

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Eleventh Delegated Legislation Committee

DRAFT RETAINED EU LAW (REVOCATION AND
REFORM) ACT 2023 (CONSEQUENTIAL
AMENDMENT) REGULATIONS 2023

Wednesday 29 November 2023

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The Committee consisted of the following Members:

Chair: VALERIE VAZ

† Carden, Dan (*Liverpool, Walton*) (Lab)
 † Dines, Miss Sarah (*Derbyshire Dales*) (Con)
 † Dixon, Samantha (*City of Chester*) (Lab)
 † Fabricant, Michael (*Lichfield*) (Con)
 † Firth, Anna (*Southend West*) (Con)
 Gullis, Jonathan (*Stoke-on-Trent North*) (Con)
 † Jones, Mr David (*Clwyd West*) (Con)
 † Pawsey, Mark (*Rugby*) (Con)
 † Slaughter, Andy (*Hammersmith*) (Lab)
 † Smith, Alyn (*Stirling*) (SNP)

† Stevenson, Jane (*Wolverhampton North East*) (Con)
 † Stevenson, John (*Carlisle*) (Con)
 † Thomas, Gareth (*Harrow West*) (Lab/Co-op)
 † Tomlinson, Michael (*Solicitor General*)
 † Twist, Liz (*Blaydon*) (Lab)
 † Wood, Mike (*Lord Commissioner of His Majesty's Treasury*)

Zereena Arshad, *Committee Clerk*

† **attended the Committee**

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[VALERIE VAZ *in the Chair*]

Draft Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023

2.38 pm

The Solicitor General (Michael Tomlinson): I beg to move,

That the Committee has considered the draft Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023.

What an absolute pleasure it is to see you in the Chair, riding to our rescue, Ms Vaz; it is a real pleasure to serve under your chairmanship. It may disappoint you, Ms Vaz, but I have not prepared a long speech, because this statutory instrument is short and technical. It has two paragraphs and a schedule that, although it is of some length—107 paragraphs—merely amends, in a rather technical way, each mention of “retained EU” law and inserts “assimilated law” in its place.

Michael Fabricant (Lichfield) (Con): I note that the explanatory memorandum states that the instrument has no “significant...impact on business, charities or voluntary bodies” or “the public sector.”

As my hon. Friend has just said, all the SI does is substitute “assimilated law” for “retained EU law”. My question simply is this: what is the point?

The Solicitor General: It is an existential question: why are we here? As ever, my hon. Friend is diligent in the way that he considers such matters. He is right. The reason we are here is because the SI amends primary legislation, and whenever an SI amends primary legislation, we have to do it by way of the affirmative procedure. That is why we are here. It is still technical, so I will not delay him or the Committee any further.

The Committee will be pleased to know that the Retained EU Law (Revocation and Reform) Act 2023 emphasises the supremacy of our laws as an independent, sovereign nation. The draft regulations are part of the journey, not the complete journey. I commend them to the Committee.

2.40 pm

Gareth Thomas (Harrow West) (Lab/Co-op): It is a joy to have you in the Chair, Ms Vaz. You will understand our initial disappointment that my hon. Friend the Member for Ealing Central and Acton (Dr Huq), a legend of north London, could not be with us. We therefore rely on you to help us on the Opposition Benches stand up to the mighty powers of the Executive, knowing that we only have limited resources on the Opposition side.

At the outset of my remarks, I want to praise those on the Opposition Benches who have come in to this Committee to help scrutinise the Government’s efforts

in this area: my hon. Friends the Members for City of Chester, for Blaydon and for Liverpool, Walton, and on this occasion let me praise my hon. Friend the Member for Hammersmith too.

Andy Slaughter (Hammersmith) (Lab): The first time ever.

Gareth Thomas: That bit hurt, but we have got to get over it. I am genuinely grateful to have the opportunity to discuss the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023. I confess I initially struggled to find the controversy in this statutory instrument, as it seems to be exclusively concerned with replacing slightly outdated legal phrasing for 107 pieces of primary legislation. From what I understand, all this statutory instrument actually does is bring into effect the use of the phrase “assimilated law” instead of the phrase “retained EU law”.

Michael Fabricant: On a point of order, Ms Vaz. Is repetition in order? The hon. Gentleman is just repeating what I said.

The Chair: Gareth Thomas.

Gareth Thomas: It is rare that the hon. Gentleman has been an inspiration to me, but I can think of one occasion in the past when I have been grateful for his support. It was a very long time ago, but on that one occasion I think he was on the right side of history, being on my side.

Let me continue with my opening remarks. I will paraphrase from the explanatory memorandum, which helpfully sets out at paragraph 7.1 that this statutory instrument does not result in any change in policy, but simply allows a minor change in language to bring about a bit of clarity for business. Given the chaos that the Conservative party has unleashed on the country and the often anti-business agenda of Conservative Members, we on the Opposition side very much welcome any bit of clarity and assistance to business that can be offered. From what we can see, it certainly is not a controversial statutory instrument. On that basis, we will on this occasion not seek to divide the Committee.

2.43 pm

Alyn Smith (Stirling) (SNP): I also applaud the regime change at the heart of this Committee to keep us under way. I have always been conscious that nobody ever criticises a speech for being too short, but today I think I can excel myself. The Scottish National party’s position on this primary legislation is well rehearsed. We deeply regret leaving the European Union, we regret the way it was done, and we regret its consequences, but in tribute to the Minister, I would say that he has proven throughout this process that it is possible to disagree agreeably. We now move on to the nuts and bolts of the consequences of this legislation, and this is a great big textual amendment. It does not repeal or amend the Scottish Parliament or Welsh Senedd’s legislation. Those Parliaments have no objection to this, and are indeed bringing forward their own legislation to make the same textual amendment. They have no objection to it, so on that basis, neither do I. I will not divide the Committee either.

Question put and agreed to.

2.44 pm

Committee rose.