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Lords examines EU Withdrawal Bill News from Parliament

Lords examines EU (Withdrawal) Bill - News from Parliament

- Watch live on Parliament TV from 3pm
- Read the Lords Hansard transcript from three hours after the debate
- Bills and legislation: European Union (Withdrawal) Bill
- List of suggested changes (PDF)
- Lords Library briefing
- What is report stage?



On the sixth and last day of report stage, members are expected to discuss changes on issues including:

The UK's future relationship with EU agencies

The European Economic Area

Devolved powers

Exit date

Health and social care

The timing of some parts of the EU (Withdrawal) Act coming into force

Parliamentary check of Brexit statutory instruments.

Third reading, the chance to 'tidy up' the bill and make changes, is scheduled for 16 May.

Once Lords stages are complete all changes go to the Commons for consideration.

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House of Commons

Lords examines EU (Withdrawal) Bill - News from Parliament



House of Lords

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Report stage day five: Wednesday 2 May

- Catch up on Parliament TV
- Read the Lords Hansard transcript
- Lords divisions (votes) results

Members discussed a change (amendment 88) to include the intentions of the Good Friday Agreement as part of the bill, protecting one of the most successful peace processes of modern times. They discussed the border between Northern Ireland and the Republic of Ireland and its impact on broader Brexit issues.

Speakers from all sides, many from Northern Ireland or who have worked in Northern Ireland politics, agreed on the importance of the peace process and safeguarding the progress made, but some members said that describing Brexit as a risk to the peace process was exaggerating the problems.

Supporters of the change described the idea of using technology to manage border arrangements as unworkable, but others suggested that technology should not be dismissed as an option to explore.

The government confirmed its unwavering support for the agreement but made it clear that there could never be a border in the North Sea. It intends to bring further amendments in a different piece of legislation which it believes would bring more legislative clarity and legal certainty to the issue than the amendment.

The change went to a vote. Members voted 309 for and 242 against, so the change was made.

Report stage day four: Monday 30 April

- Catch up on Parliament TV
- Read the Lords Hansard transcript
- Lords divisions (votes)

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Members discussed a change to give Parliament a ‘meaningful’ vote on the outcome of negotiations with the EU (amendment 49).

Those in favour argued Parliament should be able to decide against a ‘poor deal’ or ‘crashing out’ of the EU with no deal as either would be a ‘disaster’ for the UK and this change would guard against it.

Members also said the change would give Parliament, not ministers, the final say and if the Commons disagreed with it they could reject it.

Members against the change said Parliament should not be able to veto Brexit and that it may provoke a constitutional crisis. The government argued the change contained practical and legal difficulties that would hinder it from getting the best deal possible.

The change went to a vote. Members voted 335 for and 244 against, so the change was made.

Members also voted on a change to give Parliament the power to provide for a referendum on the deal (amendment 50). Members voted 202 for and 260 against, so the change was not made.

Debate turned to the UK’s future relationship with the EU as peers discussed a change giving Parliament a say on future negotiations (amendment 51). The change went to a vote. Members voted 271 for and 233 against, so the change was made.

The House also voted in favour of a change requiring the government to reunite unaccompanied child refugees with relatives in the UK, 205 for and 181 against (amendment 59).

Report stage day three: Wednesday 25 April

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- Catch up on Parliament TV
- Read the Lords Hansard transcript
- Lords divisions (votes)

Members discussed a change (amendment 31) relating to ‘Henry VIII powers’, which allow ministers to make new laws without Parliament’s full scrutiny.

Members behind the change argued that the bill should not give the government more power: this change moved the government from using these powers when ‘appropriate’ to using them when ‘necessary’. They highlighted the Delegated Powers Committee report that stated although only one Brexit bill is being considered, there is likely to be dozens of exit bills in total and the powers given to ministers in this bill will be a powerful precedent for others.

The government argued that this amendment would constrain ministers: by only doing what is considered ‘necessary’ might stop ministers from doing what is most sensible and therefore lead to worse policy outcomes.

The change went to a vote. Members voted 349 for and 221 against, so the change was made.

