

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Elin Jones MS
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29 June 2023

Dear Elin

The UK Government introduced the Energy Bill (the Bill) to the UK Parliament, the House of Lords, on 6 July 2022. The passage of the Bill was stalled for a period before resuming its passage in the latter part of 2022 and is still expected to have a number of government amendments introduced at the final stages of the Bill's passage through Parliament.

The UK Government's stated policy objectives are to help increase the resilience and reliability of energy systems across the UK, support the delivery of the UK's climate change commitments and reform the UK's energy system while minimising costs to consumers and protecting them from unfair pricing.

The Bill is broad in its scope, complex and introduces into legislation a number of significant regulatory regimes, particularly in the fields of carbon dioxide transport and storage and hydrogen. The Bill is structured around three pillars: Leveraging investment in clean technologies; reforming the UK's energy system and protecting customers; and maintaining the safety, security and resilience of the energy system across the UK. The length and complexity of the Bill has resulted in the need for lengthy and in-depth analysis of the policy and constitutional position.

A large number of levers relating to energy policy are reserved. However, given the complexity in reserved and devolved powers, legislative consent will be required in a number of areas. Welsh Ministers have written to the UK Government to raise concerns that the Bill as drafted does not respect the legislative competence of the Senedd nor the devolved responsibilities of Welsh Ministers and that the UK Government should seek Welsh Ministers' consent to any secondary legislation which impacts devolved competence. The Welsh Government recommends withholding consent to the relevant clauses at this time and I laid the Legislative Consent Memorandum on 29 June 2023.

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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.

I appreciate that we are well outside the normal two-week Standing Order 29 deadline for the laying of an LCM. This has been in part due to handling of the Bill by the UK Government but also due to the complexity of the issues under consideration. The LCM covers the Bill as introduced however, as noted above, we are aware of amendments subsequently made and expect further changes to the Bill from the UK Government as the Bill continues its consideration in the House of Commons. As such, a supplementary LCM will be required and this will be laid as soon as possible. The Bill is expected to move through the final stages of the UK Parliament with House of Commons Report Stage expected to take place no earlier than 13 July 2023.

I am copying this letter to the Counsel General and Minister for the Constitution, Mick Antoniw MS, the Minister for Rural Affairs and North Wales, and Trefnydd, Lesley Griffiths MS and the Chair of the Legislation, Justice and Constitution Committee, Huw Irranca-Davies MS.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change