



House of Commons
European Statutory
Instruments Committee

**Fifth Report of
Session 2021–22**

**Documents considered by the Committee
on 26 October 2021**

*Report, together with
formal minutes*

*Ordered by the House of Commons
to be printed 26 October 2021*

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by authority of the House of Commons

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

(aa) any of the following documents laid before the House of Commons in accordance with paragraph 8(3)(b) of Schedule 5 to the European Union (Future Relationship) Act 2020—

- (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 Mr Philip Dunne MP](#) (*Conservative, Ludlow*)

[Rt Hon Sir David Evennett MP](#) (*Conservative, Bexleyheath and Crayford*)

[James Grundy MP](#) (*Conservative, Leigh*)

[Mr Richard Holden](#) (*Conservative, 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*)

[Richard Thomson MP](#) (*Scottish National Party, Gordon*)

[Liz Twist MP](#) (*Labour, Blaydon*)

[Craig Williams MP](#) (*Conservative, Montgomeryshire*)

[Jacob Young MP](#) (*Conservative, Redcar*)

Powers

The Committee's powers are set out under a temporary Standing Order of 3 February 2020 (as amended on 17 March 2021).

Publications

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The reports of the Committee are published in print by Order of the House. All publications of the Committee are available on the [Committee website](#).

Committee staff

The current staff of the Committee are Sue Beeby (Committee Assistant), Ian Cruse (Second Clerk), Kutumya Kibedi (Committee Assistant), and Apostolos Kostoulas (Committee Assistant), and Luanne Middleton (Clerk). Advisory Counsel: Sarita Arthur-Crow, Klara Banaszak, Daniel Greenberg and Vanessa MacNair.

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You can follow the Committee on Twitter using [@CommonsESIC](#).

Contents

Instruments recommended for the affirmative procedure	2
Instruments recommended for the negative procedure	2
Formal Minutes	3

Instruments recommended for the affirmative procedure

At its meeting on 26 October 2021 the Committee considered proposed negative instruments laid by the Government, none of which were recommended to be subject to the affirmative procedure.

Instruments recommended for the negative procedure

At its meeting on 26 October the Committee considered proposed negative instruments and has recommended that the appropriate procedure for the following instruments is for them to be subject to annulment in pursuance of a resolution of either House of Parliament (i.e. the negative procedure).

Animal Health, Plant Health, Seeds and Seed Potatoes (Miscellaneous Amendments) Regulations 2021

Trade Marks and International Trade Marks (Amendment) (EU Exit) Regulations 2021

Formal Minutes

Tuesday 26 October 2021

Members present:

Andrew Jones, in the Chair

Mrs Flick Drummond Mr Richard Holden

James Grundy Mary Robinson

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

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

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