



Mick Antoniw
Committee Chair
Constitutional and Legislative Affairs Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

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October 2018

Dear Mick

Agriculture Bill

Thank you for your letter of 24 September. I welcome the opportunity to explain the provisions further.

As you note, the nature of the Wales schedule is to confer a series of delegated powers on Welsh Ministers. The powers are broadly similar to those taken by the UK Government in relation to England. The breadth of the provisions reflects the uncertainty of Brexit and the fact Welsh policy remains subject to consultation. I believe it is prudent to take these powers but am clear no policy decisions have been made.

As you note, my intention remains to bring forward an Agriculture (Wales) Bill to the Assembly once the Welsh Government has completed the necessary consultations and impact assessments. "Brexit and our Land" marks the first, high-level consultation and I expect further documents to follow. The next consultation will be a White Paper in Spring 2019.

In relation to delegated authority, the general approach taken in the Bill is to use the affirmative procedure for regulation-making powers to establish new frameworks (for example, financial assistance and information gathering frameworks) and the negative procedure for technical matters relating primarily to the administration of payments under existing legislation. I expect this distinction to be debated in the UK Parliament during the Bill's passage, particularly by the Delegated Powers and Regulatory Reform Committee.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am committed to ensuring the Assembly has appropriate opportunities to scrutinise these provisions through the Legislative Consent Motion process and I have provided a memorandum. This includes a reference to the two outstanding issues: the World Trade Organisation and Red Meat Levy provisions. I will keep the Assembly and the Committee updated as negotiations progress with UK Government on both these matters.

I will also keep the Assembly updated on my inter-ministerial discussions on cross-UK frameworks. Alongside the publication of the Agriculture Bill, I issued a joint statement with the Secretary of State on these matters which is available on the Welsh Government website at <https://gov.wales/about/cabinet/cabinetstatements/2018/introukagribill/?lang=en>

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros Ynni, Cynllunio a Materion Gwledig
Cabinet Secretary for Energy, Planning and Rural Affairs