

Eluned Morgan AM  
Minister for International Relations and the Welsh Language

7 May 2019

Dear Eluned,

### **Trade Bill - legislative consent**

Thank you for your letter dated 25 April 2019, which the Committee considered at its meeting on 29 April 2019.

We are grateful for your analysis of the amendments made at Report Stage in the House of Lords. In particular, your assessment of the amendments' interaction with the legislative consent granted by the Assembly is particularly useful.

In relation to amendment 14, you state that:

*"One of the effects of amendment 14 is to widen devolved powers under the Bill and as a result I do not think this change is covered by the Assembly's original consent. Ordinarily I would lay an LCM for an amendment of this kind but realistically I do not see that there would be time for the LCM procedures to be complied with. For this reason I do not intend to do so."*

We agree with your assessment of the need for the Assembly's legislative consent to be sought in these circumstances.

Our view differs from yours in that we believe a further Supplementary Legislative Consent Memorandum should be laid as a matter of urgency.

As no date has been allocated for the consideration of Lords amendments in the Commons, it may be possible for the Assembly to debate an associated legislative consent motion prior to the conclusion of the Parliamentary scrutiny process.

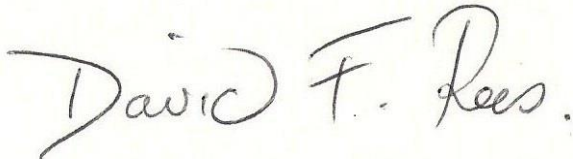


Even in circumstances where UK Parliamentary timescales might not allow the Assembly's legislative consent procedures to be complied with in full, we believe that a Legislative Consent Memorandum should be laid and, if possible, debated.

We note that this is the second occasion on which Westminster Brexit-related legislation has proceeded with the need for legislative consent arising at the final stages of the legislative process.

We have copied this letter to the Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely,

A handwritten signature in black ink that reads "David F. Rees." The signature is written in a cursive style with a large initial 'D' and 'R'.

David Rees AM

Chair of the External Affairs and Additional Legislation Committee

*Croesewir gohebiaeth yn Gymraeg neu Saesneg.*

*We welcome correspondence in Welsh or English.*

