

Julie James AM  
Leader of the House and Chief Whip

25 May 2018

Dear Julie

**Scrutiny of regulations made under the European Union (Withdrawal) Bill – operational matters**

You will be aware that the Constitutional and Legislative Affairs Committee has, for many months, played an active role in considering constitutional matters related to the United Kingdom's withdrawal from the EU and in scrutinising the European Union (Withdrawal) Bill ("the Bill").

In February, we published our report on the *Scrutiny of regulations made under the European Union (Withdrawal) Bill*. In that report, while making a number of recommendations regarding the sifting process that will apply to regulations made under the Bill, we also committed to returning to more operational matters that relate to the scrutiny of those regulations. On this point I extend my thanks to you for accepting our invitation to attend our meeting on 11 June so that we may further explore these operational matters.

We have kept a watching brief on developments in the House of Lords with regards to the Bill and are aware that a number of amendments were passed at Report Stage which have implications for the scrutiny arrangements at the National Assembly. The Intergovernmental Agreement on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks, reached between the Welsh Government and UK Government on 24 April, also includes matters which warrant our consideration. In our report on the *Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No.2) on the European Union (Withdrawal) Bill*, we reiterated our commitment to give further detailed consideration to the most recent amendments to the



Bill and any corresponding operational implications for the scrutiny of regulations made under the Bill.

Following our discussions at our meeting on 21 May and ahead of your attendance at our meeting next month, I would like to draw your attention to the following issues which, at this present time, we believe will require consideration on 11 June:

- the current estimate of number and complexity of instruments required to correct deficiencies in EU-derived law;
- the need for a forward look / management plan;
- the sifting process for regulations made under clauses 9, 11, Schedule 2 and 4;
- the scrutiny of composite instruments;
- notification processes when UK Ministers make regulations under clause 22;
- consent process when UK Ministers make regulations under clause 15 (Retaining EU restrictions in devolution legislation etc.) and Schedule 3.

I hope this information is helpful and look forward to your appearance before the committee on 11 June.

I am copying this letter to the Llywydd, in her capacity as chair of the Business Committee.

Yours sincerely,



**Mick Antoniw**

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

