,
 - (c) a chief executive appointed by the Chair with the approval of the Secretary of State or, if the first Chair has not been appointed, by the Secretary of State, and
 - (d) other executive members appointed by the Chair.
- (5) The Secretary of State must consult the Chair before appointing the other non-executive members.

Clause 1 - continued

- (6) The Secretary of State and the Chair must ensure, so far as practicable, that the number of non-executive members is at all times greater than the number of executive members.
- (7) A person holds and vacates office as a member of the Animal Sentience Committee in accordance with the terms and conditions of the person's appointment.
- (8) The terms and conditions of a person's appointment as a non-executive member of the Animal Sentience Committee are to be determined by the Secretary of State; but that is subject to the following provisions of this section.
- (9) The terms and conditions of a person's appointment as an executive member of the Animal Sentience Committee are to be determined by the Chair with the approval of the Secretary of State; but that is subject to the following provisions of this section.
- (10) The terms and conditions of a person's appointment may cover, among other things –
 - (a) the period for which the person is to hold office;
 - (b) the person's eligibility for re-appointment;
 - (c) circumstances in which a person's membership may be suspended.
- (11) A person may resign from office as a non-executive member of the Animal Sentience Committee by notifying the Secretary of State.
- (12) A person may resign from office as an executive member of the Animal Sentience Committee by notifying the Chair.
- (13) The Secretary of State may remove a person from office as a non-executive member of the Animal Sentience Committee if, in the opinion of the Secretary of State, the person is unable or unfit to carry out the functions of the office.
- (14) The Chair may remove a person from office as an executive member of the Animal Sentience Committee if, in the opinion of the Chair, the person is unable or unfit to carry out the functions of the office.
- (15) The Animal Sentience Committee may determine its own procedure and the procedure (including quorum).
- (16) The validity of any proceedings of the Animal Sentience Committee is not affected by a vacancy or defective appointment.
- (17) The Secretary of State may by regulations make other provision about the Animal Sentience Committee including provision about –
 - (a) staffing;
 - (b) remuneration of members and staff;
 - (c) delegation of functions;
 - (d) funding;
 - (e) accounts and reporting.
- (18) A statutory instrument containing regulations under subsection (17) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Clause 1 - continued

Baroness McIntosh of Pickering gives notice of her intention to oppose the Question that Clause 1 stand part of the Bill.

After Clause 1

BARONESS HAYMAN OF ULLOCK
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

14 Insert the following new Clause—

“Resources

- (1) The Secretary of State must provide the Committee with such staff, accommodation and other resources as the Committee requires to carry out its functions.
- (2) The Secretary of State must consult the Chair of the Committee before providing staff, accommodation or other resources under this section.”

Member’s explanatory statement

This amendment would provide that the Secretary of State must provide necessary staff and resources to the Committee, in consultation with its Chair, to allow it to fulfil its functions.

Clause 2

BARONESS HAYMAN OF ULLOCK
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

15 Page 1, line 9, leave out subsections (1) to (4) and insert—

- “(1) When any government policy within the remit of the Animal Sentience Committee is being formulated, the Committee must produce a report containing its views on the question in subsection (3).
- (2) When any government policy is being or has been formulated or implemented, the Committee may produce a report containing its views on the question in subsection (3).
- (3) The question is whether, or to what extent, the government is having, or has had, all due regard to the ways in which the policy might have an adverse effect on the welfare of animals as sentient beings.
- (4) The report may also contain recommendations as to steps the Committee considers the Government should take to ensure that, in any future formulation or implementation of the policy, the Government has all due regard to the ways in which the policy might have—
 - (a) an adverse, or
 - (b) a positive,
 effect on the welfare of animals as sentient beings.
- (4A) A policy is within the remit of the Animal Sentience Committee where it can reasonably be expected to have a significant effect on the welfare of animals, taking into account—
 - (a) the duration of possible adverse effects;

Clause 2 - continued

- (b) the severity of possible adverse effects;
- (c) the number of animals that can be reasonably expected to be affected.”

Member’s explanatory statement

This provides criteria for what policies are within the remit of the Committee, and provides that the Committee must report on these policies while they are being formulated. It keeps the discretionary power for the Committee to look at any other policies. The amendment explicitly provides that the Committee can make recommendations on positive as well as adverse effects of a policy.

