

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 128 - The Competitiveness of Enterprises and Small and Medium Enterprises (Revocation) (EU Exit) Regulations 2019

*Laid in the UK Parliament: 4 April 2019*

#### Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed Negative
Date of consideration by the House of Commons European Statutory Instruments Committee	24 April 2019
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	8 April 2019
Date sifting period ends in UK Parliament	2 May 2019
Written statement under SO 30C:	Paper 12
SICM under SO 30A (because amends primary legislation)	Not required

#### Scrutiny procedure

Outcome of sifting	Not known
Procedure	Negative or Affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	Not known

#### Commentary

These Regulations are proposed to be made by the UK Government pursuant to section 8(1) of the European Union (Withdrawal) Act 2018. The Regulations revoke existing direct EU legislation which forms UK law relating to the Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014-2020).

In a 'no deal' scenario, the EU Regulation will cease to have effect in UK law and the UK Government intends not to introduce new legislation in order to deliver funds for the COSME programme post-exit.

In the event of a no-deal, the UK Government have stated it will guarantee EU funding for UK organisations which have successfully bid directly to the European Commission, where they can participate as third countries, so that they can continue competing for, and securing, funding until the end of 2020. This includes UK COSME projects, where those projects remain viable after a No Deal exit.

Legal Advisers agree with the statement laid by the Welsh Government dated 8 April 2019 regarding the effect of these Regulations.

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.

Legal Advisers have not identified any legal reason to seek a consent motion under Standing Order 30A.10 in relation to these Regulations.