



Llywodraeth Cymru  
Welsh Government

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

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**TITLE** Notification in Relation to Statutory Instruments made by UK Ministers in devolved areas under the European Union (Withdrawal) Act 2018 not laid before the Assembly

**DATE** 10 December 2018

**BY** Julie James AM, Leader of the House and Chief Whip

### **The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018**

#### **The Law which is being amended**

The SI addresses the failure of retained EU law to operate effectively, and other deficiencies arising from the withdrawal of the United Kingdom from the European Union. In summary, the draft instrument removes references to Members of the European Parliament, European Parliament and European Parliamentary Elections from electoral legislation where these will no longer be applicable after exit day.

#### **Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence**

The proposed amendments will have no impact on the Assembly's legislative competence and/or the Welsh Ministers' executive competence.

#### **The purpose of the amendments**

The purpose of this SI is to correct deficiencies in UK legislation subject to exit from the European Union relating to European Parliamentary Elections etc.

In summary, this SI will remove references to Members of the European Parliament and European Parliamentary Elections where they will no longer be applicable after exit day.

The SI and accompanying Explanatory Memorandum, setting out the effect of this amendment is available here:

<http://www.legislation.gov.uk/uksi/2018/1310/contents/made>

### **Why consent was given**

There is no divergence between the Welsh Government and the UK Government on the policy for the correction and the original legislation predates devolution. Therefore, making separate SIs would lead to duplication, and unnecessary complication of the statute book. In these exceptional circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.

The Welsh Government will shortly be laying for Sifting Consideration the Elections (Wales) (Amendment) (EU Exit) Regulations 2018. Some provisions in this instrument are dependent on the European Parliamentary Elections etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 being made.

Consent for the SI to be laid for sifting was provided before changes to Standing Order 30C were agreed.