THE EARL OF KINNOULL
LORD HANNAN OF KINGSCLERE

- 16★ Page 1, line 9, after “policy” insert “concerning –
- (a) agriculture,
 - (b) fisheries,
 - (c) transport,
 - (d) internal market,
 - (e) space,
 - (f) research and technology,”

Member’s explanatory statement

This amendment seeks to limit the remit of the Sentience Committee to those areas of policy covered by the Lisbon Treaty, Article 13 of Title II, to which the UK was a party before Brexit.

LORD FORSYTH OF DRUMLEAN
LORD ETHERTON
VISCOUNT TRENCHARD
LORD HOWARD OF RISING

- 17 Page 1, line 9, leave out “or has been”

LORD HOWARD OF RISING
BARONESS FLEET
LORD HAMILTON OF EPSOM
LORD TREES

- 18 Page 1, line 9, leave out “or implemented”

Member’s explanatory statement

This amendment rules out policies which were established in the past, or are currently being lawfully implemented, and confines the Committee to consideration of policy in the making.

LORD MOYLAN
BARONESS DEECH
LORD MANCROFT

- 19 Page 1, line 9, after “implemented,” insert “other than a policy intended to advance the understanding of medical science,”

Member's explanatory statement

This amendment helps to ensure that the Committee's work will not impede the advancement of medical science.

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

20 Page 1, line 10, leave out “may” and insert “must”

LORD FORSYTH OF DRUMLEAN
LORD ETHERTON
VISCOUNT TRENCHARD

21 Page 1, line 11, at end insert –

“(1A) The Committee may not report on established government policy.”

22 Page 1, line 11, at end insert –

“(1A) The Committee must obtain the consent of the Secretary of State before undertaking work to produce a report.”

LORD HOWARD OF RISING
BARONESS FLEET
LORD HAMILTON OF EPSOM
LORD TREES

23 Page 1, line 12, leave out “, or has had,”

Member's explanatory statement

This amendment rules out past policies.

LORD HOWARD OF RISING
BARONESS MEYER

24 Page 1, line 13, leave out “all”

Member's explanatory statement

This amendment probes why "all" is added to intensify normal "due regard".

LORD HOWARD OF RISING
VISCOUNT TRENCHARD
BARONESS MEYER

25 Page 1, line 13, leave out “adverse”

Member's explanatory statement

This amendment allows the Committee to consider positive impact on welfare of other animals, for example in the control of vermin.

LORD MOYLAN
VISCOUNT TRENCHARD
LORD HAMILTON OF EPSOM

26 Page 1, line 14, leave out “as sentient beings”

Member's explanatory statement

This amendment allows the Committee to take account of all aspects of animal welfare, without express regard to sentience.

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES
LORD TREES

27 Page 1, line 14, at end insert –

“(2A) The report must state whether in the view of the Committee the question in subsection (2) is to be answered –

- (a) in the affirmative, or
- (b) in the negative.”

LORD MOYLAN
VISCOUNT TRENCHARD
LORD HAMILTON OF EPSOM

28 Page 1, line 16, at end insert “, but such recommendations may only be made after the report referred to in subsection (1) has been published in an academic journal following peer review.”

Member's explanatory statement

This amendment aims to ensure the academic robustness of the Committee's work.

LORD HOWARD OF RISING
THE EARL OF SHREWSBURY
BARONESS FLEET
LORD HAMILTON OF EPSOM

29 Page 1, line 17, leave out “or implementation”

Member's explanatory statement

This amendment rules out policies which were established in the past, or are currently being lawfully implemented, and confines the Committee to consideration of policy in the making.

LORD HOWARD OF RISING
BARONESS MEYER

30 Page 1, line 18, leave out “all”

Member's explanatory statement

This amendment probes why "all" is added to intensify normal "due regard".

LORD FORSYTH OF DRUMLEAN
LORD ETHERTON
VISCOUNT TRENCHARD

31 Page 1, line 18, leave out from third “the” to end of line 20 and insert “welfare requirements of animals, since animals are sentient beings, while respecting legislative or administrative provisions and customs relating to religious rites, cultural traditions and regional heritage.”

Clause 2 - continued

LORD HOWARD OF RISING
 VISCOUNT TRENCHARD
 BARONESS MEYER

32 Page 1, line 19, leave out “adverse”

Member’s explanatory statement

This amendment allows the Committee to consider positive impact on welfare of other animals, e.g. in control of vermin.

