



Llywodraeth Cymru  
Welsh Government

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

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<b>TITLE</b>	<b>The European Grouping of Territorial Cooperation (EU Exit) Regulations 2019</b>
<b>DATE</b>	<b>20 June 2019</b>
<b>BY</b>	<b>Rebecca Evans AM, Minister for Finance and Trefnydd</b>

### **The European Grouping of Territorial Cooperation (EU Exit) Regulations 2019**

#### **Policy Overview of the SI**

The European Grouping of Territorial Cooperation (EGTC) regulations are primarily concerned with facilitation and promotion of cross-border, transnational and inter-regional territorial cooperation, with the aim of strengthening Union economic, social and territorial cohesion. An EGTC can be supported via the European Regional Development Fund (ERDF) and/ or the European Social Fund (ESF).

This SI will revoke Regulation (EC) No 1082/ 2006 of the European Parliament and of the Council on a European grouping of territorial cooperation (EGTC) and Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European grouping of territorial cooperation (EGTC) and will permit public authorities, inclusive of devolved Welsh public authorities, to apply and become members of EGTCs as third country members, upon agreement of the Welsh Ministers and the Secretary of State.

#### **The [retained EU] Law which is being amended**

- Regulation (EC) No 1082/2006 of the European Parliament and of the Council on a European grouping of territorial cooperation (EGTC), as it applies in the United Kingdom
- Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European grouping of territorial cooperation (EGTC) as regards the clarification, simplification and improvement of the establishment and functioning of such groupings, as it applies in the United Kingdom
- The European Grouping of Territorial Cooperation Regulations 2007(a) S.I. 2007/1949, Parts 2 and 3 of the Schedule
- The Companies Act 2006 (Consequential Amendments etc) Order 2008(b) S.I. 2008/948, Paragraph 36 of Schedule 1

- The European Grouping of Territorial Cooperation Regulations 2015 S.I. 2015/1493
- The Insolvency (England and Wales) Rules 2016 (Consequential Amendments and Savings) Rules 2017 S.I. 2017/369, The last entry in the table in paragraph 1 of Schedule 2
- The Insolvency (England and Wales) and Insolvency (Scotland) (Miscellaneous and Consequential Amendments) Rules 2017(c) S.I. 2017/1115, Regulations 31 and 32

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

The purpose of the amendment is to correct deficiencies in legislation arising from the UK leaving the European Union relating to participation in European Groupings of Territorial Cooperation.

European Groupings of Territorial Cooperation (EGTC) are legal entities, designed to facilitate and promote cross-border, transnational and interregional cooperation, and permits public authorities to participate in cooperation activities as a member of the EGTC.

If the UK withdraws from the EU, the UK will no longer be able to participate in cooperation activities as a member state. The amendments will permit UK public authorities to become members of EGTCs as third country members.

In the case of an application to join an EGTC by a devolved Welsh public authority, the SI contains a provision preventing the Secretary of State from approving or rejecting an application without seeking agreement from the Welsh Ministers

The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here: <https://beta.parliament.uk/work-packages/LFb9foWn>

### **Any impact the SI may have on the Welsh Ministers' executive competence**

This SI will require the Secretary of State to obtain agreement from Welsh Ministers to approve or reject an application in the event a devolved Welsh public authority applies to participate in a European Grouping of Territorial Cooperation. There is no impact on the Welsh Ministers' executive competence.

### **Any impact the SI may have on the legislative competence of the National Assembly for Wales**

The SI has no impact on the National Assembly for Wales' legislative competence.

### **Why consent was given**

There is no divergence between the Welsh Government and the UK Government on the policy for the correction. Therefore, making separate SIs in Wales and England would lead to duplication, and unnecessary complication of the statute book. Consenting to a UK wide SI ensures that there is a single legislative framework across the UK which promotes clarity and accessibility during this period of change. In these exceptional circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.