



Department
for Exiting the
European Union

Robin Walker MP
Parliamentary Under Secretary of State for
Exiting the European Union
9 Downing Street
SW1A 2AG

correspondence@dexeu.gov.uk

Mick Antoniw AM
Chair, Constitutional and Legislative Affairs Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

1 April 2019

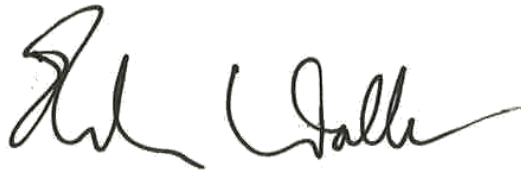
Dear Mr Antoniw,

Thank you for your letter of 22 March asking for my views on a number of regulations to be made under the European Union (Withdrawal) Act 2018.

The approaches taken reflect the UK and Welsh Governments' agreement to the content of the regulations and are consistent with long-standing arrangements for how the two Governments work together on issues in which both have a legitimate interest, as set out in the Memorandum of Understanding and Supplementary Arrangements. I would like to reassure you that it is not the intention for such arrangements to affect the boundaries of devolution in any way, as these continue to be defined by the Government of Wales Act 2006.

As you note, the new reserved powers model of devolution for Wales establishes a clearer boundary between devolved and reserved matters. The devolution settlements have, however, evolved in the context of the UK's membership of the European Union. Detailed consideration has therefore been necessary to determine the extent to which areas of EU law intersect with devolved competence. There are a small number of areas which the UK Government believes are reserved but are subject to discussions with the devolved administrations. Given the need to ensure a functioning statute book in time for exit day it has been necessary for us to bring forward SIs to correct deficiencies in retained EU law in these areas whilst these discussions continue. These discussions are without prejudice to any future discussions to resolve disagreements around their reserved status.

I am copying this letter to the Secretary of State for Wales, the Minister for the Constitution and the Counsel General.

A handwritten signature in black ink, appearing to read 'Robin Walker', written in a cursive style.

**ROBIN WALKER MP
PARLIAMENTARY UNDER SECRETARY OF STATE FOR
EXITING THE EUROPEAN UNION**