

## **COMMITTEE ON EUROPEAN AFFAIRS**

**Date: 25 November 1999**

**Time: 9.30am**

**Venue: Committee Room 1, National Assembly Building**

**Title: IMPLEMENTATION OF EUROPEAN DIRECTIVES**

### **Purpose**

1. To draw the Committee's attention to arrangements proposed for monitoring European policy developments and implementing the Directives arising from these.

### **Recommendation**

2. The Committee is invited to note the proposed arrangements, details of which are set out in this report.

### **Timing**

3. The arrangements will take effect as soon as possible.

### **Monitoring EU policy developments**

4. At its last meeting the European Committee was informed of proposed arrangements to ensure that the Assembly's policies take account of European policy developments.

5. The First Secretary has written to Assembly Secretaries asking them to undertake a review of how the policy areas for which they are responsible might be affected by European developments. They have been asked to report by March 2000.

6. It will then be for Assembly Divisions to be aware of subsequent policy developments and draw these to the attention of their relevant Assembly Secretary as necessary and for these to be reported as appropriate to the relevant Assembly subject committee.

### **Implementation of European Union Obligations**

7. The Assembly has now been designated for the purposes of Section 29 of the Government of Wales Act 1998 to exercise the power to make regulations implementing EU obligations in certain specified fields. (A copy of the relevant Order is attached). Further designation Orders will be made in due course. Consequently there is a need to ensure that the implementation of Community law through the making of regulations is effectively monitored.

8. The Concordat agreed between the Cabinet of the National Assembly for Wales and the United Kingdom Government on the co-ordination of European Union policy issues sets out details of the implementation of EU obligations.

9. Paragraph B3.16 places an obligation on the lead Whitehall Department to notify the Assembly of any new EU obligation which concerns devolved matters and which it will be the responsibility of the Assembly to implement in Wales. Para B3.17 allows the Assembly to decide how that obligation should be implemented and administratively enforced.

10. It is proposed that the Assembly's European Affairs Division will maintain a central record of the European Commission Directives that have been made, together with a timetable for their implementation. European Affairs Division will also maintain a watching brief to ensure that the Assembly in one way or another fulfils its obligations to make regulations either jointly with England or through a Wales only statutory instrument. It will be for policy Divisions to advise on the precise mode of implementation and the content of the implementing instrument.

## **Compliance**

11. This report is presented to the Committee for discussion and agreement. There are no issues about regularity or propriety, or any financial implications.

## **Cross-cutting Themes**

12. The content of this report has implications for Subject Committees and all Divisions within the National Assembly for Wales.

## **Contact**

13. European Affairs Division