

Agenda – External Affairs and Additional Legislation Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date: Monday, 17 July 2017

Meeting time: 14.15

For further information contact:

Alun Davidson

Committee Clerk

0300 200 6565

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1 Introductions, apologies, substitutions and declarations of interest
(14.15) (Pages 1 – 7)

**2 Leaving the European Union: monitoring the negotiations—
session with the Estonian Ambassador**
(14.15–14.45) (Pages 8 – 11)

His Excellency Mr Lauri Bambus – Estonian Ambassador to the Court of St James
Ms Triinu Rajasalu – Counsellor of Public Diplomacy and Media Relations, Embassy
of Estonia

3 Papers to note
(14.45)

**3.1 Correspondence from the First Minister regarding the Committee's report on
the Great Repeal Bill White Paper**
(Page 12)

**3.2 Correspondence from the Llywydd regarding the implementation of the Wales
Act 2017**
(Pages 13 – 15)

**4 Motion under Standing Order 17.42(vi) to resolve to exclude the
public for the remainder of the meeting**
(14.50)



**5 Inquiry into the implications of Brexit for Welsh ports –
consideration of draft report**

(14.50–16.20)

(Pages 16 – 33)

6 Briefing on the Repeal Bill and its implications for Wales

(16.20–16.50)

7 Forward work programme

(16.50–17.05)

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Agenda Item 2

By virtue of paragraph(s) vi of Standing Order 17.42

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Llywodraeth Cymru
Welsh Government

David Rees AM
Chair
External Affairs & Additional Legislation Committee
National Assembly for Wales
Cardiff Bay
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6 July 2017

Dear David

Thank you for sending me your Committee's report setting out the potential implications for Wales of the previous UK Government's Great Repeal Bill White Paper.

The Welsh Government supports your analysis and conclusions. The Committee has set out the agenda of issues which are at the forefront of our minds as we deal with this immensely significant legislation. Later this month we shall be producing for the Committee a response to the published Repeal Bill – this will be informed by the analysis and conclusions contained in the Committee Report.

We are pressing the UK Government to ensure that the forthcoming Bill does not undermine the devolution settlement and powers voted for by the people of Wales. I look forward to continuing to work closely with the Committee when the Bill is published.

I am copying this letter to the Chair of the Constitutional and Legislative Affairs Committee.

Yours sincerely

CARWYN JONES

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
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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.



Elin Jones AC, Llywydd

Cynulliad Cenedlaethol Cymru

Elin Jones AM, Presiding Officer

National Assembly for Wales

Agenda Item 3.2

Committee Chairs
National Assembly for Wales
Cardiff Bay
CF99 1NA

11 July 2017

Dear Committee Chair

Implementation of the Wales Act 2017

As you will be aware, the Wales Act 2017 provides that the Secretary of State for Wales must appoint, through regulations, a 'principal appointed day' on which the new reserved powers model will come into force. The Act also provides that the Secretary of State must consult me, as Llywydd, before making such regulations.

I enclose a letter from the Secretary of State setting out his intention to appoint **6 April 2018** as the principal appointed day. He also indicates that he intends to commence most of the remaining provisions in the Wales Act at the same time.

You will note from the Secretary of State's letter that he intends to write further in relation to the implications for the Legislative Consent process as a result of the two-year Parliamentary session. I will share this letter with you in due course.

I would be grateful if you could let me know by Friday 28 July whether your committees have any comments to make on the Secretary of State's proposals.

Yours sincerely

Elin Jones AM
Llywydd

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Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English

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Elin Jones AM
Presiding Officer
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Ref: 250SUB 17

10th July 2017

Dear Elin,

I am writing regarding the implementation of the Wales Act 2017. The Act provides for the Secretary of State to appoint, through regulations, a “principal appointed day” (PAD) on which the new reserved powers model comes into force. The Act specifies that I consult the Welsh Ministers and the Assembly’s Presiding Officer before making regulations appointing the PAD. I am therefore writing to seek your views on my proposal to specify **6 April 2018 as the principal appointed day**.

Three key factors have informed my proposed date. Firstly, the need to implement the new reserved powers model of Welsh devolution as soon as practicable, to provide a clearer settlement and a well-defined division between devolved and reserved responsibilities. The lack of clarity that is a feature of the current Welsh devolution settlement continues to hinder our administrations working together as effectively as they might.

The 2017 Act requires the PAD to be at least four months after the regulations appointing the date are made. Making these regulations this autumn would provide Parliament, the National Assembly for Wales and both our governments with sufficient notice to prepare for the new model.

Secondly, as you know the new devolved taxes - the Land Transaction Tax and Landfill Disposals Tax - come on stream on 6 April 2018. Bringing the reserved powers model into force on the same day would deliver a strong message that Welsh devolution has come of age.

Thirdly, we need to be clear about the model of Welsh devolution which applies as we prepare for our exit from the European Union. Implementing the reserved powers model in April 2018 provides us with sufficient time to make the necessary preparations before exit day.

I also propose to commence most of the remaining sections of the Wales Act 2017 in the same order. These sections devolve further powers to the National Assembly and the Welsh Ministers. The devolution of these powers is already reflected in the reserved powers model and so it makes sense to bring these sections into force at the same time.

The current session of Parliament will run until 2019, meaning the new reserved powers model would be brought force mid-way through the session. Clearly this has implications for any Legislative Consent Motions that may be required, and my officials are working to assess the impact. I will write to you once this analysis is completed. You will be aware that under Schedule 7 to the 2017 Act the current *conferred* powers model would continue to apply to those Assembly Bills which have passed Stage 1 by the PAD.

I would be grateful to receive your response by **4 September**, enabling the regulations to be drafted by early autumn. I am happy to share with you the regulations in draft before they are laid.

I am writing in similar terms to the First Minister of Wales.

Handwritten signature of Alun Cairns in black ink.

Alun Cairns MP
Secretary of State for Wales
Ysgrifennydd Gwladol Cymru

Agenda Item 5

By virtue of paragraph(s) vi of Standing Order 17.42

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