



Rhion Jones  
The Consultation Guru  
8<sup>th</sup> February 2023  
[www.consultationGuRU.co.uk](http://www.consultationGuRU.co.uk)

## **Retained EU Law (Revocation and Reform) Bill**

Selected Quotations from the Second Reading debate at the  
House of Lords 6<sup>th</sup> February 2023

In addition to the quotations included in the blog, the following might also be of interest:

### **Viscount Hailsham (Conservative)**

*In respect of the legislation that is to be revoked or re-enacted, is my noble friend going to tell the House what consultation there will be with the various stakeholders, who must run into the thousands?*

### **Lord Fox (LibDem)**

*The Bar Council also outlines two overarching concerns regarding the Bill. First, it says, as do many others, that it is anti-democratic, noting: "Important changes to our law should be made by Parliament after proper consultation, public debate, and scrutiny." ....*

*This ... will impact a vast range of areas, including consumer rights, safety regulations of all kinds, protecting the environment and, of course, employment rights. ...*

*Tony Danker, the director-general of the CBI, argued that scrapping these 4,000 or so EU-derived laws by the end of 2023, as facilitated by the Bill, was "creating huge uncertainty for UK firms" ....*

### **Baroness Chapman (Labour)**

*The RSPB says that it will put at risk thousands of crucial laws that protect the natural environment and public health ...*

*Never before in my time in either House have a Government brought forth a piece of legislation whose legal scope they are unable to define. The Government's proposal is that this House should give Ministers the power to remove laws without them being able to say which laws will be removed. That is a nonsensical way to govern...*

### **Baroness Bakewell (LibDem)**

*The Bill contains no requirement for public consultation or impact assessments of proposed changes*

*Some 44 existing laws concerning animal welfare could all be deleted by this Bill in a single stroke.*

*The Government's dashboard gives a rough indication of the number of pieces of legislation to be dealt with.*

*This started at 2,500 and has risen to over 3,500. Of these, Defra has the largest group of all*

### **Lord Liddle (Labour)**

*...the fact is that this legislation does not permit higher standards; it allows only a lowering of standards. That is why it is so objectionable -*

### **Baroness Randerson (LibDem)**

*Over 4,000 pages of this legislation relate to aircraft safety, and I have yet to find anyone in the aviation sector who wants a comma of it changed. But the Government did find time last year to consult on their proposal to reduce our right to claim compensation for cancelled internal flights—an example, I think, of one of our Brexit freedoms.*



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**Lord Wilson (former Cabinet Secretary)**

*It is a bad Bill because it will create uncertainty in business and in our communities ...  
...it will undermine Parliament to a degree which, I think, is unprecedented by giving sweeping powers to the Executive. It will make important changes as a precedent to the way we do legislation.  
The body of EU-derived law that we have in this country, which is going to be abolished, has been built up and assimilated with the British legal system over 40 years or longer, in close consultation with businesses and communities affected, environmentally and otherwise. To throw it all out overnight will create a huge void in our legal system.*

**Lord Hodgson (Chair of Secondary Legislation Scrutiny Committee)**

*I hope the Government will undertake to produce impact assessments for all the regulations they intend to change. It is important, because good impact assessments are not just about the money; they are how we learn about the thinking that went on, how the Government reached the decision they did and why certain policy options were adopted and others were not ...*

**Baroness Andrews**

*The explanatory memorandum says that the Bill is intended to return lawmaking powers to Parliament—a travesty of language and logic. The Bill empowers Ministers to make laws while leaving Parliament powerless. It is indefensible and must be changed in this House.*

**Lord Janvrin (ex Private Sec to QE2)**

*Many of the concerns expressed in the Delegated Powers Committee report would not arise if secondary legislation was subject to a process of more effective scrutiny by Parliament, both by the Lords and the Commons*

**Lord McLoughlin (Conservative)**

*This Bill represents a significant departure from the line that the Government have taken since 2018. Once we had left the EU, they said that it would be for Parliament, rather than just Ministers, to decide which elements of EU law would be kept, amended or repealed. The Government have now backtracked on that, which I very much regret.*

**Lord Monks (Labour)**

*...the Government have produced a blank cheque for themselves to obliterate most of the 40 years of UK membership of the EU*

**Lord Hannay (Cross-bencher)**

*To initiate a vast scrapper scheme without knowing what you are scrapping is surely unprecedented an irrevocable leap in the dark with this overhasty legislation.*

**Baroness Jones (Green Party)**

*Only Ministers will choose the fate of 4,000 pieces of legislation. It seems crazy that we are handing that power to Ministers. We did not trust them before this came and we certainly will not trust them afterwards*

**Lord Hamilton of Epsom (Conservative)**

*When we wanted to get our powers back, we certainly did not say, "We will bring undemocratic edicts from Europe and enhance the power of Ministers and increase the powers of the Executive." That is not what we are here for and not what we should be voting for.*



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**Lady MacIntosh (Conservative)**

*I think that all who have spoken expressing caution about the Bill are concerned about the manner in which the statute book is to be maintained. Parliament will not be in the driving seat; it will nominally be Ministers, but I would say unelected officials. What evidence is there that there has even been a proper consultation of all the interested parties affected, many of whom have been represented in their concerns being voiced today?*

**Lord Kerr (Cross-bencher)**

*...Doctrinaire, ideological, subversive of Parliament, a headlong rush, an arbitrary timetable, a blank cheque for government by diktat ...*

**Baroness Altman (Conservative)**

*...neither businesses nor consumers want the Bill. It would leave our country and its framework of rules, laws and protections in a state of prolonged uncertainty.*

*My noble friend insisted that this is not a power grab, but how else do we describe the Government asking Parliament to give up its power of scrutiny over the laws of the land and all its regulations by handing powers to Ministers to tear up regulations just because they may have an EU-related origin?*

**Lord Balfe (Conservative)**

*They have so far identified 424 transport instruments that will be affected by the Bill, but no one is actually sure that that is the correct final number.*

*Safety regulation should always be amended in an evolutionary way, not by this slash and burn approach.*

**Lord Cormack (Conservative)**

*What we face is a marginalisation of Parliament and an accretion of power to the Executive.*

**Lord Kirkhope (Conservative)**

*Here we are considering a rare situation: a complex Bill that sets out to abolish many regulations and accepted and important rules, without the foggiest idea of what may or may not replace them.*

*We know that British business needs certainty, continuity and transparent regulatory processes. This Bill kills that concept.*

**Baroness Ludford (LibDem)**

*The distinguished legal commentator, Joshua Rozenberg, has called the Bill “dangerous”. The experienced George Peretz KC says “Fiddling around with the law when you don’t know what the consequences of the fiddle are is not obviously a good idea” and suggests that “if you don’t know what the effect is of what you are doing, don’t do it”*

*The Government’s proposed wholesale deregulation—a slash and burn exercise—gives stakeholders no chance to say what should be kept*

**Lord Collins (Labour)**

*...the Government’s policy on repealing and replacing retained EU law was that it would be for democratically elected representatives in the UK to decide on changes after full scrutiny and proper debate.*

END