

The Brexit Bill lets ministers enact pretty much anything...

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The [Bill to approve the Brexit deal](#) has been published. Included is this wonderful clause, which basically says a Minister may enact anything they wish if they can claim it is a part of the process of implementing the deal, however they might interpret that:

Powers

31 Implementation power

- (1) A relevant national authority may by regulations make such provision as the relevant national authority considers appropriate –
 - (a) to implement the Trade and Cooperation Agreement, the Nuclear Cooperation Agreement, the Security of Classified Information Agreement or any relevant agreement, or
 - (b) otherwise for the purposes of dealing with matters arising out of, or related to, the Trade and Cooperation Agreement, the Nuclear Cooperation Agreement, the Security of Classified Information Agreement or any relevant agreement.
- (2) Regulations under this section may make any provision that could be made by an Act of Parliament (including modifying this Act).
- (3) Regulations under this section may (among other things and whether with the same or a different effect) re-implement any aspect of –
 - (a) the Trade and Cooperation Agreement,
 - (b) the Nuclear Cooperation Agreement,
 - (c) the Security of Classified Information Agreement, or
 - (d) any relevant agreement,which has already been implemented (whether by virtue of this Act or otherwise).
- (4) But regulations under this section may not –
 - (a) impose or increase taxation or fees,
 - (b) make retrospective provision,
 - (c) create a relevant criminal offence,
 - (d) amend, repeal or revoke the Human Rights Act 1998 or any subordinate legislation made under it, or
 - (e) amend or repeal the Scotland Act 1998, the Government of Wales Act 2006 or the Northern Ireland Act 1998 (unless the regulations are made by virtue of paragraph 27(b) of Schedule 5 to this Act or are amending or repealing any provision of those Acts which modifies another enactment).
- (5) Subsection (4)(b) does not apply in relation to any regulations under this section which are for the purposes of replacing or otherwise modifying, or of otherwise making provision in connection with, the provision made by section 37(4) and (5).

Draft Bill (29.12.20)

- (6) See also Part 2 of Schedule 5 (general restrictions on certain powers of devolved authorities: devolved competence etc.).
- (7) In this section “relevant agreement” means –
 - (a) any future relationship agreement which is not the Trade and Cooperation Agreement, the Nuclear Cooperation Agreement or the Security of Classified Information Agreement, or
 - (b) any agreement which falls within Article 2.4.4 of Chapter 2 of Title XI of Heading 1 of Part 2 of the Trade and Cooperation Agreement (competition co-operation agreement) (including any agreement which so falls as modified or supplemented from time to time in accordance with any provision of it or of any future relationship agreement).

So, what's the point of parliament?

And what's the point of an Opposition that votes for this?

I despair of Labour if they think that supporting this casting away of the rights of scrutiny constitutes Opposition. It's as if they agree that Parliament has not got time to do its job, and so really does not need to sit again until 11 January, or at any time thereafter, apparently.