

**Jeremy Miles AC/AM**  
**Y Cwnsler Cyffredinol a Gweinidog Brexit**  
**Counsel General and Brexit Minister**



**Llywodraeth Cymru**  
**Welsh Government**

Ein cyf/Our ref CG/05095/19

Mick Antoniw AM  
Constitutional and Legislative Affairs Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
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9 April 2019

Dear Mick,

Thank you for your letter of 26 March 2019 in respect of a possible section 109 Order, to which the First Minister referred in his letter to you of 11 March 2019.

The Welsh Government and the Office of the Secretary of State for Wales are working closely together to review how concurrent functions created by Brexit-related legislation exercisable by both Welsh Ministers and UK Ministers can be repealed by the Assembly without the need for UK Ministers' consent. Both Governments agree that the current restrictions requiring such consent should be looked at to ensure post-Brexit arrangements work as smoothly as possible, with a view to including changes in a forthcoming Order in Council made under section 109.

It is also intended that the Order will correct a small number of EU-exit related deficiencies in Schedule 7A, by removing certain references to the EU and EU law; and that it will make some minor corrections to Schedules 7A and 7B arising from errors in the Wales Act 2017.

As you know, s.109(4) of the Government of Wales Act 2006 requires any Order made under that section to be laid before the Assembly for approval, as well as in both Houses of Parliament. The Office of the Secretary of State for Wales does not yet have a firm timetable for the laying of the Order, but I will keep the Committee updated on developments.

Bae Caerdydd • Cardiff Bay  
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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.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'JM', with a stylized flourish at the end.

**Jeremy Miles AM**

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