

# Retained EU Law (Revocation and Reform) Bill

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## MOTIONS TO BE MOVED ON CONSIDERATION OF COMMONS REASONS

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*[The page and line references are to HL Bill 89, the Bill as first printed for the Lords]*

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### After Clause 16

#### LORDS AMENDMENT 15

**Lord Callanan to move, That this House do not insist on its Amendment 15B, to which the Commons have disagreed for their Reason 15C.**

**Lord Krebs to move, as an amendment to the Minister's motion, at end insert “, and do propose the following amendment in lieu –**

After Clause 16, insert the following new Clause –

**“Environmental protection**

- (1) Regulations may be made by a relevant national authority under section 12, 13, 15 or 16 only if the relevant national authority is satisfied that the regulations do not reduce the level of environmental protection arising from the EU retained law to which the provision relates.
- (2) Prior to making any provision to which this section applies, the relevant national authority must seek advice from persons who are independent of the authority and have relevant expertise.””

### Schedule 4

#### LORDS AMENDMENT 42

**Lord Callanan to move, That this House do not insist on its Amendment 42B, to which the Commons have disagreed for their Reason 42C.**

**Lord Hope of Craighead to move, as an amendment to the Minister's motion, at end insert “, and do propose the following amendment in lieu –**

After Clause 15, insert the following new Clause –

**“Parliamentary scrutiny**

- (1) This section applies to all regulations proposed to be made under section 15 by a Minister of the Crown which revoke any secondary retained EU law and –
  - (a) replace it with such provision to achieve the same or similar objectives, or
  - (b) make such alternative provision,as a Minister of the Crown considers to be appropriate.
- (2) Regulations referred to in subsection (1) may not be made (under the applicable provisions of paragraphs 7 and 8 of Schedule 4) unless a document containing a proposal for those regulations has been referred to a Committee of the House of Commons, together with a statement by the Minister of the Crown which explains why the Minister considers the replacement or the alternative provision proposed, as the case may be, is appropriate, and the other requirements of this section have been met.
- (3) If the Committee reports that special attention should be drawn to the proposed regulations in question, then subsections (4) to (8) apply.
- (4) A Minister of the Crown must arrange for the proposal for the regulations to be debated on the floor of each House within the relevant period referred to in subsection (5).
- (5) The relevant period is a period of 60 days beginning with the day on which the proposal and the corresponding statement were referred to the Committee, not including any period during which Parliament is dissolved or prorogued or either House is adjourned for more than four days.
- (6) The Minister making the regulations must have regard to any resolution of either House and to any recommendations by the Committee made during the relevant period.
- (7) If, after the expiry of the relevant period, the Minister making the regulations wishes to make an instrument in the terms of the proposal (under the applicable provisions of paragraphs 7 and 8 of Schedule 4), the Minister may do so only if the proposal for those regulations is approved by a resolution of each House of Parliament.
- (8) If, after the expiry of the relevant period, the Minister making the regulations wishes to make an instrument in the terms of a revised version of the proposal (under the applicable provisions of paragraphs 7 and 8 of Schedule 4), the Minister must lay before Parliament a document containing the revised proposal for the regulations together with a statement of the changes proposed and may make an instrument in the terms of the revised proposal only if the revised proposal is approved by a resolution of each House of Parliament.
- (9) The Committee may, at any time before the regulations are laid in draft or made (under the applicable provisions of paragraphs 7 and 8 of Schedule 4), recommend that they should not be proceeded with.

- (10) Where a recommendation is made by the Committee under subsection (9), the regulations may not be laid in draft or made unless the recommendation is rejected by a resolution of the House of Commons.”

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*16 June 2023*

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PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS