



House of Commons
European Statutory
Instruments Committee

Formal Minutes of the Committee

Session 2019–21

European Statutory Instruments Committee

The European Statutory Instruments Committee is appointed by the House of Commons to examine and report on:

- (a) any of the following documents laid before the House of Commons in accordance with paragraph 3(3)(b) or 17(3)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018—
 - (i) a draft of an instrument; and
 - (ii) a memorandum setting out both a statement made by a Minister of the Crown to the effect that in the Minister's opinion the instrument should be subject to annulment in pursuance of a resolution of either House of Parliament (the negative procedure) and the reasons for that opinion, and
- (b) any matter arising from its consideration of such documents.

Current membership

Andrew Jones MP (Conservative, Harrogate and Knaresborough) (Chair)
Kirsty Blackman MP (Scottish National Party, Aberdeen North)
Geraint Davies MP (Labour, Swansea West)
Mrs Flick Drummond MP (Conservative, Meon Valley)
Rt Hon Philip Dunne MP (Conservative, Ludlow)
Rt Hon Sir David Evennett MP (Conservative, Bexleyheath and Crayford)
Vicky Ford MP (Conservative, Chelmsford)
Mark Garnier MP (Conservative, Wyre Forest)
Mr Richard Holden (North West Durham)
Stephen Kinnock MP (Labour, Aberavon)
Charlotte Nichols MP ((Labour, Warrington North)
Mary Robinson MP (Conservative, Cheadle)
Jo Stevens MP (Labour, Cardiff Central)
Owen Thompson MP (Scottish National Party, Midlothian)
Liz Twist MP (Labour, Blaydon)
Craig Williams MP (Conservative, Montgomeryshire)

Powers

The Committee's powers are set out under a Temporary Standing Order of 3 February 2020.

Publications

The reports of the Committee are published on the Committee's website at www.parliament.uk/esic and in print by Order of the House.

Committee staff

The current staff of the committee are Luanne Middleton (Clerk) Elektra Garvie-Adams (Second Clerk) Sue Beeby (Committee Assistant) Apostolos Kostoulas (Committee Assistant) and Advisory Counsel: Daniel Greenberg, Klara Banaszak Vanessa MacNair and Sarita Arthur-Crowe.

All correspondence should be addressed to the Clerk of the European Statutory Instruments Committee, House of Commons, London SW1A 0AA. The telephone number for general inquiries is: 020 7219 7599; the Committee's email address is: esic@parliament.uk

Tuesday 25 February 2020

Members present:

Kirsty Blackman
Geraint Davies
Mrs Flick Drummond
Mr Philip Dunne
Sir David Evennett
Andrew Jones

Charlotte Nichols
Stephen Kinnock
Mary Robinson
Owen Thompson
Liz Twist
Craig Williams

1. Declaration of interests

Members declared their interests, in accordance with the Resolution of the House of 13 July 1992 (*For details of declarations of interests, see Appendix below.*)

2. Election of Chair

Andrew Jones was called to the Chair.

3. Committee Procedure and administration

Ordered, That the public be admitted during the examination of witnesses, unless the Committee orders otherwise.

Resolved, That witnesses who submit written evidence to the Committee are authorised to publish it on their own account in accordance with Standing Order No. 135, subject always to the discretion of the Chair or where the Committee orders otherwise.

Resolved, That the Committee shall not consider individual cases.

Resolved, That Geraint Davies would take the chair at meetings in the absence of Chair Andrew Jones.

Resolved, That the Chair have discretion to:

- (a) engage in correspondence on Committee matters which is not sufficiently significant to require approval by the Committee or is of a routine nature;
- (b) arrange informal meetings in Westminster on matters relating to the Committee's remit (for example, with visiting parliamentarians);
- (c) amend the timing of Committee meetings;
- (d) authorise the issue of routine press notices about forthcoming evidence sessions, new inquiries and reports; and
- (e) decide which parliamentary proceedings Committee Reports should be tagged.

Ordered, That, where the Committee has evidence, including sent or received correspondence, which, in the Chair's judgement, merits publication by the Committee before it will meet again, the Chair shall have discretion to report it to the House for publication.

4. Document Scrutiny

The Committee considered this matter.

Draft Report (*First Report*) proposed by the Chair, brought up and read.

The Draft Report was agreed to; the Formal Minutes relating to the consideration of the Report are published with the First Report of the Committee, HC 112.

5. Future Programme

The Committee considered this matter.

[Adjourned till a day and time to be agreed the Chair.]

Tuesday 10 March 2020

Members present:

Andrew Jones, in the Chair

Kirsty Blackman
Mr Philip Dunne
Sir David Evennett
Mark Garnier
Richard Holden

Mary Robinson
Owen Thompson
Liz Twist
Craig Williams

1. Declaration of interests

Richard Holden and Mark Garnier declared their interests, in accordance with the Resolution of the House of 13 July 1992. (*For details of declaration of interests, see Appendix.*)

2. Document Scrutiny

The Committee considered this matter.

Draft Report (*Second Report*) proposed by the Chair, brought up and read.

The Draft Report was agreed to; the Formal Minutes relating to the consideration of the Report are published with the Second Report of the Committee, HC 128.

3. Ministerial Correspondence

Ordered, That the following written evidence be reported to the House for publication:

Letter from the Chair of the European Statutory Instruments Committee to the Leader of the House, dated 3 March 2020, on proposed secondary legislation under the EU (Withdrawal) Act 2018.

4. Contingency planning for COVID19

The Committee considered this matter.

5. Future Programme

The Committee considered this matter.

[Adjourned till a day and time to be agreed by the Chair.]

Tuesday 24 March 2020

Members present:
Andrew Jones, in the Chair

Flick Drummond
Richard Holden

Liz Twist
Craig Williams

1. Declaration of interests

The Chair declared that he was the Minister in the Department for Transport who signed ‘The Regulation (EC) No 1370/2007 (Public Service Obligations in Transport) (Amendment) (EU Exit) Regulations 2020’, which the committee would be considering today.

2. Document Scrutiny

The Committee considered this matter.

Draft Report (*Third Report*) proposed by the Chair, brought up and read.

The Draft Report was agreed to; the Formal Minutes relating to the consideration of the Report are published with the Third Report of the Committee, HC 129.

3. Ministerial Correspondence

The Committee considered this matter.

Ordered, That the following written evidence be reported to the House for publication:

Letter from the Chair of the European Statutory Instruments Committee to Rachel Maclean MP, Parliamentary Under Secretary of State for Transport, dated 24 March 2020, on The Railways (Interoperability) (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2020.

4. Contingency planning for COVID19

The Committee considered this matter.

5. Future Programme

The Committee considered this matter.

[Adjourned till a day and time to be agreed by the Chair.]

Tuesday 21 April 2020

Virtual meeting

Members present:
Andrew Jones, in the Chair

Kirsty Blackman	Richard Holden
Geraint Davies	Charlotte Nichols
Mrs Flick Drummond	Mary Robinson
Mr Philip Dunne	Owen Thompson
Sir David Evennett	Liz Twist
Mark Garnier	

1. Committee working practices: virtual meetings

The Committee considered this matter.

2. Ministerial Correspondence

The Committee considered this matter.

Ordered, That the following written evidence be reported to the House for publication:

Letter from Rachel Maclean MP, Parliamentary Under Secretary of State for Transport, dated 16 April 2020, on The Railways (Interoperability) (Miscellaneous Amendments and Revocations) (EU Exit) Regulations 2020.

3. Future Programme

The Committee considered this matter.

[Adjourned till a day and time to be agreed by the Chair.]

Tuesday 5 May 2020

Virtual meeting

Members present:
Andrew Jones, in the Chair

Kirsty Blackman
Mrs Flick Drummond
Mr Philip Dunne
Sir David Evennett
Mark Garnier

Richard Holden
Charlotte Nichols
Mary Robinson
Owen Thompson
Liz Twist

1. Document scrutiny

The Committee considered this matter.

Draft Report (*Fourth Report*) proposed by the Chair, brought up and read.

The Draft Report was agreed to; the Formal Minutes relating to the consideration of the Report are published with the Fourth Report of the Committee, HC 130.

2. Future Programme

The Committee considered this matter.

[Adjourned until Tuesday 12 May 2020 at 2pm.]

Tuesday 12 May 2020

Virtual meeting

Members present:

Andrew Jones, in the Chair

Kirsty Blackman
Geraint Davies
Sir David Evennett
Mark Garnier

Richard Holden
Owen Thompson
Liz Twist

1. Document scrutiny

The Committee considered this matter.

Draft Report (*Fifth Report*) proposed by the Chair, brought up and read.

The Draft Report was agreed to; the Formal Minutes relating to the consideration of the Report are published with the Fifth Report of the Committee, HC 337.

3. Future Programme

The Committee considered this matter.

[Adjourned until Tuesday 2 June 2020 at 2pm.]

Appendix – Declarations of interests

Tuesday 25 February 2020

Blackman, Kirsty (Aberdeen North)

1. Employment and earnings

16 May 2019, received £150 from ComRes, Coveham House, Downside Bridge Road, Cobham KT11 3EP, for completing surveys. Hours: 1 hr. (Registered 28 May 2019)

8. Miscellaneous

From 5 September 2017, non-executive director (unpaid) of New City Agenda; a not-for-profit think tank aiming to develop ideas and research on financial services policy. (Registered 11 September 2017)

Davies, Geraint (Swansea West)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

Residential property in London: (i) and (ii). (Updated 3 June 2015)

7. (i) Shareholdings: over 15% of issued share capital

Pure Crete Ltd, tour operator to Crete.

Drummond, Mrs Flick (Meon Valley)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: Malcolm Isaac

Address of donor: private

Amount of donation, or nature and value if donation in kind: £5,000

Donor status: individual

(Registered 07 January 2020)

Name of donor: Lord Michael Farmer

Address of donor: private

Amount of donation, or nature and value if donation in kind: £5,000

Donor status: individual

(Registered 07 January 2020)

Name of donor: Philip White

Address of donor: private

Amount of donation or nature and value if donation in kind: £5,000 to my

campaign fund

Donor status: individual

(Registered 11 February 2020)

Dunne, Philip (Ludlow)

1. Employment and earnings

Partner, Gatley Farms; farming partnership:

For the year ended 5 April 2019, £1,281 drawings, agreed on 14 July 2018. Hours: approximately 50 hours per annum. (Registered 13 September 2018)

For the year ended 5 April 2020, £1,281 drawings, agreed on 12 July 2019. Hours: approximately 50 hours per annum. (Registered 27 September 2019)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: Edward and Henriette Fitzwilliam-Lay

Address of donor: private

Amount of donation or nature and value if donation in kind: auction prize with a value of £8,000

Donor status: individuals

(Registered 22 May 2019)

Name of donor: Pamela Twitchell

Address of donor: private

Amount of donation or nature and value if donation in kind: £5,000

Donor status: individual

(Registered 20 December 2019)

Name of donor: Camilla R Soames

Address of donor: private

Amount of donation or nature and value if donation in kind: £4,995

Donor status: individual

(Registered 20 December 2019)

Name of donor: Roger Gabb

Address of donor: private

Amount of donation or nature and value if donation in kind: £4,500

Donor status: individual

(Registered 20 December 2019)

Name of donor: Cavercharm Limited

Address of donor: Bickenhall Mansions, Bickenhall Street, London W1U 6BP

Amount of donation or nature and value if donation in kind: £5,000

Donor status: company, registration 02917073
(Registered 20 December 2019)

Name of donor: Ivor Windsor-Clive, Earl of Plymouth

Address of donor: private

Amount of donation or nature and value if donation in kind: £5,000

Donor status: individual

(Registered 06 January 2020)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

Land and property in Herefordshire, some held in trust for life: (i) and (ii).