LORD MOYLAN

33 Page 1, line 19, leave out “as sentient beings”

Member’s explanatory statement

This amendment is a consequence of the amendment to page 1, line 14 in the name of Lord Moylan.

LORD HOWARD OF RISING
 THE EARL OF SHREWSBURY
 LORD HAMILTON OF EPSOM
 BARONESS MEYER

34 Page 1, line 20, at end insert –

“(4A) The Committee may only produce a report under subsection (1) in relation to future policy under consideration.

- (4B) The Committee’s remit does not include any power to review or recommend –
- (a) the repeal, or amendment, of any existing law;
 - (b) any change in the implementation of any existing law.”

Member’s explanatory statement

This amendment attempts to limit the Committee’s remit.

THE EARL OF KINNOULL
 LORD HANNAN OF KINGSCLERE

35★ Page 1, line 20, at end insert –

“(4A) Recommendations made by the Committee must respect legislative or administrative provisions and customs relating in particular to religious rites, cultural traditions and regional heritage.”

Member’s explanatory statement

This amendment seeks to place a duty on the Committee to have regard to the balancing factors included in the Lisbon Treaty, Article 13 of Title II, to which the UK was a party before Brexit.

LORD HOWARD OF RISING
 BARONESS MEYER

36 Page 2, line 3, leave out subsection (6)

Member's explanatory statement

This amendment probes why this does not cover devolved administrations.

LORD FORSYTH OF DRUMLEAN
LORD ETHERTON
VISCOUNT TRENCHARD

- 37 Page 2, line 3, leave out “government of the United Kingdom” and insert “Department for Environment, Food and Rural Affairs”

THE EARL OF CAITHNESS
VISCOUNT TRENCHARD
LORD HAMILTON OF EPSOM

- 38 Page 2, line 15, at end insert—
- “(8) In producing a report under this section, the Animal Sentience Committee must consult the Department for Environment, Food and Rural Affairs’ Animal Welfare Committee and publish a note in the report of the Animal Welfare Committee’s opinion and advice on the recommendations contained in the report.”

Member's explanatory statement

This amendment addresses the relationship between the new Animal Sentience Committee and the existing Animal Welfare Committee. It aims to ensure that the two committees communicate and that the expert view of the Animal Welfare Committee is included in any published report by the Animal Sentience Committee.

After Clause 2

BARONESS HAYMAN OF ULLOCK
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 39 Insert the following new Clause—

“Duty to inform the Committee

- (1) A Minister of the Crown must inform the Animal Sentience Committee, in a timely manner, of the formulation of any policy which is within the remit of the Committee.
- (2) A policy is within the remit of the Committee where it can reasonably be expected to have a significant effect on the welfare of animals, taking into account—
 - (a) the duration of possible effects;
 - (b) the severity of possible effects;
 - (c) the number of animals that can be reasonably expected to be affected.”

Member's explanatory statement

This would put a duty on Government Ministers to inform the Committee, in a timely manner, of relevant policy development.

LORD FORSYTH OF DRUMLEAN
 VISCOUNT TRENCHARD
 BARONESS MALLALIEU
 LORD HAMILTON OF EPSOM

40 Insert the following new Clause—

“Programme of work and budget

- (1) The Animal Sentience Committee must obtain the approval of the Secretary of State in relation to its annual programme of work, and its annual budget which must be commensurate with the work programme.
- (2) The Secretary of State must provide the Committee with such resources as are necessary to meet the budget.”

Clause 3

BARONESS JONES OF MOULSECOOMB
 BARONESS FOOKES
 LORD TREES

41 Page 2, line 17, leave out “2” and insert “2(2A)(b)”

LORD MOYLAN

42 Page 2, line 21, at end insert “in the peer-reviewed academic journal referred to in section 2(3)”

Member’s explanatory statement

This amendment helps to ensure that the Secretary of State is responding to robust scientific findings.

LORD MANCROFT

43 Page 2, line 21, at end insert—

- “(3) The response must contain the views of other expert committees, such as the Animal Welfare Committee, and, where they disagree with the views of the Animal Sentience Committee, the Secretary of State must state which view the Government supports and the reasons for making that decision.”

Member’s explanatory statement

The purpose of this amendment is to ensure that the Secretary of State’s response to the Animal Sentience Committee report must include the views of other expert committees that have published a view, and, if in conflict, the Secretary of State must state which committee’s view the Government agrees with and reasons why.

