



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE Retained EU Law (REUL) Parliamentary Report June to December 2023

DATE 12 February 2024

BY Mick Antoniw MS, Counsel General for Wales and Minister for the Constitution

I am writing to draw the Senedd's attention to the UK Government's first statutory report to the UK Parliament under the Retained EU Law (Revocation and Reform) Act 2023, published on 22 January 2024: [Retained EU Law Parliamentary Report June 2023 – December 2023](#).

The report summarises changes the UK Government has made using REUL Act powers between June and December 2023. The UK Government states it is on track to reform or revoke more than half of the stock of retained EU law by June 2026. It uses the retained EU law dashboard to provide the public with information about how much legislation is derived from the EU, and the progress the government is making. The dashboard now notes it only covers UK legislation which is reserved, and which has mixed competence or falls under devolved competence; it does not include any legislation made by the devolved institutions.

The report notes the dashboard currently holds a total of 6,757 instruments of retained EU law spanning approximately 400 policy areas. Since the previous update to the dashboard on 22 January 2024, more than 1,000 retained EU law instruments have either been revoked or reformed, meaning that more than 2,000 instruments have already been revoked or reformed in total.

The UK Government intends to continue using REUL Act powers in 2024 and is proposing to reform up to 197 pieces of assimilated law in 2024-25 and 785 in 2025-26.

The report notes that forthcoming reforms of assimilated law will deliver the UK Government's smarter regulation objectives for regulation to only be used where necessary, be implemented well, used proportionately, and to be future proof. The UK Government has indicated REUL Act powers of revoke and reform will be used to advance this programme.

The Senedd withheld consent to the REUL Bill and we are not convinced of the necessity, desirability and wisdom of embarking on significant change to the body of what is now

assimilated law at this time and more generally. We believe regulatory change must be thought through in a measured and objective way.

We will make use of REUL Act powers in a proportionate and judicious manner where there are benefits to Wales of doing so. We will not rush to change the law simply because we can. We will work with the UK Government when doing so is good for Wales.

We regret that the UK Government declined to include a statutory requirement in the REUL Act for Welsh Ministers' consent before UK Ministers make regulations in devolved areas under powers in the REUL Act.

Notwithstanding this, we welcome non-statutory commitments UK Ministers have made to seek agreement from Welsh Ministers to use of REUL Act powers where they have an impact in devolved areas. We hope commitments to not take further powers or override devolved competences are respected throughout the time the powers in the Act are available to the UK Government.

We welcome the report acknowledging it is for the devolved legislatures to decide whether, how and to what extent, domestic law and policy should diverge from that of the EU. This principle is equally applicable to the whole range of changes which REUL Act powers can be used to achieve.

We will continue to focus on issues that improve the lives of people in Wales. We will continue to use the levers at our disposal to ensure that environmental, social and economic rights and standards are safeguarded. It is essential that regulations applying in Wales, which are made by the UK Government, respect the priorities of the people of Wales, and are made in devolved areas only where the consent of the Welsh Ministers has been obtained.

This statement is being issued during recess in order to keep members informed. Should members wish me to make a further statement or to answer questions on this when the Senedd returns I would be happy to do so.