



Huw Irranca-Davies MS
Chair, Legislation, Justice and Constitution Committee
SeneddLJC@senedd.wales

18 January 2022

Dear Chair,

I am writing in response to your letter of 5 November, in relation to the Trade and Cooperation Agreement. I have set out responses to each of your questions below.

Has the Welsh Government had any response to its request to be provided with a more enhanced role than that of observer status in the Partnership Council established under the TCA?

The Committee will be aware of the Minister for Economy's letter to Lord Frost in June 2021, which was clear that Welsh Ministers should be able to contribute on issues that fall within devolved competence as active participants at meetings of the Partnership Council, and this remains our position. There has been no response at this point from UKG but we intend to raise this with the Foreign Secretary given her new responsibilities for the UK-EU relationship.

What is the role of Welsh Government officials in the Working Groups and Committees established under the TCA and, in particular:

- *could you confirm if Welsh Government officials are being routinely invited to participate in all Working Group and Committee meetings or only specific meetings?*
- *could you set out how the Welsh Government intends to keep the Senedd informed of its involvement in these meetings, the issues discussed within them and any agreements reached?*

We are not routinely invited to participate in all Committees, but in respect of those Committees and Working Groups in which we have a devolved interest, engagement at official level between Welsh Government officials and UK Government has been generally good. Officials have been engaged in the preparations for a number of the Specialised Committees and Trade Specialised Committees, and have then attended these Committees as observers. This includes the Specialised Committees on Energy; on Fisheries; on Sanitary and Phytosanitary (SPS) Measures; on Law Enforcement and Judicial Cooperation; and on Union Programmes; and the Trade Specialised Committees on Goods;

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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 Trade in Services, Investment and Digital; on Level Playing Field for Open and Fair Competition and Sustainable Development; and on Technical Barriers to Trade.

Due to Devolved Governments being in scope of the Good Regulatory Practice Chapter of the TCA, Welsh Government officials have a more active role as part of the UK delegation for the Specialised Committee on Regulatory Cooperation. This includes involvement in the preparation of materials for the Committee and agreeing sign off of agendas, minutes and associated materials.

Official, working level pre-meetings have been established for the discussion of potential agenda items, and UK positions on matters which will be discussed between the UK and the EU at the Committees themselves. These pre-meetings are internal to government. The UK Government has committed to consult the Devolved Governments on UK positions, but if the UK position cannot be agreed, UK Government reserves the right to decide what approach UK will take. Minutes of the Committee meetings are published on the European Commission's website, at [Meetings of the EU-UK Partnership Council and Specialised Committees under the Trade and Cooperation Agreement | European Commission \(europa.eu\)](#) (they are also published on gov.uk, but not in one place). We will continue to publish Written Ministerial Statements following meetings of the Partnership Council, and in line with the inter-institutional relations agreement we will also update the Senedd on meetings of the new Inter-Ministerial Group on the UK / EU relationship, which we expect to be established following the recent announcement on the outcome of the Intergovernmental Relations Review.

Has the Welsh Government made any representations to the UK Government on the role of Welsh representatives in the Civil Society Forum and Domestic Advisory Group established under the TCA?

Officials from the UK Government and the Devolved Governments have regular meetings at which matters relating to the governance of the TCA are discussed. UK Government officials have engaged positively, and devolved officials have on a number of occasions stressed the importance of ensuring that the membership of these groups is representative of all parts of the UK as well as of business and civil society.

Has the Welsh Government taken any actions to draw the attention of Welsh organisations, businesses and representatives to the Expression of Interest in membership of the Civil Society Forum and the Domestic Advisory Group?

When the Expression of Interest was issued, Welsh Government groups whose responsibilities relate to implementation of the TCA were asked to disseminate the Expression of Interest to their stakeholders.

I hope the Committee finds this information useful.

Yours sincerely,

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

MARK DRAKEFORD