

Demolishing Devolution UKIM Bill

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Responses to the Bill

Nicola Sturgeon, FM said :

- *‘an abomination on almost every level’*, highlighting that it breaks international law, makes the prospect of a hard border on the Island of Ireland more likely and that it is a
- *‘no holds barred full frontal assault on devolution’*.

Mike Russell, Cabinet Secretary for the Constitution, Europe and External Affairs said:

*Far from supporting the devolved governments, the U.K. is doing everything it can to **undermine and silence them**. The Internal Market bill not only deliberately **breaches international law** it does the same to domestic law as expressed in the constitutional settlement.*

Ian Blackford, leader SNP in Westminster

Tabled a cross party motion stating that

“This House declines to give a second reading to the United Kingdom Internal Market Bill because it breaks international law and is contrary to the established devolution settlement”

The amendment had the support of SNP, Plaid Cymru, Lib Dem, SDLP, Green and Alliance Party MPs from across the four nations of the UK.

Mark Drakeford, First Minister of Wales said

- *This is an **enormous power grab** – undermining powers that have belonged to Wales, Scotland and Northern Ireland for over 20 years.*
- *This Bill will do more to **hasten the break-up of the Union** than anything else since devolution began. We'll oppose it every step of the way.*

Nancy Pelosi, Speaker of the US House of Representatives

- *“There’s absolutely no chance of a US UK trade deal”*
- *“The Good Friday Agreement is the **bedrock of peace in Northern Ireland** and an inspiration for the whole world.*
- *“Whatever form it takes, **Brexit cannot be allowed to imperil the Good Friday Agreement**, including the stability brought by the invisible and frictionless border between the Irish Republic and Northern Ireland.”*

The stated aims of the bill

It is a bill to make provision for

- The **internal market** for goods, services and qualifications in the UK
- the operation of the **Northern Ireland Protocol**
- The authorisation of the provision of **financial assistance** by Ministers of the Crown (economic development, infrastructure, culture, sport and educational or training activities and exchanges)
- The regulation the provision of **distortive or harmful subsidies a reserved matter**

What the bill does

- The bill **directly reverses the devolution of state aid** (contrary to all UK Government commitments to respect devolution)
- It gives UK Government **spending powers in areas of devolved competence** – (economic development, infrastructure, culture, sport and education)
- It imposes **internal market rules**, set by business, on all 3 devolved nations through the implementation of **Mutual Recognition** and **Non-Discrimination**
- It polices the operation of the internal market through a new **Office for the Internal Market**, to be set up by end 2021
- It enables **business led** lowering of standards **without parliamentary scrutiny**

Mutual Recognition

- **Goods and services** recognised by the UK Government must be recognised in Scotland (GM food, lower animal welfare, lower specification)
- This will include consideration of **“characteristics”** of goods – nature, composition, age, quality, performance
- This will include consideration of **“presentation”** – name, description, packaging, labelling, lot marking, date stamping
- This will include consideration of **“production”** – rearing, keeping or slaughtering of animals, cultivation or harvesting of plants
- Also **place** of production, **method, inspection, assessment, certification, registration**

Non Discrimination

- You can't do anything which can be construed as putting **incoming goods at a disadvantage** compared with local goods
- You can't do anything which makes it more difficult or less attractive to sell incoming goods
- "local goods" are "materially the same as and share the material circumstances of the incoming goods"
- "like goods" and "interchangeable goods" and "comparable goods"
- Why is so much emphasis placed on this?

Why does all this matter?

- We are about to enter a period of **state deregulation on steroids**
- We have been in the EU since **1973** – a customs union allowing tariff free movement of goods, services, people and capital
- Agreed rules across **28 countries** on food and welfare standards, accreditation, employment rights, environmental protections, data protection, capital – and border controls across Europe
- **47 years of protection**
- On 1 Jan 2021 we must **control our Borders** and probably under WTO rules – minimum of **15% tariffs with average of 36% tariffs**

Taking back control.....but loosening the rules

- Since 2005 HM Customs & Excise and Inland Revenue merged into HMRC and Customs works systematically degraded, with immigration control taking over
- UK now needs 50,000 Customs and Excise Officers
- A Scottish Customs and Excise Division, if established as part of Revenue Scotland, would have around **800 customs officers** –
- Presently we have **12** customs officers
- This matters because around **40% of tax take comes from excise and VAT** (60% from tax)
- In South of Scotland Cairnryan Port will play key role in managing imports and exports – So far, no preparations, no paperwork, no parking



A few technical glitches

- 3 September - Road Haulage and Logistics UK said there was a problem – regulations unclear, paperwork not ready.
- 23 September – Gove blames them, but admits **50% of trucks** arriving won't have correct paperwork – 2-day delays, 7,000 lorries in Kent
- Flow rates – **10,000 trucks per day – 80% fall – for 3 months**
- **270 million** new customs declarations per year
- **£300 fines** for wrong paperwork
- **Rules of origin and phyto-sanitation certificates** – it's not clear who's responsible for producing them and EU didn't accept version 1
- **Organic produce** can not be exported if equivalence not agreed

*“Don’t it always seem to go, and you don’t know what you’ve got till it’s gone
They paved paradise and put up a parking lot” –Joni Mitchell*
Hectares of prime agricultural land which used to grow food ploughed up and covered in concrete for lorries to sit on while the food rots..



So who voted for all of this?



Every single Scottish Tory MP voted against an amendment to the UK's Agriculture Bill that would have protected consumers and the farming industry against low-standard food imports after Brexit.

So what do we do now?

- **Withhold legislative consent**
- **Focus on the Agricultural Bill** – coming back next week – Commons refused to protect current UK standards - Lords putting down amendment that we mustn't import food below our current standards.
- **Focus on the Continuity Bill** – maintaining standards in Scotland
- Make the case for independence
- Highlight the impact of BREXIT in 90 or so days – keep the pressure on

And everything else you can think of..