

Y Gwir Anrh/Rt Hon Mark Drakeford AS/MS
Prif Weinidog Cymru/First Minister of Wales



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS
Chair
Legislation, Justice and Constitution Committee
Senedd Cymru

SeneddLJC@senedd.wales

07 August 2023

Dear Huw,

I am writing in response to your letter of 12 July about the UK-Switzerland Agreement on Recognition of Professional Qualifications.

Only the UK Government has the power to enter into international agreements which bind the whole of the UK, as this function is reserved under paragraph 10(1) of schedule 7A of the Government of Wales Act 2006 (GOWA). However, the Senedd has the power to pass laws relating to the observation and implementation of international obligations, as paragraph 10(3) of schedule 7A of GOWA excludes these functions from the reservation in paragraph 10(1).

This means the Welsh Government and the Senedd both have legitimate and crucial interests in the negotiation and terms of any international agreements that require implementation in devolved areas.

The Welsh Ministers remain consistently opposed to the inclusion of concurrent powers such as those in the Professional Qualifications Act 2022. The UK Government's approach in taking these powers is wholly inappropriate and disrespectful to the principle of devolution.

The Senedd did not give its consent to the Professional Qualifications Act, however the relevant executive functions now sit with Welsh Ministers. The Welsh Ministers therefore have the powers to make legislation under the Act to implement both it and the UK-

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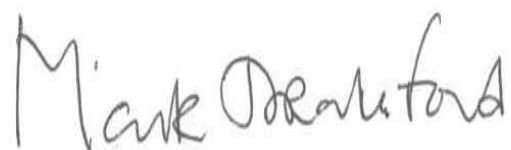
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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.

Switzerland Agreement on Recognition of Professional Qualifications in relation to Wales,
and will exercise those functions responsibly.

Yours sincerely,

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

MARK DRAKEFORD