

# 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..