The government put forward its own change to remove clause 8, which gave the government Henry VIII powers to make sure the UK meets its international obligations after Brexit. The government said there were better ways than using delegated powers to achieve this and it would use delegated powers only where there is a ‘clear and present need’. The change was accepted without a vote.

Debate turned to a change (amendment 40) around animal sentience and welfare. Those for the change emphasised the importance of embedding in UK law the principles in article 13 of the treaty of Lisbon, notably that the government should pay due regard to the welfare of animals as sentient beings.

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The government highlighted that the UK has some of the highest animal welfare standards in the world and undertook that as we leave the EU we will not only maintain existing standards, but enhance them where possible.

The change went to a vote. Members voted 169 for and 211 against, so the change was not made.

What's happened so far?

Report stage day two: Monday 23 April

- Catch up on Parliament TV
- Read the Lords Hansard transcript
- Lords divisions (votes)

Members discussed a change (amendment 15) to keep the EU Charter of Fundamental Rights in retained EU law.

Those in favour said that as EU law is being transferred into UK law it is logical to include the charter. They raised concern that the charter's protections would be weakened after Brexit and said keeping it is necessary to protect and preserve human rights.

Members against said keeping the charter would mean the UK continues to be tied to the European Court of Justice and that it is not required as any rights in the charter could be created in UK law.

The government said keeping the charter had the potential of overriding acts of the Parliament with 'foreign law' after Brexit, and that would be a 'constitutional outrage'.

Members behind the change responded saying that concern about parliamentary sovereignty is no basis against keeping the charter as legislation enacted after Brexit would take priority over all retained EU law.

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The change went to a vote. Members voted 316 for and 245 against, so the change was made.

The House also voted to accept changes on technical aspects of the bill in relation to legal challenges (amendment 18) and legal cause of action (amendment 19).

Once all Lords stages are complete, the bill goes back to the Commons for it to consider changes.

Report stage day one: Wednesday 18 April

- Catch up on Parliament TV
- Read the Lords Hansard transcript
- Lords divisions (votes) results

Members discussed a change (amendment 1) to keep the UK in the customs union. Those backing it were concerned that leaving the customs union would mean a fall in UK exports and argued it would be difficult for the UK on its own to make trade agreements with super powers.

Members against the amendment responded saying that being inside the EU customs union puts the UK at a disadvantage and supporters of staying in it were making a political point rather than one based on trade. Members for the change said they were trying to get the best Brexit deal for the UK and its future relationship with the EU, not undo Brexit.

The government said it would not accept the change, arguing that staying in the customs union would make the UK bound by the EU's tariffs and in a worse trade position.

The change went to a vote. Members voted 348 for and 225 against, so the change was made. This was the seventh largest House of Lords vote on record.

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Debate turned to a change (amendment 11) to protect rights in EU retained law after Brexit. Some members were concerned that ministers would be able to change some rights, for example consumer, employment and environmental protections, and said this change would 'bubble wrap' and safeguard them.

Members against the change highlighted that some EU regulations don't achieve their objectives and could be improved after Brexit. The government argued that change would create uncertainty for business and said it would bring its own changes forward on this subject in later report stage days.

The change went to a vote. Members voted 314 for and 217 against, so the change was made.

Committee stage day 11: Wednesday 28 March

- Catch up on Parliament TV: [part one](#) and [part two](#)
- Read the Lords Hansard transcript: [part one](#) and [part two](#)

Members looked at technical issues surrounding how EU law will be transferred into UK law and how EU law will be interpreted after exit. The balance of power between government and Parliament was raised again in this context. The way in which legislation will be published was also considered.

Financial support for the regions of the UK was discussed, focusing on how EU structural funding would be replaced after exit. An amendment to include financial undertakings in the bill was considered.

Continued EU citizenship after exit was discussed along with the status of the rights of UK citizens and concepts of associate citizenship.

Members discussed the way in which decisions of European courts will apply during a transition period and how legal certainty can be achieved.

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Committee stage day ten: Monday 26 March

- Watch live on Parliament TV: [part one](#) and [part two](#)
- Read the Lords Hansard transcript: [part one](#) and [part two](#)

Members discussed how retained EU law would be dealt with in the context of devolution, including 'sunset clauses' to time-limit the effect of new laws. It was suggested that devolving powers should be dealt with by primary legislation and that all currently devolved matters should be devolved on departure from the EU. Members also considered the issue of legislative consent from devolved governments and how disputes might be resolved.

