

Brexit update

Pwyllgor Materion Allanol a Deddfwriaeth Ycwhanegol | 16 Ionawr 2017
External Affairs and Additional Legislation Committee | 16 January 2017

Research Briefing:

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 6 December to 11 January, 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 session of the EAAL Committee inquiry were:

- 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).
- 12 December: Private meeting on *Leaving the European Union: implications for Wales*, and the forward work programme.

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

- 11 January: [Higher Education and Brexit](#).
- 11 January: [The EU's Single Market and Brexit](#).

Committee Business

- 14 December: [What will human rights in Wales look like after Brexit?](#) – Equality, Local Government and Communities Committee consultation begins.

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.

7 December: [“Far more than just a transport scheme”](#) – First Minister makes the case for South Wales Metro on Brussels visit

14 December: [Cabinet Secretary welcomes a “strong and fair” deal for Wales’ fishing industry](#)

4–6 January: [First Minister Carwyn Jones went on a fact-finding trip to Norway](#) to better understand the country’s relationship with the European Union.

News

[Andrew RT Davies AM on the CAP and Brexit](#) (Farmers Guardian, 6 January)

3. EU level developments

European Council

13 December: [Council approves the EU's legislative priorities for 2017](#).

15 December: [The European Council adopted conclusions](#) on migration, security, economic and social development, youth, Cyprus, and external relations (Ukraine and Syria). The EU27 (EU minus the UK) issued a statement about the [process after Article is triggered](#) by the UK.

European Commission

8 December: The Commission has [opened infringements against the UK and other countries](#) following the VW emissions case.

European Parliament

14 December: [Grave consequences if Parliament is all but excluded from EU Brexit talks](#)

European News

21 December: Advocate General Sharpston of the Court of Justice of the European Union has issued an [opinion that the proposed EU–Singapore Free Trade Agreement is ‘mixed’](#), ie it can only be concluded by the EU and the Member States acting jointly. Most member states, including the UK, wrote to say that parts of the EUSFTA fall within the shared competence of the EU and the Member States, and even the exclusive competence of the Member States. There has been [speculation that a post–Brexit EU–UK trade deal](#) will be regarded similarly.

4. UK level developments

UK Government

4 January: [Sir Tim Barrow was appointed as UK Permanent Representative to the EU](#).

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)

7 December meeting in London: Market access, law enforcement, security and criminal justice, civil judicial cooperation, immigration and trade [discussed at second meeting of JMC \(EN\)](#). Scottish Government: [Concerns remain over lack of clear Article 50 plan](#).

On 13 December the Exiting the European Union Committee published a letter from the departmental permanent secretary with [details of topics discussed and terms of reference of the JMC\(EN\)](#).

House of Commons

On 7 December there was a debate on the [Government's Plan for Brexit](#), which approved the Government publishing its 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 19 December the [Prime Minister gave a statement about the European Council](#) of 15 December, and answered questions. There was also a debate on [Exiting the EU: Science and Research](#), opened by the Minister for Universities, Science, Research and Innovation (Jo Johnson), and concluded by the Parliamentary Under-Secretary of State for Exiting the European Union (Robin Walker).

7 December: The European Scrutiny Committee looked at [CETA, Taxation, and the Digital Single Market](#).

8 December, Sunderland: The Exiting the European Union Committee took evidence on [what Brexit might mean for Sunderland](#), and the priorities of the North East of England.

On 12 December the Welsh Affairs Committee heard from Secretary of State for Wales, Rt Hon Alun Cairns MP and Parliamentary Under-Secretary of State, Guto Bebb MP, including the [effect of Brexit on Wales, and the representation of Wales during Brexit negotiations](#).

14 December: The Exiting the European Union Committee questioned the [Secretary of State, David Davis MP](#), on the UK's negotiating objectives for withdrawal from the EU. On 13 December the Exiting the European Union Committee published a letter from the departmental permanent secretary with [details of topics discussed and terms of reference of the JMC\(EN\)](#).

14 December: The European Scrutiny Committee considered [Steel and Control of firearms](#).

On 20 December the [Prime Minister gave evidence to the Liaison Committee on exiting the European Union](#), and health and social care spending.

21 December: The Environmental Audit Committee asks for written evidence for a new inquiry on the [Future of Chemicals Regulation after the EU Referendum](#). It will focus on the future of the European Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

The European Scrutiny Committee wrote to Sir Ivan Rogers, both [before](#) and [after](#) his resignation as Permanent Representative of the UK to the EU, to ask him to discuss the work of the UK Permanent Representation. On 18 January the committee will hear from David Lidington MP, Leader of the House of Commons, about [European Scrutiny and the Government](#).

11 January: The Education Committee held a public hearing at Pembroke College, University of Oxford for the first evidence session of its inquiry on the [impact of exiting the European Union on higher education](#).

19 December, Aberdeen: The Exiting the European Union Committee took evidence on the [opportunities and risks for Scotland post Brexit](#). : Opportunities and risks for Scotland after EU exit examined,

4 January: The Environmental Audit Committee published [The Future of the Natural Environment after the EU Referendum](#), including the evidence. The committee chair said: "Protections for Britain's wildlife and special places currently guaranteed under European law could end up as 'zombie legislation' even with the Great Repeal Bill. The Government should safeguard protections for Britain's wildlife and special places in a new Environmental Protection Act. UK farming faces significant risks – from a loss of subsidies and tariffs on farm exports to increased competition from countries with weaker food, animal welfare and environmental standards. The Government must not trade away these key protections as we leave the EU. It should also give clarity over any future farm subsidies."