Interest in land in Surrey: (i) and (ii).

Residential flat in London SW3: (i) and (ii).

From 24 March 2016, a residential flat owned jointly with my wife: (i) and (ii).

(Registered 03 May 2016)

7. (i) Shareholdings: over 15% of issued share capital

Nomina 538 LLP, a member of Lloyd's. (Registered 22 January 2010)

7. (ii) Other shareholdings, valued at more than £70,000

From 22 June 2017, Enigma Video Games Ltd, through Hindsight Media EIS Fund.

(Registered 04 July 2017)

8. Miscellaneous

From 12 December 2018, Deputy Chairman (unremunerated) of the Defence Growth Partnership. (Registered 20 December 2018; updated 02 January 2020)

From 12 December 2018, Visiting Professor (unremunerated) at the Institute for Global Health Innovation. (Registered 20 December 2018)

Evennett, Sir David (Bexleyheath and Crayford)

8. Miscellaneous

From 28 July 2019, Vice-Chairman of the Conservative Party. This post carries a part time salary, first paid on 31 October 2019. (Registered 13 January 2020; updated 19 May 2020)

Jones, Andrew (Harrogate and Knaresborough)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: Andrew Thirkill

Address of donor: private

Amount of donation or nature and value if donation in kind: £2,500
Donor status: individual
(Registered 09 January 2020)

Name of donor: Andrew Thirkill
Address of donor: private
Amount of donation or nature and value if donation in kind: £2,500
Donor status: individual
(Registered 09 January 2020)

Name of donor: John Cotton
Address of donor: private
Amount of donation or nature and value if donation in kind: £3,000
Donor status: individual
(Registered 09 January 2020)

Kinnock, Stephen (Aberavon)

1. Employment and earnings

Payment of £1,149 expected from the Berggruen Institute, Bradbury Building, 304 S. Broadway, Suite 500, Los Angeles, California 90013, for co-authoring a paper between 3 and 5 March 2019. Hours: 8 hrs. £383 of this fee will be transferred to the co-author. (Registered 27 March 2019; updated 11 April 2019)

Payment of £1,000 expected from Warwick University, Coventry CV4 7AL, for being a panellist on Warwick University's Question Time on 2 October 2019. Hours: 7 hrs. Accommodation and travel also provided by the payer. (Registered 29 October 2019)

2. (b) Any other support not included in Category 2(a)

Name of donor: Community Union
Address of donor: 465c Caledonian Road, London N7 9GX
Amount of donation, or nature and value if donation in kind: £7,000
Date received: 29 April 2019
Date accepted: 29 April 2019
Donor status: trade union
(Registered 07 May 2019)

Name of donor: Community Union
Address of donor: 465c Caledonian Road, London N7 9GX
Amount of donation, or nature and value if donation in kind: £4,000
Date received: 5 November 2019
Date accepted: 5 November 2019
Donor status: trade union
(Registered 17 December 2019)

Name of donor: Dr Joseph Zammit-Lucia
Address of donor: private
Amount of donation or nature and value if donation in kind: £5,000
Date received: 6 November 2019
Date accepted: 6 November 2019
Donor status: individual
(Registered 17 December 2019)

Name of donor: B M Creative Management Ltd
Address of donor: 23 Kingsway, London, WC2B 6UJ
Amount of donation, or nature and value if donation in kind: £2,000
Date received: 14 November 2019
Date accepted: 14 November 2019
Donor status: company, registration 05635995
(Registered 17 December 2019)

