

Lesley Griffiths AS/MS
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: LG/2051/20

Mick Antoniw MS
Legislation, Justice and Constitution Committee
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29 June 2020

Dear Mick

Legislation, Justice and Constitution Committee's report on the Legislative Consent Memorandum on the Agriculture Bill 2019-21

Thank you and members of the Legislation, Justice and Constitution Committee for your consideration of the Legislative Consent Memorandum (LCM) on the Agriculture Bill which I laid before the Senedd on 12 February. I have reflected on the Committee's Report, and my response to each of the 3 recommendations raised is provided in the annex to this letter.

I would like to take this opportunity to provide the Committee with an update on the progress of the Bill. On 13 May, the Bill completed its passage in the House of Commons, where amendments were made to a number of provisions relating to Wales to ensure their operability. Details of these amendments are provided in the Supplementary LCM laid before the Senedd on 11 June. The Bill had its First Reading in the House of Lords on 18 May, the Second Reading on 10 June, and the first two dates for Committee Stage have now been confirmed as 7 and 9 July.

During the Bill's Second Reading in the House of Lords, a significant number of Peers raised concerns regarding the absence of legislative protection for UK's agricultural standards in future trade agreements. We have always been clear with the UK Government no future trade agreement should undermine our domestic legislation or the high product and production standards we have in Wales. On 12 June, I wrote to George Eustice MP, the Secretary of State for Environment, Food and Rural Affairs, setting out the Welsh Government's position

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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.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

on animal health and welfare, as well as key Sanitary and Phytosanitary matters in respect of future trade agreements. Food safety along with animal health and welfare are devolved matters, and the Welsh Government's policy is clear that high food safety, animal welfare and environmental standards must be maintained in Wales.

I remain committed to introducing an Agriculture (Wales) Bill in the next Senedd term. Building on our two consultations, *Brexit and Our Land* and *Sustainable Farming and Our Land*, I intend to publish a White Paper later this year to set out the Welsh Government's plans for the future of agriculture in Wales and pave the way for the Agriculture (Wales) Bill.

As stated in my LCM on the UK Agriculture Bill, powers are being taken for Welsh Ministers as a temporary measure to allow us to continue supporting farmers in Wales and to ensure agricultural sectors across the UK can operate effectively once we leave the EU. During this period of unprecedented uncertainty when we continue to prepare for our departure from the EU while dealing with a crippling global pandemic, the Bill is an important legislative vehicle to provide much needed continuity and stability for Welsh agriculture.

Yours sincerely

A handwritten signature in black ink, reading 'Lesley Griffiths'. The signature is written in a cursive style with a large, sweeping 'L' and 'G'.

Lesley Griffiths AS/MS

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ANNEX

Response to the Legislation, Justice and Constitution Committee's Report on the Legislative Consent Memorandum in relation to the UK Agriculture Bill 2019-21 (published 12th May 2020)

Committee's Recommendation	Welsh Government's Response
<p>Recommendation 1</p> <p>The Minister should write to us explaining the extent to which the Bill relates to any common framework and, if appropriate, clearly identify the provisions that are necessary to achieve that framework.</p>	<p>Noted</p> <p>Following extensive discussions, the four governments of the UK are of the view that implementation of a common framework is best managed through a Ministerial Concordat. The Welsh Government continues to work with the other governments of the UK to develop the proposed framework which is expected to cover areas such as market intervention, data collection and sharing arrangements alongside arrangements to reduce bureaucracy and provide clarity for cross border holdings.</p>
<p>Recommendation 2</p> <p>The Minister should provide information, in either a supplementary document or within any supplementary LCM, justifying why it is appropriate to take each of the regulation-making powers for the Welsh Ministers contained within the Bill, and the choice of procedure for each regulation-making power.</p>	<p>Accept</p> <p>The regulation-making powers being taken for the Welsh Ministers are those needed to provide continuity and stability for farmers in Wales as we prepare to leave the EU.</p> <p>In response to previous concerns raised by the Senedd, officials have reviewed the choice of procedure for the Welsh Ministers' regulation making powers. Where appropriate the affirmative resolution procedure has been chosen to give the Senedd a greater role in scrutinising subordinate legislation. Those instruments subject to the negative resolution procedure will be laid before the Senedd who will have the opportunity to object in the usual way.</p> <p>A full summary of the Welsh Ministers' regulation making powers will be provided as part of the Welsh Government's response to the Committee's report on the Supplementary LCM laid on 11 June.</p>
<p>Recommendation 3</p> <p>The Minister should continue to provide the Committee with regular updates on the areas of disagreement and concern between the Welsh and UK Governments during the Bill's progress through the UK Parliament.</p>	<p>Accept</p> <p>My officials have had productive discussions with the UK Government on the areas of concern highlighted in the LCM for this Bill. I will continue to provide the Committee with an update of further progress in due course.</p>