44★ Page 2, line 21, at end insert—

- “(3) The response must contain, in instances in which the question in section 2(2) is answered negatively, what steps, if any, the government will take for the purpose of section 2(4).”

Member’s explanatory statement

The Secretary of State must include in the response what actions the government will take in instances that the Animal Sentience Committee has found the government has not had due regard for the welfare of animals as sentient beings in policy making.

After Clause 3

BARONESS HAYMAN OF ULLOCK
 BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

45 Insert the following new Clause –

“Duty to prepare an Animal Sentience Strategy

- (1) The Secretary of State must prepare an Animal Sentience Strategy as set out in subsections (2) and (3).
- (2) The Strategy must set out how Her Majesty’s Government plans to have regard to animal sentience including plans to –
 - (a) commission and respond to Animal Sentience Committee reports,
 - (b) require animal welfare impact assessments, and
 - (c) commission any necessary independent research.
- (3) The Strategy must set out upcoming policies that the Secretary of State may ask the Animal Sentience Committee to review.
- (4) The Secretary of State must publish an annual statement on progress on the Animal Sentience Strategy.
- (5) An annual statement under subsection (4) must include a summary of changes in policy or implementation that have occurred in response to an Animal Sentience Committee report over the past year.
- (6) A Minister of the Crown must request parliamentary time for debate on the annual statement in each House of Parliament.
- (7) The Secretary of State must publish a revised Animal Sentience Strategy at the start of each parliamentary session.”

BARONESS YOUNG OF OLD SCONE
 BARONESS HAYMAN OF ULLOCK

46★ Insert the following new Clause –

“Annual reports

- (1) As soon as reasonably practicable after the end of each financial year, the Committee must submit to both Houses of Parliament an annual report on the exercise of the Committee’s functions during the year.
- (2) The annual report must include –
 - (a) a statement of the policies on which the Committee has reported under section 2 during the year;
 - (b) an overview of the implementation of animal sentience requirements across government;
 - (c) a statement of the other activities the Committee has undertaken during the year in the exercise of its functions.”

47★ Insert the following new Clause –

“Powers of the Committee

- (1) To support the exercise of its functions under this Act the Committee may –
 - (a) call witnesses,

After Clause 3 - continued

- (b) commission research, and
 - (c) request access to relevant information and documentation from government departments.
- (2) A Minister of the Crown must co-operate with the Committee, and give it such reasonable assistance as it requests, including the provision of information, in connection with the exercise of its functions under this Act.”

Clause 5

LORD MOYLAN
LORD HAMILTON OF EPSOM

48 Page 2, line 32, leave out “vertebrate” and insert “mammal”

Member’s explanatory statement

This amendment limits the application of the Bill to mammals.

BARONESS HAYMAN OF ULLOCK
LORD RANDALL OF UXBRIDGE
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

49 Page 2, line 32, at end insert “, any member of the class Cephalopoda and any member of the order Decapoda”

LORD ROBATHAN
VISCOUNT TRENCHARD
THE EARL OF CAITHNESS

50 Page 2, line 32, at end insert “which is –

- (a) of a kind which is commonly domesticated in the British Islands,
- (b) under the control of man whether on a permanent or temporary basis,
or
- (c) not living in a wild state.”

Member’s explanatory statement

This amendment includes the provision in section 2 of the Animal Welfare Act 2006 and seeks to limit the scope to those animals in the control of man, so that the Committee is excluded from making recommendations for people to be responsible for wild animals outside their control.

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

51 Page 2, line 32, at end insert “and any cephalopod or decapod;
“policy” means any proposed or decided course of action by or on behalf of a Minister in the exercise of their statutory or common law powers.”

LORD MOYLAN

52 Page 2, line 32, at end insert “and fish”

Member's explanatory statement

This probing amendment seeks to establish the Government's view of the likely consequences of the Bill for fishing and angling.

53 Page 2, line 32, at end insert "and birds"

Member's explanatory statement

This probing amendment seeks to establish the Government's view of the likely consequences of the Bill for the shooting of birds for sport.

LORD FORSYTH OF DRUMLEAN
BARONESS MALLALIEU
VISCOUNT TRENCHARD

54 Page 2, line 32, at end insert –

“(1A) In this Act “sentience” means the capacity to have feelings, including pain and pleasure, and implies a level of conscious awareness.”

