

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Second Delegated Legislation Committee

TRADE ETC. IN DUAL-USE ITEMS AND
FIREARMS ETC. (AMENDMENT) (EU EXIT) (NO. 2)
REGULATIONS 2019

Monday 13 May 2019

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The Committee consisted of the following Members:

Chair: IAN AUSTIN

Braverman, Suella (*Fareham*) (Con)
 † Bruce, Fiona (*Congleton*) (Con)
 † Churchill, Jo (*Bury St Edmunds*) (Con)
 † Crabb, Stephen (*Preseli Pembrokeshire*) (Con)
 † Cryer, John (*Leyton and Wanstead*) (Lab)
 † Cummins, Judith (*Bradford South*) (Lab)
 † Goldsmith, Zac (*Richmond Park*) (Con)
 † Johnson, Dr Caroline (*Sleaford and North
 Hykeham*) (Con)
 Law, Chris (*Dundee West*) (SNP)
 † McFadden, Mr Pat (*Wolverhampton South East*)
 (Lab)

† Pawsey, Mark (*Rugby*) (Con)
 † Perkins, Toby (*Chesterfield*) (Lab)
 Rashid, Faisal (*Warrington South*) (Lab)
 † Stuart, Graham (*Parliamentary Under-Secretary of
 State for International Trade*)
 † Twist, Liz (*Blaydon*) (Lab)
 † Warburton, David (*Somerton and Frome*) (Con)
 † Western, Matt (*Warwick and Leamington*) (Lab)

Hannah Bryce, *Committee Clerk*

† **attended the Committee**

Second Delegated Legislation Committee

Monday 13 May 2019

[IAN AUSTIN *in the Chair*]

Trade etc. in Dual-Use Items and Firearms etc. (Amendment) (EU Exit) (No. 2) Regulations 2019

4.30 pm

The Parliamentary Under-Secretary of State for International Trade (Graham Stuart): I beg to move,

That the Committee has considered the Trade etc. in Dual-Use Items and Firearms etc. (Amendment) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019, No. 806).

It is a great pleasure to serve under your chairmanship, Mr Austin. I am pleased to be able to open this debate on the regulations, which were made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018. They correct errors in an earlier statutory instrument, the Trade etc. in Dual-Use Items and Firearms etc. (Amendment) (EU Exit) Regulations 2019, which, as some hon. Members may recall, have already been debated and approved by both Houses. At the time, I acknowledged that the Joint Committee on Statutory Instruments had reported that instrument for defective drafting in three respects. I said then that we would correct those errors, and we are now doing so.

In addition, we are correcting an error concerning the removal of annex IV of the retained dual-use regulation. Annex IV establishes authorisation requirements for certain intra-Community transfers, and it was deleted because in a no-deal scenario the UK will not be party to intra-Community transfers. However, annex IV is referenced elsewhere in the dual-use regulation and so it needs to be retained in order for the regulation to function properly. We are therefore reinstating annex IV.

To conclude, the regulations do nothing more than to correct acknowledged errors in another instrument that both Houses have already approved. On that basis, I call on my fellow hon. Members to support the regulations, which I commend to the Committee.

4.31 pm

Judith Cummins (Bradford South) (Lab): It is a pleasure to serve under your chairmanship, Mr Austin.

When we considered the original Trade etc. in Dual-Use Items and Firearms etc. (Amendment) (EU Exit) Regulations 2019, I asked the Minister whether, given the drafting errors, we might be back at some point in the future to discuss them again—and here we are. As the Minister said, the regulations correct the drafting errors in the original regulations, including the inadvertent

consequences of removing annex IV. Labour will, of course, support the Government in correcting those errors.

Hon. Members will be thankful to hear that I will not repeat everything that I said in the first debate, although I will make some brief points. Labour fully supports a robust export control system. We therefore support the Government's intention to ensure that the existing approach to export controls for dual-use items and firearms continues once we leave the European Union. We want to see minimal disruption to exporters, and safeguards in place, to ensure that controlled goods are not inadvertently exported inappropriately.

Labour recognises the considerable contribution that a responsible, world-leading defence and security industry makes to the UK economy. We also believe that strong export controls have a vital role to play in sustaining a legitimate trade in arms, while protecting UK jobs and research and development. As I said before, we also believe that we need a tighter approach in some areas of our export control regime, and we have called for the cessation of exports to countries where there is a concern that those exports would be used to violate international humanitarian law.

Recently, I asked several written questions on some technical aspects of the regulations. One question concerned the way in which the UK Government intend to work with our European partners once we have left the EU. I hope that the Government will at some point set out exactly what they intend to do in that regard. For example, what relationship will the UK have with the dual-use co-ordination group? It is vital that, whatever our exact relationship with the EU, we continue to work with other countries on crucial issues such as this.

I repeat my question about how the Government intend to define human rights violations in the context of export licence applications, given that we will no longer be following the charter of fundamental rights.

4.34 pm

Graham Stuart: I thank the hon. Lady for her response. We do not expect to make any changes to how we deal with exports. Every export is judged against the consolidated criteria. Ensuring respect for international humanitarian law, as she knows, lies at the heart of that. We will never approve of an export that is inconsistent with those criteria, which are always applied.

To reiterate my opening statement, we made some errors in the original regulations, and through these regulations we are correcting them. The instrument does nothing more than that. Given that the original regulations have already been debated and approved by both Houses, I ask Members to support these regulations, which I commend to the Committee.

Question put and agreed to.

4.35 pm

Committee rose.