Protecting the rights and interests of people in Gibraltar was considered including trade with the UK and the situation in Gibraltar during a transition period. The economy, tourism and freedom of movement were identified as areas of concern.

A fixed date for leaving the EU was raised. It was suggested that agreeing a date without sight of the withdrawal agreement would make parliamentary consideration meaningless and including a date in the bill was unnecessary. Members said the bill was about process, not outcome and removing a date would not alter the outcome of the bill.

Parliament's role in the event of no deal being reached was discussed, including a change to ensure that Parliament was consulted over the final terms of withdrawal. The role of secondary legislation in raising fees and charges was also considered.

Committee stage day nine: Wednesday 21 March

- Catch up on Parliament TV: [part one](#) and [part two](#)
- Read the transcript in Lords Hansard: [part one](#) and [part two](#)

Members discussed the role of secondary legislation and how it should be used in bringing EU law into UK statutes. Concerns were expressed about protecting rights and the role of Parliament in scrutinising changes.

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The issue of 'consequential powers' was raised, the ability for ministers to make significant changes to laws without parliamentary agreement and members argued that changes to the bill were needed. The distinction between 'appropriate' and 'necessary' powers was considered. The ability for government to define primary and secondary legislation was also discussed.

Members focused on the future of Northern Ireland, the Good Friday Agreement and issues of human rights and identity in Northern Ireland. Members from across the House, many from Northern Ireland or who have worked in Northern Ireland politics, highlighted the importance of protecting the political and economic progress it had seen since the agreement. Members called for legislative certainty about how an open border could be achieved.

Members discussed devolution at length focusing on how powers that have been devolved from Westminster would be affected by the bill. A government amendment to place restrictions on Westminster's ability to exercise those powers was considered but some members said that restrictions did not go far enough.

Members discussed a proposal to set up a group of representatives from all parts of the UK to agree an approach to the way in which Brexit and devolution affect the 'single market' of the UK.

The session ended at 9.43pm with the withdrawal of the government amendment.

Committee stage day eight: Monday 19 March

- Catch up on Parliament TV: [part one](#) and [part two](#)
- Read the transcript in Lords Hansard: [part one](#) and [part two](#)

Changes examined included women's rights and child maintenance, business insolvency, local government, medical devices, public health and nuclear research, and members worked through them until 1.17am.

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The key changes attracting extensive debate related to a referendum on the terms of the deal. Members proposing the changes and others in favour of them argued that Parliament is sovereign and should be able to give the people the chance to decide on the final deal and whether the UK stays in the EU or not based on the deal.

They urged the government against presenting Parliament with a 'take it or leave it' vote: if Parliament judges the final deal and no deal are both bad options, then Parliament should have the option to provide for a referendum.

Other members responded that Parliament should deliver on carrying out what the people voted for in the 2016 referendum.

The government said voters instructed it to leave the EU and it was delivering on that. Members pressed the minister on Parliament's vote on the deal and what the government would do if Parliament rejected the deal it puts forward. The minister said the government is committed to getting a good deal but if Parliament rejected it, 'that would be an instruction to move ahead without a deal'. Members said that Parliament should have the right to return the issue to the people and indicated they are likely to raise this again at report stage.

Committee stage day seven: Wednesday 14 March

- Catch up on Parliament TV: [part one](#), [part two](#) and [part three](#)
- Read the Lords Hansard transcript: [part one](#), [part two](#) and [part three](#)

Members discussed proposed changes to the draft law until 11.33pm. Topics included UK-EU recognition of professional qualifications, consumer law and trading standards, engagement with EU agencies, a meaningful vote in the UK Parliament and the rights of young people.

