

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



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

Eich cyf/Your ref  
Ein cyf/Our: ref MA - L/CG/0592/19

Mick Antoniw AM  
Chair  
Constitutional and Legislative Affairs Committee  
National Assembly for Wales  
[SeneddCLA@assembly.wales](mailto:SeneddCLA@assembly.wales)

26 July 2019

Dear Mick,

A review of the UK Government's programme of EU Exit SIs in areas devolved to Wales to date has been undertaken and I am writing to keep you informed of developments.

It has emerged that, subsequent to consent being given by Welsh Ministers for two SIs under the terms of the Intergovernmental Agreement and after a period of time had elapsed, their titles were changed prior to their being laid in Parliament. The Welsh Government was not informed of these changes by Whitehall. This meant that the system that we had established to track the laying of UK SIs in areas devolved to Wales, in order to comply with the requirement to notify the National Assembly of them under Standing Order 30C, did not identify that they had been laid and initiate the notification process.

These SIs are:

- The Animals (Legislative Functions) (EU Exit) Regulations 2019; and
- The Storage of Carbon Dioxide (Amendment and Power to Modify) (EU Exit) Regulations 2018.

However, I can confirm that while the titles of these SIs changed, the content to which Welsh Ministers had consented did not and we are taking this opportunity to provide notification of the SIs to the Assembly. The title changes made it impossible, given that the U.K. Government would not routinely notify us of SIs being laid to identify these regulations, in the context of the substantial volume of secondary legislation being considered at this time

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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.

The review found a further UK SI in an area devolved to Wales to which I wish to draw your attention, The Health and Safety (Amendment) (EU Exit) Regulations 2018. This SI was laid in Parliament for sifting before the changes to Standing Orders, resulting in 30C, were agreed. Consent for the SI was, though, sought and given and we shall be notifying the Assembly of this SI too.

This completes the information about the UK Government's EU Exit SIs in areas devolved to Wales that were laid in Parliament ahead of the anticipated exit day on 29 March.

I want to thank you again for your Committee's diligence in scrutinising both the Welsh and UK SI programme arising from the extraordinary circumstances surrounding Brexit. We will, of course, continue to work with the Committee on these matters as we approach and pass exit day.

I attach the Written Statements on the three above SIs to this letter for ease of reference and we will lay these with the Table Office.

I am copying this letter to the Minister for Finance and Trefnydd.

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

**Jeremy Miles AM**

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Counsel General and Brexit Minister