

Agenda – External Affairs and Additional Legislation Committee

Meeting Venue:	For further information contact:
Committee Room 5 – Tŷ Hywel	Alun Davidson
Meeting date: 24 February 2020	Committee Clerk
Meeting time: 14.30	0300 200 6565
	SeneddEAAL@assembly.wales

Private pre-meeting

(14.15–14.30)

1 Introductions, apologies, substitutions and declarations of interest

(14.30)

2 Papers to note

(14.30–14.35)

2.1 Paper to note 1: Correspondence from the Chair of the House of Lords European Union Committee to the Chair regarding continuing engagement with the devolved legislatures – 12 February 2020

(Pages 1 – 2)

2.2 Paper to note 2: Correspondence from the Counsel General and Brexit Minister to the Chair regarding additional information following scrutiny session on 27 January 2020 – 14 February 2020

(Pages 3 – 4)

3 Motion under Standing Order 17.42(vi) to resolve to exclude the public from the remainder of the meeting

(14.35)

4 UK–EU future relationship negotiations – private seminar session

(14.35–15.35)

(Pages 5 – 48)

Professor Anand Menon, The UK in a Changing Europe



5 Correspondence from the Chair of the House of Lords European Union Committee to the Chair regarding continuing engagement with the devolved legislatures – consideration of response

(15.35–15.50)

(Pages 49 – 51)



David Rees AM
Chair, External Affairs and Additional Legislation Committee
National Assembly for Wales
Cardiff Bay
Cardiff, CF99 1NA

12 February 2020

Dear David,

The House of Lords European Union Committee has very much welcomed dialogue with the devolved legislatures since the 2016 referendum. Following the Committee's reappointment last month, I am writing to you to set out its approach to continuing engagement with the devolved legislatures in the months ahead.

The Committee has identified a number of work priorities between now and the end of the transition period in December 2020. We would welcome engagement with your Committee, and other relevant Committees in the National Assembly for Wales and the other devolved legislatures, to support this work.

In particular, we will continue to scrutinise draft EU legislation during the transition period, and we have secured a commitment from the UK Government to continue to deposit EU documents in, and to provide Explanatory Memoranda to, the UK Parliament. I understand that House of Commons European Scrutiny Committee officials currently share EU documents and Explanatory Memoranda with National Assembly for Wales officials. I trust this will continue. We will also share with you the results of our weekly sift of EU documents, along with any reports and significant correspondence on individual legislative proposals. In turn, we would welcome any information which relevant Committees in the Assembly wish to share regarding their views on EU legislative proposals, including in particular any which you judge raise matters of 'vital national interest', and which therefore may fall within the ambit of section 29 of the European Union (Withdrawal Agreement) Act 2020.

With this in mind, I would like to invite the views of National Assembly for Wales Committees on the European Commission's 3 February 2020 Recommendation for a Council Decision authorising the opening of negotiations for a new partnership with the United Kingdom of Great Britain and Northern Ireland, together with the UK Government's Written Ministerial Statement on UK/EU relations of the same date. The EU Committee will be considering a draft report on the Commission document at its meeting on Wednesday 5 March. If you would like to share your Committee's views, I would be grateful to receive them by Wednesday 26 February.

Finally, I can assure you of our continuing commitment to dialogue with Committees of the National Assembly for Wales with regard to our other priorities over the coming year. These include:

- **Scrutiny of the future relationship negotiations;**
- **Scrutiny of the formal mechanisms for dialogue between the UK and the EU**, including the Joint Committee on the Withdrawal Agreement, and the Specialised Committees that report to it;
- **Scrutiny of the Protocol on Ireland/Northern Ireland**, including the implications for Wales of its operation.
- **Inter-parliamentary engagement**, where we will continue to prioritise dialogue with the devolved legislatures, the European Parliament and EU national parliaments. In particular, we remain committed to the Interparliamentary Forum on Brexit, and recognise the value of applying this model for sectoral dialogue between relevant committees in each of the legislatures.

I have written in similar terms to Chairs and Conveners of other relevant Committees in the National Assembly for Wales, Scottish Parliament and Northern Ireland Assembly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kinnoull', with a horizontal line underneath.

Lord Kinnoull
Chair of the European Union Committee



David Rees AM
Chair of the External Affairs and Legislation Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

14 February 2020

Dear David,

Thank you for your letter of 6 February, in which you sought additional information following the scrutiny session on 27 January 2020.

I can confirm that Welsh Government officials shared the Welsh Government document, *The Future UK/EU Relationship: Negotiating Priorities for Wales* with their EU contacts, including the Cabinets of Commission President von der Leyen and Trade Commissioner Hogan, as well as with Michel Barnier. UKRep (now the UK Mission to the EU, Brussels) were also sent a copy.

Due to time constraints during the meeting, we did not cover questions that the Committee wished to raise in relation to my response to the Committee's report on changes to freedom of movement after exiting the EU, which I will now address in this letter.

You asked for more information about the reference in the response to "a summit on visa issues". The International Festival Visa Summit is being held on 27 February in Edinburgh. The aims of the summit and workshop are to develop workable solutions to the current barriers facing festivals across the UK. It will be an opportunity to engage with stakeholders from across the UK as well as Ministers and officials from the Devolved Administrations. The Welsh Government fed into the invitation list and the event will include appropriate Welsh representation.

In relation to the arrangements that will be in place for the mutual recognition of medical education and training qualifications at the end of the transition period, you asked for

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
YPCCGB@llyw.cymru / PSCGBM@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

information about the reciprocal arrangements for UK health workers operating in the EU 27. This is, of course, very important issue but at present we have no firm assurance of the position at the end of the transition period. We do, however, welcome the shared appetite between the UK and the EU to agree a comprehensive and reciprocal system of recognition of professional qualifications after exiting the EU. The Welsh Government is engaging regularly with the UK Government to ensure details are developed.

UK Government Departments are also working closely together to ensure that after exiting the EU any mutual recognition of qualifications' systems negotiated with the EU do not create artificial barriers and undermine each other.

You also asked for an update on the anticipated timescales for the publication of a new Community Cohesion Plan. The Welsh Government is currently exploring the best method of outlining our priorities around community cohesion in Wales. The Deputy Minister and Chief Whip expects to publish the Welsh Government's Strategy Equality Plan (SEP) 2020-2024 on 31st March this year, where there is a specific community cohesion objective, and we are currently considering how a strategy around community cohesion should link to the new SEP.

Finally you asked for information the Welsh Government has received from the UK Government on the impact of the Immigration Skills Charge (ISC) on Welsh employers. The ISC was introduced in April 2017 as part of the series of visa changes brought in under the Immigration Act 2016. It requires employers who sponsor an employee on a Tier 2 visa to pay an additional, mandatory £1,000 charge, or £364 for small companies or charitable sponsors.

An impact assessment was not prepared for the ISC Regulations 2017, as the UK Government class this charge as a tax and therefore out of scope of the Better Regulations Framework. The Welsh Government has repeatedly raised the issue of the financial costs and administrative burdens of Tier 2 visas with the Home Office, but unfortunately have not received any clarification about the impact of the ISC on businesses.

Yours sincerely,



Jeremy Miles AM

Y Cwnsler Cyffredinol a Gweinidog Brexit
Counsel General and Brexit Minister

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