



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **Provision of Services (Amendment etc.) (EU Exit) Regulations 2018**

**DATE**            **12 November 2018**

**BY**                **Julie James AM, Leader of the House and Chief Whip**

### **Provision of Services (Amendment etc.) (EU Exit) Regulations 2018**

SO30C –SI laid in Parliament which amends legislation in a devolved area

### **The EU Law which is being amended**

The EU Services Directive (2006/723/EC), which is implemented into UK legislation by the Provision of Services Regulations 2009.

### **Any impact the SI may have on the Assembly’s legislative competence and/or the Welsh Ministers’ executive competence**

This SI does not affect the legislative competence of the National Assembly for Wales or the Welsh Ministers’ executive competence.

### **The purpose of the amendments**

This is a corrective SI for the scenario where the UK exits with ‘no deal’ and would no longer be bound to comply with the Services Directive.

The approach to corrections of the deficiencies in the Regulations is that EEA businesses will be treated like other third country service providers and will no longer have preferential access rights and protections within the UK. It would be essential to ensure non-discrimination under a WTO trading scenario. Competent Authorities may thereafter regulate EEA businesses in the same way as they regulate third country service providers.

The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory->

[instruments?keywords=&laid\\_date%5Bfrom%5D=&laid\\_date%5Bto%5D=&sifting\\_status%5B%5D=open](#)

### **Why consent was given**

Normally, it is the policy of the Welsh Government that where powers lie with the Welsh Ministers, it is the responsibility of the Welsh Ministers to legislate for Wales. However, in the extraordinary circumstances of the UK's withdrawal from the EU, Welsh Ministers recognise the need for the UK Government to legislate in certain devolved areas in order to have a fully operational statute book on exit day.

Welsh Ministers are therefore giving consent for Provision of Services (Amendment etc.) (EU Exit) Regulations 2018 on this occasion.