# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE**  | **Amendments to the UK’s Trade Bill proposed by the Scottish and Welsh Governments.** |
| **DATE**  | **18 January 2018** |
| **BY** | **Ken Skates AM, Cabinet Secretary for Economy and Transport** |

The Welsh Government recognises the need for legislation that builds a future trade policy for the UK if we are to leave the EU. We agree that the provisions in the Trade Bill designed to maintain continuity in trading relationships, and ensure continued access to government procurement markets are necessary to provide clarity and certainty for businesses and consumers going forward.

In an approach analogous to the approach taken in the EU (Withdrawal) Bill, the Trade Bill places restrictions on the executive competence it gives to Scottish and Welsh Ministers, while placing no similar restrictions on the executive competence given to UK Ministers; and it gives UK Ministers concurrent powers in devolved areas which are exercisable without any requirement for Scottish or Welsh Ministers’ consent. This is unacceptable. Moreover, in our view the Trade Remedies Authority, as an independent body, should have input from the devolved nations as well as the Secretary of State.

Hence the Scottish and Welsh Governments cannot recommend that our respective legislatures give their legislative consent to the Bill as it is currently drafted. In an effort to make the Bill acceptable in its approach to devolution, we have developed joint amendments with the Scottish Government, which we hope will be tabled in the House of Commons. These are attached along with the explanatory notes. As we stated in the Trade Bill Legislative Consent Memorandum that was laid on 7 December our view is that the question of whether legislative consent should be given should be considered in the light of the UK Government’s response to these amendments.