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 8 December there was a debate on the [effect of Brexit on the Armed Forces and the Diplomatic Service](#).

On 12 December there was a question on [European Union: Environmental Policy](#), and another on [Brexit: Consumer Rights Policy](#).

On 13 December there were questions on [Brexit: Constitutional Reform and Governance Act 2010](#), and also on [Brexit: European Union Citizenship](#).

On 14 December there was a question on [Immigration: International Students](#), and on 15 December a question on [Brexit: Higher Education](#).

19 December: a question on [Brexit: World Trade Organization Rules](#); a question on [Brexit: Invocation of Article 50](#); and the [government’s European Council statement](#) was repeated, followed by questions.

On 21 December the EU Home Affairs Sub-Committee took evidence from the Office for National Statistics on migration between the UK and EU.

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](#). An [evidence session with lawyers](#) was on 13 December. On 14 December the committee published its report [Brexit: acquired rights](#).

9 December: The EU Home Affairs Sub-Committee took evidence from business and public sector interest groups on the impact of [possible options for UK-EU movement of people](#) after the UK leaves the EU.

12 December: The House of Lords European Union Committee published its report [Brexit: UK-Irish relations](#) calling on all parties to give "official recognition to the special, unique nature of UK-Irish relations". The [evidence](#) was published. On 20 December the committee heard evidence for the [Brexit: Crown Dependencies](#) inquiry from the three Chief Ministers of Jersey, Guernsey, and the Isle of Man.

13 December: The EU Internal Market and External Affairs Sub-Committees published their [report on frameworks for UK-EU trade after Brexit](#). The report evaluates four main models for future UK-EU trade. It concludes there is always an inherent trade-off between liberalising trade and the exercise of sovereignty. The [evidence was also published](#).

13 December: The EU Financial Affairs Sub-Committee is investigating the [implications of Brexit for the UK's contributions to and receipts from the EU budget](#).

13 December: The European Union Committee took [evidence for its inquiry Brexit: Gibraltar](#).

14 December: The EU Financial Affairs Sub-Committee begin its short inquiry into [Brexit: EU budget](#). On 11 January [lawyers were questioned on the EU budget post-Brexit](#).

14 December: The Justice Sub-Committee published its inquiry [Brexit: acquired rights](#).

15 December: The EU Financial Affairs Sub-Committee published its report on [Brexit: financial services](#), and the [evidence](#), saying that a transitional period for financial services is vital following Brexit.

16 December: Access to EU tools and agencies such as the European Arrest Warrant, Europol, Eurojust, the Schengen Information System (SIS II) and the European Criminal Records Information System or to credible replacements is vital to the ability of UK law enforcement agencies to fight crime and keep the public safe – EU Home Affairs Sub-Committee in its report [Brexit: future UK-EU security and police cooperation](#). The [evidence](#) was also published.

17 December: The EU Energy and Environment Sub-Committee published its [report on managing shared fish stocks](#) following Brexit. The [evidence volume](#) was also published.

The EU Energy and Environment Sub-Committee has published the oral and written [evidence for the inquiry Brexit: Environment and Climate Change](#)

10 January: The European Union Committee took evidence from David Jones MP, Department for Exiting the European Union, and from Alok Sharma MP, Foreign and Commonwealth Office, on the [outcome of the December European Council meeting](#).

5. Scotland

Scottish Parliament

13 December: There was a debate on [international migrants in Scotland](#).

20 December: The First Minister opened a debate with a statement on [Scotland's Place in Europe](#).

10 January: Government debate – [Scotland's Place in the European Union – Protecting and Promoting Human Rights and Fundamental Freedoms](#)

8 December: The Culture, Tourism, Europe and External Relations Committee held a [round-table session on EU migration](#), part of their inquiry into the implications of the result of the European Union referendum for Scotland.

15 December: The committee had a [discussion on the rights of EU nationals](#).

Scottish Government

7 December: Scottish Government statement after JMC (EN) – [Concerns remain over lack of clear Article 50 plan](#).

20 December: The government published [Scotland's Place in Europe](#). The overriding concern is to protect Scotland's national interests. Also: Ensure Scotland's voice is heard and acted upon; Maintain Scotland's current position in the European Single Market; Determined to avoid a "hard Brexit".

26 December: [Single Market membership](#)

27 December: [EU funding vital to college sector](#)

9 January: [Brexit threatens creative industries](#)

6. Northern Ireland

Northern Ireland Executive

6 December: [Ministers address Oireachtas Committee on EU Referendum impacts](#)

14 December: [McIlveen welcomes outcome of EU Fisheries Council](#)

4 January: [Agri-food can look forward with optimism](#)

7. UK Ireland relations

The (Irish) EU Commissioner for Agriculture Phil Hogan urges [Ireland to keep distance from UK on Brexit](#) (Irish Times, 9 January)

8. Other reports published

- [Brexit: How rebel MPs outfoxed Cameron to get an EU referendum](#) (BBC)

- [The Macro-Economic Impact of Brexit: Using the CBR Macro-Economic Model of the UK Economy \(UKMOD\)](#) (Centre for Business Research (University of Cambridge))