

## Brexit update

Pwyllgor Materion Allanol a Deddfwriaeth Ycwhanegol | 12 Rhagfyr 2016  
External Affairs and Additional Legislation Committee | 12 December 2016

### Research Briefing:

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#### 1. Introduction

This paper provides an update on the most recent developments on Brexit of relevance to Wales. It includes sections on the work in the Assembly and Welsh Government; EU-level; UK-level; and Scotland and Ireland. The period covered is 23 November to 6 December, although reference is made to later events where information is available at time of final drafting.

#### 2. Developments in Wales

##### National Assembly for Wales

##### External Affairs and Additional Legislation Committee

*The External Affairs and Additional Legislation (EAAL) Committee is the lead Committee in the Assembly for co-ordinating the Brexit-related activities of Committees. The Committee is undertaking an inquiry into the Potential Implications of Leaving the EU in Wales.*

The most recent sessions of the EAAL Committee inquiry are as follows:

- 28 November: The committee held a stakeholder session in Wrexham focusing on business interests in the Brexit debate.
- 5 December: The committee hosted the EC-UK Forum in the Senedd. Each committee chair gave updates on their Brexit-related work, and sessions were held on intra-UK relations and the future work of the EC-UK Forum (more on this below).

Regular updates on the work of the EAAL Committee are posted on the Assembly Blog: <https://assemblyblog.wales/tag/european-union/>.

##### Other

A number of the other Assembly Committees are discussing possible inquiries into Brexit and as these firm up we will include details in this *Brexit Update*.

##### Plenary debates

- On 29 November the Counsel General answered an Urgent Question: [The European Economic Area Agreement](#).

## Welsh Government

6–7 December: the First Minister Carwyn Jones AM visited Brussels for a series of meetings related to Brexit including a meeting with the European Commission to [discuss the South Wales Metro Project](#). He also met Karmenu Vella, Commissioner for the Environment, Maritime Affairs and Fisheries, and Gianni Pittella MEP, President of the Socialists and Democrats Group in the European Parliament.

2 December: [£1bn of EU structural funds invested in Wales](#).

24 November: [EU funding boost to roll out skills project across Wales](#).

## 3. EU level developments

### European Council

29 November: Letter in reply to some UK parliamentarians on [the status of EU citizens in the UK and UK citizens living and working in Europe](#).

### European Commission

6 December: In his first press briefing, Michel Barnier, the European Commission's Brexit negotiator, said that allowing time for setting up negotiating positions and both sides agreeing the deal, [the UK will have 18 months to negotiate the Brexit deal](#), suggesting October 2018 as an end date for the negotiations prior to ratification. (Politico)

### European News

25 November: [EU leaders are not "bluffing"](#) when they say the UK will be left without access to the single market when it leaves the bloc if there is no free movement of people – Malta's Prime Minister of Malta Joseph Muscat, whose country assumes the EU's presidency in January. (BBC interview).

## 4. UK level developments

### Article 50 case ... and Article 127

Details of the Supreme Court proceedings (5–8 December) are available here: <https://www.supremecourt.uk/cases/uksc-2016-0196.html>.

25 November: [The Counsel General for Wales filed his written papers to the Supreme Court](#), and published them.

28 November: [The argument of the Lord Advocate of Scotland](#) has been published.

30 November: The [Northern Ireland applicants' paper is published](#), it raises the possibility of a reference to the Court of Justice of the European Union on the question of the revocability of a notification under Article 50.

1 December: The UK Government published a paper to the Supreme Court in [response to interventions based on devolution legislation](#).

4 December: "If Brexit is about ["taking back control"](#) then trying to override the British constitution is a bad start" – Counsel General for Wales

5 December: British Influence is planning a legal challenge to force the government to secure parliamentary approval before taking the UK out of the European Single Market, the argument being that [Article 127 of the EEA agreement](#) would need to be triggered for that.

## UK Government

28 November: [Prime Minister Theresa May met the Polish Prime Minister Beata Szydło](#) to discuss issues including Brexit, trade and bilateral relations.

29 November: [Prime Minister Theresa May spoke with President-elect Donald Trump](#) about building close UK-US relationships and about the role of NATO.

22 November: [Prime Minister Theresa May met the Belgian Prime Minister Charles Michel](#) to discuss issues including Brexit and counter-terrorism.