Members discussed proposed changes on:

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- UK creative industries, broadcasting and potential problems caused by changes to freedom of movement and intellectual property law
- EU's role in food safety and maintaining current standards
- guaranteeing a vote on the final Brexit agreement in both Houses of Parliament before a vote in the European Parliament
- implications for making delegated legislation (regulations), including under this Act, the scope of ministers' power and how Parliament would check new regulations
- the Common Travel Area, the Belfast Agreement and the Northern Ireland economy
- future engagement with EU agencies including the European Investment Bank (EIB) and the European Investment Fund (EIF)
- seeking a report from the Office of Budget Responsibility (OBR) between the end of negotiations and a vote in Parliament
- the rights and opportunities of young people, especially to travel and study in other countries
- maintaining EU regulations on refugee family reunion rights.

Committee stage day six: Monday 12 March

- Catch up on Parliament TV: [part one](#) and [part two](#)
- Read the Lords Hansard transcript: [part one](#) and [part two](#)

Members discussed proposed changes relating to clause 7 (dealing with deficiencies arising from withdrawal) of the bill until 2.36am.

Peers examined clinical trials and maintaining alignment with European partners after Brexit. The use of secondary legislation to introduce or vary fees, charges and taxes was considered. Secondary legislation introducing new criminal offences also came under the spotlight. A lack of parliamentary scrutiny was raised as a concern in both areas.

Data protection and its impact on individuals and businesses was raised.

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The powers of ministers to amend laws relating to the devolved government of Scotland, Wales and Northern Ireland were debated at length. Members were concerned that the bill might enable ministers to change the constitutional balance of powers between the UK government and the devolved administrations.

Border controls, costs and potential delays were highlighted, including the border between Northern Ireland and the Republic of Ireland, as were a range of transport issues including air safety.

Additionally, maintaining regulatory alignment across the chemicals industry was discussed.

Committee stage day five: Wednesday 7 March

- Catch up on Parliament TV: [part one](#), [part two](#) and [part three](#)
- Read the Lords Hansard transcript: [part one](#), [part two](#) and [part three](#)

A range of amendments were discussed. Members from across the House spoke in support of creating a functioning legal system rather than using the transfer of powers into UK law to change policies. Ministerial powers to rectify problems and inconsistencies with legislation once it had been transferred into UK law were a key area of interest for members, who proposed a range of limitations on those powers.

Complex issues around the powers of the European Court, the impact of the court's judgments and decisions after exit day were raised. Rights conferred on citizens by the UK's membership of the EU were in the spotlight, especially the ways in which those rights should be protected as EU law is transferred to UK law.

Members examined environmental protections and how to ensure they wouldn't be weakened or removed. The principle of equality and ensuring that current protections from discrimination on grounds of race, sex, property, birth, disability, age or sexual orientation was discussed, with members keen to see existing rights transferred effectively.

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Committee stage day four: Monday 5 March

- [Catch up on Parliament TV \(part one\)](#)
- [Catch up on Parliament TV \(part two\)](#)
- [Read the transcript in Lords Hansard \(part one\)](#)
- [Read the transcript in Lords Hansard \(part two\)](#)

Members looked at a range of amendments. A change on family law was discussed, exploring ways in which rights and mechanisms currently delivered through EU law will continue to exist once they are replaced by UK law: several former senior judges expressed concern about a lack of detail in the bill.

Animal welfare was raised, and maintaining the same level of protection for animals as they currently have after Brexit. Members urged the government to improve clarity in the bill on this matter.

Complex issues around the future relationship between EU law and UK law, the treatment and influence of EU law after exit day and the future role of the Charter of Fundamental Rights received close attention. The impact of the removal of the Charter on gender equality was given particular scrutiny. The House rose at 12.48am on Tuesday.

Committee stage day three: Wednesday 28 February

- [Catch up on on Parliament TV \(part one\)](#)
- [Watch again on Parliament TV \(part two\)](#)
- [Read the transcript in Lords Hansard \(part one\)](#)
- [Read the transcript in Lords Hansard \(part two\)](#)

Members of the Lords, including a QC involved in the Supreme Court Article 50 case and the Advocate-General for Scotland, continued to discuss suggested changes to the bill, including:

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- issues regarding transferring EU legislation into UK law as ‘retained EU law’
- amendments aimed at ensuring that EU-derived rights such as consumer protection and employment law could not be removed or weakened
- the distinctions between primary and secondary legislation and the implications for the way in which EU law will become UK law

Several members talked about the importance of achieving legal certainty and clarity in the bill.