Name of donor: Innovation in Housing Ltd
Address of donor: 14 Tytherington Park Road, Macclesfield SK10 2EL
Amount of donation or nature and value if donation in kind: £3,000
Date received: 6 January 2020
Date accepted: 6 January 2020
Donor status: company, registration 11314346
(Registered 30 January 2020)

4. Visits outside the UK

Name of donor: European Leadership Network (ELN)
Address of donor: China Works, 100 Black Prince Road, London SE1 7SJ
Estimate of the probable value (or amount of any donation): Flights, accommodation and visa, total value £1,030.96
Destination of visit: St. Petersburg, Russia
Dates of visit: 25-28 April 2019
Purpose of visit: As a member of the ELN, to attend a meeting of the Russian Contact Group, discussing Russia-West relations.
(Registered 15 May 2019)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

From 15 June 2016, a house in Neath Port Talbot: (i). (Registered 27 January 2017)

Nichols, Charlotte (Warrington North)

1. Employment and earnings

6 January 2020, received £2,210.74 from GMB, 22 Stephenson Way, Euston Street, London NW1 2HD (final salary for work as National Research and Policy Officer). Hours: none since my election. (Registered 10 January 2020)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: GMB

Address of donor: 22 Stephenson Way, Euston Street, London NW1 2HD

Amount of donation or nature and value if donation in kind: £4,000

Donor status: trade union

(Registered 10 January 2020)

Robinson, Mary (Cheadle)

2. (b) Any other support not included in Category 2(a)

Name of donor: Sir Michael Hintze

Address of donor: private

Amount of donation, or nature and value if donation in kind: £3,000

Date received: 7 October 2019

Date accepted: 7 October 2019

Donor status: individual

(Registered 05 November 2019)

7. (i) Shareholdings: over 15% of issued share capital

Mary Felicity Design Ltd; clothing design company. (Registered 03 June 2015)

8. Miscellaneous

From 31 January 2020, member of Cheadle Towns Fund Board. This is an unpaid role.

(Registered 28 January 2020)

Thompson, Owen (Midlothian)

1. Employment and earnings

30 December 2019, received salary of £1,020.98 from the Scottish Parliament, Edinburgh EH99 1SP, for work done as staff of an MSP before 14 December 2019. Hours: none since my election. (Registered 09 January 2020)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

Flat in Midlothian: (i). (Registered 09 January 2020)

8. Miscellaneous

Trustee of White Ribbon Scotland, a campaign to end violence against women. (Registered 09 January 2020)

Twist, Liz (Blaydon)

1. Employment and earnings

Payments from ComRes, Four Millbank, London SW1P 3JA, for surveys:

16 May 2018, payment of £75. Hours: 45 mins. Fee donated to Blaydon CLP.
(Registered 12 July 2019)

22 June 2018, payment of £75. Hours: 45 mins. Fee donated to charity.
(Registered 12 July 2019)

3 August 2018, payment of £75. Hours: 45 mins. Fee donated to charity.
(Registered 12 July 2019)

6 September 2018, payment of £75. Hours: 30 mins. Fee donated to charity.
(Registered 12 July 2019)

9 October 2018, payment of £75. Hours: 45 mins. Fee donated to charity.
(Registered 12 July 2019)

2 November 2018, payment of £75. Hours: 30 mins. Fee donated to charity.
(Registered 12 July 2019)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: UNISON

Address of donor: UNISON Northern, 140-150 Pilgrim Street, Newcastle-uponTyne, NE16TH

Amount of donation or nature and value if donation in kind: £1,810

Donor status: trade union

(Registered 11 January 2020)

Name of donor: Gainford Care Homes

Address of donor: Gainford House, Picktree Lane, Chester-Le-Street, County Durham, DH3 3SR

Amount of donation or nature and value if donation in kind: £2,000

Donor status: company, registration 02935370 (Registered 11 January 2020)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

House in Maine et Loire, France: (i). (Registered 07 July 2017)

Williams, Craig (Montgomeryshire)