## EC-UK Forum

On 5 December the External Affairs and Additional Legislation Committee Chair David Rees hosted a meeting of the EC-UK Forum in the Assembly. The EC-UK Forum is an informal meeting, held under Chatham House rules, of the Chairs of European (or equivalent) Committees in the House of Commons (European Scrutiny Committee; and the newly established Exiting the EU Committee), House of Lords (EU Select Committee), Scottish Parliament (Culture, Tourism, European and External Affairs Committee), and the Northern Ireland Assembly (Committee for the Executive Office). It is held twice annually on a rotating basis.

This was the first EC-UK Forum meeting since the recent elections and since the EU Referendum vote, and focussed primarily on scrutiny of the Brexit process.

## JMC (EN)

The Joint Ministerial Committee (EU negotiations) met in London on 7 December.

## House of Commons

On 23 November the House debated [Exiting the EU and Transport](#), and on 25 November [Leaving the EU: Aviation Sector](#).

In [Wales Oral Questions](#) on 30 November the Secretary of State for Wales and the Lord Commissioner of Her Majesty's Treasury answered questions on the implications of leaving the EU on Wales.

On 1 December the Secretary of State for Exiting the European Union; the Minister of State, Department for Exiting the European Union (David Jones MP); the Parliamentary Under-Secretary of State for Exiting the European Union answered [oral questions on Exiting the European Union](#).

Also on 1 December Brexit was discussed during a [debate on the UK Fishing Industry](#).

On 15 November there was an adjournment debate on [Leaving the EU: NHS Funding](#).

On 7 December there was a debate on the [Government's Plan for Brexit](#)., which approved the Government publishing their plans before triggering Article 50 by the end of March.

On 8 December the Public Administration and Constitutional Affairs Committee published its [report on Inter-institutional relations in the UK](#), saying that UK Intergovernmental relations must improve as negotiations to leave EU begin.

On 23 November the Committee on Exiting the European Union heard from 'think tanks' on the [UK's negotiating objectives for withdrawal from the EU](#).

The Foreign Affairs Committee is calling for written evidence on the implications for the UK if the two-year negotiating period mandated by [Article 50 ends with no withdrawal agreement in place](#).

On 30 November the Exiting the European Union Committee took evidence on the [UK's negotiating objectives for withdrawal from the EU](#). On 7 December [evidence was taken from the business perspective](#).

## House of Lords

*The House of Lords European Union Committee and its six Sub-Committees is undertaking a "co-ordinated series of inquiries into the key issues that will arise in the forthcoming negotiations on Brexit".*

On 28 November there was a question on [undertakings to different sectors of industry](#) regarding trade with the European Union.

On 30 November there was a question on [Immigration Policy after Brexit](#).

On 1 December there was a debate on the [post-Brexit UK-EU Relationship](#).

The EU Energy and Environment Sub-Committee took evidence on the [future of environment and climate change policy](#) on 23 November. On 30 November the committee published [written evidence from Lesley Griffiths AM](#), Cabinet Secretary for Environment and Rural Affairs in the Welsh Government.

On 30 November the EU Home Affairs Sub-Committee takes evidence from academics on the potential options for [UK-EU movement of people post Brexit](#). Evidence was taken from [Unions and think tanks](#) on 7 December.

The EU External Affairs Sub-Committee and the EU Internal Market Sub-Committee are investigating trade between the UK and the EU in goods and services. On 25 November written evidence from the [Department for Exiting the European Union and Department for International Trade](#) was published, as was evidence from [Dr Pinar Artiran](#).

On 6 December the EU Justice Sub-Committee takes evidence from key academics, practitioners and former senior judges at the start of their new inquiry: [Brexit: civil justice cooperation and the CJEU](#). The next [evidence session is on 13 December with lawyers](#).

## News

29 November: SMMT President urges government to [“make the right decisions” and stay in single market](#) as UK motor industry faces £4.5 billion car tariff threat. (Society of Motor Manufacturers and Traders)

## 5. Scotland

### Scottish Parliament

29 November: There was a debate on [Culture, Creative Industries and Tourism](#) (European Union Referendum)

### Scottish Government

25 November: [First Ministers of Scotland and Wales discuss Brexit](#).

## 6. Northern Ireland

### Northern Ireland Assembly

On 29 November the First Minister made a statement, followed by debate, on the [25 November British-Irish Council](#).

## 7. UK Ireland relations

29 November: The First Minister of Scotland, [Nicola Sturgeon, addressed Seanad Éireann](#).

## 8. Other reports published

### *House of Commons*

- [Brexit: some legal, constitutional and financial unknowns](#)
- [Legislating for Brexit: the Great Repeal Bill](#)

### *House of Lords*

- [Leaving the European Union: Future UK-EU Relationship](#)

### *Other*

- [How the UK economy's key sectors link to the EU's Single Market](#) (Centre for Economics and Business Research)