

Retained EU Law (Revocation and Reform) Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Second Marshalled List]

Amendment
No.

Clause 20

LORD HODGSON OF ASTLEY ABBOTTS

- 134ZA★** Clause 20, page 22, line 8, leave out “does not apply in relation to any power to make regulations under this Act” and insert “has effect in relation to any power to make regulations under this Act as if in subsection (2)(a) of that section, after “section 30)”, there were inserted “which must require that a report setting out the conclusions of the review is published within the period of three years beginning with the day on which the regulatory provision comes into force””

Member's explanatory statement

This amendment would remove the disapplication under the Bill of section 28 of the Small Business, Enterprise and Employment Act 2015 (duty to review regulatory provisions in secondary legislation) to the powers to make regulations under the Bill, and add a requirement to publish a review within three years, following the concerns expressed by the Secondary Legislation Scrutiny Committee in paragraphs 65 and 66 of its 28th Report ‘Losing Control?: The Implications for Parliament of the Retained EU Law (Revocation and Reform) Bill.’

LORD HODGSON OF ASTLEY ABBOTTS

- 134B★** Clause 20, page 22, line 9, at end insert –
- “(6) Where a statutory instrument, or a draft of a statutory instrument, containing regulations under this Act is laid before Parliament, the instrument, or draft instrument, must be accompanied at the same time by a regulatory impact assessment for it which –
- (a) provides a cost benefit analysis of its regulatory impact, and
 - (b) conforms with such guidance as may be published by the independent body appointed under section 25 of the Small Business, Enterprise and Employment Act 2015 (appointment of body to verify assessments and lists in reports).”

Member's explanatory statement

This amendment would require all statutory instruments, or drafts of statutory instruments, to be accompanied by a regulatory impact assessment at the time that the instrument is laid before Parliament, in accordance with the statement by the Secondary Legislation Scrutiny Committee in paragraph 64 of its 28th Report 'Losing Control?: The Implications for Parliament of the Retained EU Law (Revocation and Reform) Bill'.

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27 February 2023