Members also looked at a change aimed at maintaining levels of cohesion funding and support for UK regions. The government argued that this was not needed, given existing powers allowing for regional assistance.

Committee stage day two: Monday 26 February

- [Catch up on Parliament TV \(part one\)](#)
- [Catch up on Parliament TV \(part two\)](#)
- [Read the transcript in Lords Hansard \(part one\)](#)
- [Read the transcript in Lords Hansard \(part two\)](#)

Members discussed suggested changes until 12.16am. They covered reciprocal health arrangements for UK citizens in the EU and EU citizens in the UK, higher education research funding, student exchanges, security, criminal justice, the European Court of Justice and the Charter of Fundamental Rights.

Members sought assurances on the UK's participation in some programmes and initiatives, for example Erasmus+, and argued that in many cases the UK had led on setting up these projects. The government said that it could only commit to a stated desire to continue participation in some schemes but not that the UK actually would, as these are matters for the negotiations.

Committee stage debate on clause one, lasting over 18 hours, is complete.

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Committee stage day one: Wednesday 21 February

- Catch up on Parliament TV (part one)
- Catch up on Parliament TV (part two)
- Read the transcript in Lords Hansard (part one)
- Read the transcript in Lords Hansard (part two)

Members discussed the implications of exit day until midnight. Suggested changes debated covered:

- the UK's membership of the single market and customs union
- Parliament's role in setting the date and time of exit day
- the role of the devolved administrations in repealing the European Communities Act 1972
- nuclear safeguards and the UK remaining a member of the European Atomic Energy Community (Euratom).

Members sought to press the government on its position on these issues. No votes took place.

Second reading day two: Wednesday 31 January

- Catch up on Parliament TV (part one)
- Catch up on Parliament TV (part two)
- Read the transcript in Lords Hansard (part one)
- Read the transcript in Lords Hansard (part two)
- What is second reading?

Members of the House of Lords debated the key purpose and principles of the European Union (Withdrawal) Bill during second reading on 30 and 31 January. Reflecting the interest of members in this bill, 187 members took part in the debate, the highest number on record for this stage of a bill in the Lords. The debate took place over two days, which is unusual in the House of Lords.

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During second reading, members flagged up concerns and specific areas where they thought work was needed.

There are usually no votes and no changes suggested at this stage. Changes are usually suggested and decided in later stages of the bill: committee, report and third reading.

Members discussed a number of subjects including the UK union and devolved arrangements, legal continuity for judges and the courts and powers to government ministers.

Second reading day one: Tuesday 30 January

- [Catch up on Parliament TV \(part one\)](#)
- [Catch up on Parliament TV \(part two\)](#)
- [Read the transcript in Lords Hansard \(part one\)](#)
- [Read the transcript in Lords Hansard \(part two\)](#)
- [What is second reading?](#)

Members discussed a number of subjects covered by the bill including the impact on devolved administrations, legal certainty and constitutional implications.

European Union (Withdrawal) Bill summary

The bill aims to repeal the European Communities Act 1972 and incorporate EU law into UK law on the day the UK leaves the EU. It also aims to create temporary powers to make secondary legislation once the UK has left. It also aims to incorporate any withdrawal agreement into UK law.

Further information

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Image: House of Lords 2018 / Photography by Roger Harris

HUMAN SYNTHESIS

06 May 2018

Comments:

It is quite unbelievable how the House of Lords are juggling around with our legal system, setting traps by amending the existing articles in the leave EU agreements, cunningly hidden in legal jargon and rhetorics by lawyers, no doubt paid for by the state.

The members of the HOL have every reason to scupper Brexit. At least 70 of the members are, or will be receiving generous pensions from Brussels. Around 80% are Freemasonry members controlled by the Illuminati which is out to destroy all the European borders and national adherence, together with democracy and human rights.

A large proportion of the members belong to 'the global elite' as owners of large, world-spanning companies, greedily working for a New World Order, turning most of the people into a slave like race, serving their greedy masters.

The people, who do not have access to the wealth or powerful legal advice of the global elite, have only our country's unwritten constitution and democracy for support, which we PROMISE, will be guarded by our very lives.