1. Employment and earnings

Payments from YouGov, 50 Featherstone Street, London EC1Y 8RT, for surveys:

4 July 2018, payment of £70. Hours: 30 mins. (Registered 12 February 2019)

30 July 2018, payment of £100. Hours: 40 mins. (Registered 12 February 2019)

28 August 2018, payment of £60. Hours: 30 mins. (Registered 12 February 2019)

1 October 2018, payment of £60. Hours: 30 mins. (Registered 12 February 2019)

26 October 2018, payment of £100. Hours: 40 mins. (Registered 12 February 2019)
22 November 2018, payment of £100. Hours: 40 mins. (Registered 12 February 2019)
7 December 2018, payment of £100. Hours: 40 mins. (Registered 12 February 2019)

Payments from Ipsos MORI, 3 Thomas More Square, London E1W 1YW, for surveys:
19 June 2018, payment of £200. Hours: 1 hr. Fee paid direct to Plaid Cymru. (Registered 12 February 2019)
21 November 2018, payment of £200. Hours: 1 hr. (Registered 12 February 2019)

Tuesday 10 March 2020

Holden, Richard (North West Durham)

7. (i) Shareholdings: over 15% of issued share capital
Bowland Communications Limited. (Registered 09 January 2020)

Garnier, Mark (Wyre Forest)

1. Employment and earnings

From 1 April 2019 until 31 March 2020, Principal Speaker for BRI Wealth Management plc, BRI House, Elm Court, Meriden Business Park, Meriden CV5 9RL. I will receive £12,000, paid in quarterly instalments, for speaking at eight client events and writing occasional articles for client newsletters. Hours: 64 hrs in total. I consulted ACoBA about this appointment. (Registered 25 April 2019)

2. (a) Support linked to an MP but received by a local party organisation or indirectly via a central party organisation

Name of donor: Michael Hintze

Address of donor: private

Amount of donation or nature and value if donation in kind: £3,000 for my fighting fund

Donor status: individual

(Registered 17 December 2019)

3. Gifts, benefits and hospitality from UK sources

Name of donor: Guards Polo Club

Address of donor: Smiths Lawn, Windsor Great Park, Egham TW20 0HP

Amount of donation, or nature and value if donation in kind: Two tickets, including lunch, for the Royal Windsor Cup with a total value of £310

Date received: 23 June 2019

Date accepted: 23 June 2019

Donor status: company, registration 02403242

(Registered 03 July 2019)

4. Visits outside the UK

Name of donor: Satellite Applications Catapult Ltd

Address of donor: Electron Building, Fermi Ave, Didcot OX11 0QR

Estimate of the probable value (or amount of any donation): Flights, accommodation and transport in USA, total value £6,600

Destination of visit: Denver, Colorado and Florida

Dates of visit: 3-8 February 2020

Purpose of visit: To experience the launch of Solar Orbiter and advance MPs' understanding of the USA's space programme and UK space policy topics. Also to visit NASA, US Space Force and UK space companies' US operations.

(Registered 11 February 2020)

6. Land and property portfolio: (i) value over £100,000 and/or (ii) giving rental income of over £10,000 a year

From 23 June 2017, a residential property in Cornwall owned jointly with my spouse: (i) and (ii). (Registered 27 June 2017)

8. Miscellaneous

Member of the Court of the Worshipful Company of Coachmakers and Coach Harness Makers of London.

(Updated 19 May 2015)

9. Family members employed and paid from parliamentary expenses

I employ my spouse, Caroline Garnier, as Office Manager.

10. Additional interest

Membership sub-committee of the City of London Livery Company

Fellow, Chartered Securities and Investment Institute

Fellow, Royal Society of Arts

Member of the Board of Governors, Kidderminster College

Chair of the Advisory Board, Shetland Space Centre. A new company to supply vertical launch space access. The position will be remunerated, in addition to share options.

The Hurlingham Polo Association. Advice on relevant issues to equine sport as it relates to polo. May be remunerated.