

Mick Antoniw MS
Counsel General and Minister for Constitution

8 March 2023

Dear Mick

The Welsh Government's Legislative Consent Memoranda on the Retained EU Law (Revocation and Reform) Bill

At our meeting this week we noted your letter to the Llywydd dated 3 March 2023 in which you advised that you will be laying before the Senedd a further "single" supplementary legislative consent memorandum for the Retained EU Law (Revocation and Reform) Bill (the Bill) which will "[deal] with all the relevant amendments tabled for Committee Stage" in the House of Lords.

You have been clear to the Senedd that you do not consider there has been good intergovernmental working, or satisfactory sharing of important information, between the UK Government and the devolved governments as regards this Bill. You note in your recent letter, for example, that the UK Government did not share with you the full details of the tabled amendments.

We said in our recent report on the existing legislative consent memoranda for the Bill that the result of the poor intergovernmental relations causes significant problems for us and the Senedd as a whole as we try to fully understand the implications of the Bill in Wales.

We acknowledge there may be some issues with a lack of proactive communication from the UK Government. However, we understand that UK Government amendments were tabled in the House of Lords on 16 February. As Bills that are subject to legislative consent memoranda near the end of the scrutiny process in the UK Parliament we believe the Welsh Government must do more to ensure the Senedd is given critical information in a more timely manner. The Welsh Government could, for example, have written to us more than two weeks ago to draw our attention to the specific amendments in parallel with Welsh Government officials examining the details of those amendments and preparing any necessary supplementary legislative consent memorandum.



Given that your recent letter was issued on 3 March and you acknowledge that you intend to hold a debate on a relevant consent motion on 14 March, we respectfully suggest this does raise a question over your statement that the approach adopted as regards a further supplementary legislative consent memorandum "will enable effective Senedd scrutiny".

As requested, I look forward to receiving your response to our report on the current memoranda for the Bill by 9 March 2023 at the latest.

I am copying this letter to the Llywydd.

Yours sincerely,

Huw Irranca-Davies

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Chair

