



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**        **EU (Withdrawal) Bill**

**DATE**        **16 January 2018**

**BY**            **Carwyn Jones, First Minister**

I am making this written statement as the House of Commons begins the Report stage of the EU (Withdrawal) Bill.

The Bill as it currently stands represents a fundamental assault on devolution. It would replace current constraints on the National Assembly's legislative competence, which will fall away as a consequence of the UK leaving the European Union, with a new set of constraints in devolved competences that would be controlled by the UK Government.

We have consistently said there is no prospect of the Welsh Government recommending consent to the EU Withdrawal Bill as it is currently drafted.

The Welsh Government agrees with the overall aim of the EU Withdrawal Bill which is to transfer EU law into domestic legislation from the date of our departure from the EU. We have sought to work constructively with the UK Government to amend the EU Withdrawal Bill to ensure that it will be a success.

It is a matter of considerable regret that the Government has not, despite the undertaking of the Secretary of State for Scotland, introduced any amendment to Clause 11 which, as it stands, is wholly unacceptable to us.

We published a series of amendments jointly with the Scottish Government, which, had they been accepted by the UK Government during the Bill's amending stages in the House of Commons, would have allowed us to recommend the National Assembly consents to the Bill.

We continue to discuss with the UK Government the ways in which the Bill might be amended as it continues its passage through the Houses of Parliament – particularly in respect of clause 11 – to make sure that it is both fit for purpose as the UK prepares to leave the European Union and respects devolution in Wales, Scotland and Northern Ireland.

This strategy, together with the legislative consent motion, which the National Assembly will vote on later this year, remains our preferred course of action for making the EU Withdrawal Bill fit for purpose and protecting Wales' devolution settlement.

However, over the course of the last eight months, the Welsh Government has been developing a Continuity Bill, which can be deployed if it becomes clear that it will not be possible to amend the EU Withdrawal Bill to ensure it properly reflects the devolution settlement.

Should discussions we are having with the UK Government not result in the necessary amendments to the EU Withdrawal Bill coming forward, it is my intention to submit our Continuity Bill to the Presiding Officer, before the end of this month, for her determination.