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

55 Page 2, line 32, at end insert –

“(1A) Nothing in this Act applies to an animal while it is in its foetal or embryonic form, except in relation to an animal to which sections 1 (protected animals) and 2 (regulated procedures) of the Animals (Scientific Procedures) Act 1986 as amended apply.”

LORD FORSYTH OF DRUMLEAN
VISCOUNT TRENCHARD

56 Page 2, line 33, leave out subsections (2) to (4)

LORD MOYLAN

57 Page 2, line 34, leave out “invertebrates of any description” and insert “cephalopods and decapod crustaceans”

Member's explanatory statement

This amendment limits the Secretary of State's power to designate invertebrate animals as sentient to the class of animals most likely to be qualify as such.

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

58 Page 2, line 35, at end insert “or extend the application of this Act to an animal from such earlier stage of its development as may be specified in the regulations.”

LORD MANCROFT

59 Page 2, line 35, at end insert “, provided that the Secretary of State lays a report before Parliament setting out the scientific basis for determining that the species concerned is sentient.”

Member's explanatory statement

This amendment requires the Secretary of State to publish the scientific evidence for determining that an invertebrate is sentient.

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

60 Page 2, line 36, at end insert –

“(3A) The power under subsection (2) may only be exercised if the Secretary of State is satisfied, on the basis of scientific evidence, that animals of the kind concerned are sentient.”

LORD FORSYTH OF DRUMLEAN

61 Page 2, line 40, leave out “and “invertebrate” have the meanings” and insert “has the meaning”

After Clause 6

BARONESS JONES OF MOULSECOOMB
BARONESS FOOKES

62 Insert the following new Schedule –

“ESTABLISHMENT OF THE ANIMAL SENTIENCE COMMITTEE*Appointment of members*

- 1 (1) The Committee is to consist of –
 - (a) a member appointed by the Secretary of State to Chair the Committee, and
 - (b) at least 8 but no more than 11 other members appointed by the Secretary of State.
- (2) In appointing members, the Secretary of State must have due regard to the need for the Committee to possess appropriate expertise and experience in –
 - (a) animal behaviour,
 - (b) animal welfare,
 - (c) neurophysiology,
 - (d) veterinary science,
 - (e) ethics,
 - (f) law, and
 - (g) public administration.
- (3) A member is appointed for a period not exceeding 4 years, as the Secretary of State determines.
- (4) The Secretary of State may reappoint as a member of the Committee a person who is, or has been, a member; but a member shall not normally be reappointed consecutively for more than two terms of office.
- (5) The Secretary of State may not appoint a person as a member of the Committee if the person is –
 - (a) a member of the House of Commons,
 - (b) a member of the House of Lords,
 - (c) a member of the Scottish Parliament,
 - (d) a member of Senedd Cymru,
 - (e) a member of the Northern Ireland Assembly,

After Clause 6 - continued

- (f) a councillor of a local authority.

General powers

- 2 (1) The Committee may do anything which appears to it—
- (a) to be necessary or expedient for the purpose of, or in connection with, the performance of its function, or
 - (b) to be otherwise conducive to the performance of its function.
- (2) The foregoing includes, but is not limited to, requesting from the government such information and material as it considers necessary.
- (3) So far as is reasonable and practicable, the government must comply with any such request; if the government declines such a request it must provide to the Committee its reasons for doing so in writing.
- (4) In the event that the Committee considers the government has failed to meet the duty in paragraph 2(3) it may make reference to this in any report produced in accordance with section 2 of this Act.
- (5) It is for the Committee to identify those policies which in its view might have an adverse effect on the welfare of animals as sentient beings.
- (6) Without prejudice to the foregoing, the government must take reasonable steps to advise the Committee of its intention to formulate or implement any policy which might have an adverse effect on the welfare of animals as sentient beings.
- (7) If, in producing a report under section 2 of this Act, the Committee considers it to be desirable that the government receives further guidance on how animal welfare might be improved in relation to the relevant policy, it may refer the matter to an appropriate committee established for the purpose of providing such advice to ministers.
- (8) The Committee may invite to attend its meetings on either a permanent or temporary basis any person appointed to chair a body established by—
- (a) the UK Government,
 - (b) the Scottish Government,
 - (c) the Welsh Government, or
 - (d) the Northern Ireland Executive,
- to provide advice on the welfare or protection of animals.
- (9) Persons attending in such an ex officio capacity may not participate in any decisions of the Committee.”

Animal Welfare (Sentience) Bill [HL]

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

1 July 2021
