

Julie James MS
Minister for Climate Change

2 November 2022

Dear Julie

Legislative Consent: Energy Prices Bill

At our meeting on 24 October 2022, we considered the Legislative Consent Memorandum for the Energy Prices Bill, and the letter sent by the Minister for Rural Affairs and North Wales and Trefnydd to the Llywydd.

During the plenary debate on the legislative consent motion for the Bill you said, when questioned, that the Welsh Government had no sight of the Bill prior to it being published.

In her letter to the Llywydd, the Minister for Rural Affairs and North Wales and Trefnydd stated that the Welsh Government did not have sight of the Bill until the evening before it was introduced to the House of Commons.

We note that, in her letter to the Llywydd, the Minister states that "The regrettably limited opportunity for scrutiny in the Senedd arising from the UK Government's timetable and the lack of advance sharing of the Bill, will be pursued further with the UK Government."

We would be grateful if you would confirm:

- the exact nature of any intergovernmental working which took place ahead of the Bill's introduction to the UK Parliament, including when the Bill was shared with Welsh Government ministers and officials;
- what representations have been made to the UK Government as regards the lack of opportunity for scrutiny of the Bill by the Senedd during the legislative consent process and the lack of advance sharing of the Bill.

During the plenary debate on the legislative consent motion you also said:

"Regarding the devolution of constitutional issues, the Bill intrudes upon devolved matters by conferring functions on the Secretary of State in devolved areas. As such, this approach is inconsistent with our principles for consenting to UK Government Bills. I have therefore called on the UK Government to consult on any measures that impact on devolved areas. While I acknowledge that taking action forward on energy prices is a matter of urgency, implementation must be done through effective consultation to ensure that the responsibilities of this Senedd are respected."

We would be grateful if you would confirm:

- the specific details of what has been requested of the UK Government as regards a consultation mechanism before measures are taken which impact on devolved areas;
- whether the Bill has been amended to include provision for such a consultation process.

I am copying this letter to the First Minister of Wales, and to the Minister for Rural Affairs and North Wales and Trefnydd.

I would be grateful to receive your response by 16 November 2022.

Yours sincerely,

Huw Irranca-Davies

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Chair