

Elin Jones AM  
Y Llywydd

18 December 2018

### **European Union (Withdrawal) Bill**

I have seen a copy of the letter to you from the Secretary of State for Wales dated 10 December 2017, referring to discussions taking place between Assembly officials and those of the UK Government regarding procedures relating to secondary legislation made under the European Union (Withdrawal) Bill.

In considering this letter and other activity across the Assembly, the precise roles and responsibilities relating to the scrutiny of the EU (Withdrawal) Bill and emerging EU related legislation such as the Trade Bill remain unclear to me. There are important issues relating to legislative consent, legislative competence and scrutiny procedures arising from the likely use of Henry VIII powers that are constitutionally significant. It seems to me there is a risk of blurring scrutiny processes between the functions of your office and the functions of various committees engaged in this process.

I think there would be merit in discussing how all of us who are contributing to this scrutiny can work together collectively and strategically in the best interests of the Assembly.

In this regard, I think we need a much clearer understanding of the various roles and responsibilities that exist, where accountability for various actions sits and the most appropriate way of influencing both the UK Government and also the Welsh Government's work in this area.

I would therefore welcome the opportunity to discuss these issues with you, and David Rees AM, Chair of the External Affairs and Additional Legislation Committee.



I also intend to raise these issues at the next available meeting of the Chair's Forum.

I am copying this letter to David Rees AM.

Yours sincerely

A handwritten signature in black ink that reads "Mick Antoniw". The signature is written in a cursive style with a horizontal line underneath the name.

**Mick Antoniw**

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

