

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 004 - The UK Statistics (Amendment etc.) (EU Exit) Regulations 2021

*Laid in the UK Parliament: 23 November 2021*

#### Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Made negative
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	N/A
Date sifting period ends in UK Parliament	N/A
SICM under SO 30A (because amends primary legislation)	Not required

#### Scrutiny procedure

Outcome of sifting	N/A
Procedure	Made negative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	Not known

#### Background

These Regulations are proposed to be made by the UK Government pursuant to section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (“the 2018 Act”) and section 41(1) of the European Union (Withdrawal Agreement) Act 2020.

#### Summary

The purpose of the amendments is to correct deficiencies in legislation relating to statistics, arising from the UK leaving the European Union.

These Regulations will revoke retained EU statistics law. EU Member States are subject to a large EU statute book relating to the production of EU statistics. Most EU statistics law requires the collection of data, production of statistics and transmission of such data to the EU for the purpose of producing EU statistics. EU statistics law sets timescales for surveys, reference periods, quality criteria, classifications and standards that must be used for EU statistics. As EU statistics law only concerns EU

statistics, it does not confer any powers for the production of UK statistics. The UK statistical system is run under a separate existing legal framework.

As the UK does not need EU statistics law to continue to produce statistical data, the EU statistics law is considered to be deficient, redundant and surplus to the UK legal framework. Data will continue to be collected, regulated and disseminated under the UK's domestic statistics framework.

The regulations will also amend the Public Contract Regulations 2015, the Concession Contracts Regulations 2016, the Utilities Contracts Regulations 2016, the Electricity Supplier Obligations (Amendment and Excluded Electricity) Regulations 2015 and the Data Protection Act 2018 so that their references to certain European standards have effect within the retained EU law as of Implementation Period (IP) completion day.

### **Statement by Welsh Government**

Legal Advisers agree with the statement laid by the Welsh Government dated 24 November 2021 regarding the effect of these Regulations.

The Welsh Government's statement confirms that these Regulations do not impact upon the legislative powers of the Senedd or executive powers of the Welsh Ministers.

### **Intergovernmental Agreement on the European Union (Withdrawal) Bill**

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.