

European Union (Withdrawal) Bill

Amendments to be moved in Committee

Clause 2, page 1, line 12 After “passed” insert “and commenced”

Clause 2, page 1, line 19 Add at end –

“(3) for the purposes of this Act, any EU derived domestic legislation has effect in domestic law immediately before exit day if –

(a) in the case of anything which comes into force at a particular time and is stated to apply from a later time it is in force and it applies immediately before exit day,

(b) in any other case, it has been commenced and is in force immediately before exit day.”

Clause 4, page 2, line 46 After “continue” insert “subject to the terms of Schedule 1”

Clause 5, page 3 line 11 Leave out Subsection (1) and insert –

“(1) An enactment or rule of law passed or made on or after exit day will not be subject to the principle of the supremacy of EU law”.

Clause 5, page 3, line 20 Leave out Subsections (4) and (5).

Clause 6, page 3, line 33 After "cannot" insert "subject to subsection 1(c)"

Clause 6, page 3 line 33 Add at end –

"(c) may however refer a matter concerning citizens' rights to the European Court after exit day if –

(i) it has had regard to the relevant case law including anything done by the European Court after exit day; and

(ii) it considers that in order to give a judgement in the matter it is necessary to refer the matter to the European Court; and

(iii) the matter has been brought before the court or tribunal after exit day.”

Clause 6, page 3, line 34 Leave out Subsection (2) and insert -

“(2) A court or tribunal may regard the decisions of the European Court made on or after exit day to be persuasive”.

Clause 7, page 5, line 4 Leave out “appropriate” and insert “necessary”.

Clause 7, page 6, line 25 Add at end –

“(g) amend or repeal the Scotland Act 1998”.

Clause 7, page 6, line 25 Add at end –

“(h) amend or repeal the Wales Act 2017”.

Clause 8, page 6, line 35 Leave out “appropriate” and insert “necessary”.

Clause 9, page 7, line 5 Leave out “appropriate” and insert “necessary”.

Clause 11, page 8, line 38 Add at end –

“(4) This section only applies to

(a) an Act of the Scottish Parliament,

(b) an Act of the National Assembly for Wales; and

(c) an Act of the Northern Ireland Assembly,
which was introduced to the Parliament or Assembly as the case may be after
exit day”.

Clause 11, page 8, line 41 Add at end –

“(5) This section and Part 1 of schedule 3 will cease to have effect after the end of
the period of two years beginning with exit day”.

Clause 17, page 14, line 15 Leave out “appropriate” and insert “necessary”.

Clause 17, page 14, line 22 Leave out “appropriate” and insert “necessary”.

Schedule 1, page 16, line 21 Leave out lines paragraph 3.

Schedule 2, page 17, line 13 Leave out “appropriate” and insert “necessary.”

Schedule 2, page 17, line 18 Leave out “appropriate” and insert “necessary”.

Schedule 2, page 23, line 18 Leave out “appropriate” and insert “necessary”.

Schedule 2, page 23, line 22 Leave out “appropriate” and insert “necessary”.

Schedule 2, page 26, line 15 Leave out “appropriate” and insert “necessary”.

Schedule 2, page 26, line 19 Leave out “appropriate” and insert “necessary”.

Schedule 7, page 41, line 37 After “unless” insert.

“(a) the Minister laying the instrument has made a declaration that the instrument does no more than necessary to prevent remedy or mitigate –

(i) any failure of retained EU Law to operate effectively, or

(ii) any other deficiency in retained EU Law arising from the withdrawal of the United Kingdom from the EU,

(b)”