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Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Mike Hedges AM
Chair of Climate Change, Environment and Rural Affairs Committee
National Assembly for Wales
Cardiff Bay
Cardiff, CF99 1NA

26 March 2019

Dear Mike

UK Agriculture Bill – Supplementary Legislative Consent Memorandum

Thank you for the Committee's valuable scrutiny of the Legislative Consent Memorandum in relation to the UK Agriculture Bill and their report of January 2019. Officials are carefully considering the recommendations made and I will update the Committee on how we are addressing the concerns raised in due course.

In the interim, I wish to make the Committee aware of a Supplementary Legislative Consent Memorandum for the UK Agriculture Bill which I have laid today. I attach a copy for your reference.

The latest version of the Bill, as amended in Public Bill Committee, can be found here:
<https://publications.parliament.uk/pa/bills/cbill/2017-2019/0292/18292.pdf>

In the Legislative Consent Memorandum laid on 4 October 2018, I outlined two outstanding concerns in relation to the Red Meat Levy and the World Trade Organisation (WTO) Agreement on Agriculture. I am pleased to confirm we have now resolved these two concerns.

As the Committee will be aware, we have successfully secured an amendment to the Bill to provide appropriate means for resolving the long standing issue of repatriation of red meat levy. This is now part of the Bill (as amended in Public Bill Committee) at Clause 29. The new Clause confers powers on Ministers, acting jointly, to establish a scheme that requires agricultural boards within Great Britain to redistribute levy between themselves. Officials will now continue to develop a scheme in parallel to the legislation progressing through Parliament to ensure a fair system is in place as soon as possible.

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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 am also pleased to inform the Committee we have secured a significant agreement with the UK Government to govern the use of Secretary of State powers in the UK Agriculture Bill in respect of the UK's compliance with the WTO Agreement on Agriculture. This ensures that the interests of Wales are fully taken into account. I attach a copy of the agreement for your reference. The agreement sets out a robust and transparent mechanism for involving Welsh Ministers in decision making as well as a mechanism for dispute resolution. I am pleased with this outcome, which provides a strong role and flexibility for Welsh Ministers following extensive and highly collaborative working between Governments. It also provides a valuable model which could be used in other areas where intergovernmental co-operation is needed and demonstrates both Governments' commitment to collaboration.

The Supplementary Memorandum updates the position in respect of the concerns outlined above as well as setting out additional amendments made to the UK Agriculture Bill during Public Bill Committee which make relevant provision within the legislative competence of the Assembly. I would be happy to provide further information the Committee would find helpful if required.

Further changes are likely to be made to the Bill at House of Commons Report stage and as it progresses through the Lords, not least in order to respond to points raised by the Committee's scrutiny. I, therefore, expect to lay further Memoranda before the Assembly at a later stage in the Bill process, as appropriate, prior to tabling a debate for the Assembly to consider consent to the LCM.

Regards
Lesley

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