# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE**  | **Meeting of the Joint Ministerial Council (European Negotiations) (JMC (EN)), 8 March 2018** |
| **DATE**  | **12 March 2018** |
| **BY** | **Mark Drakeford, Cabinet Secretary for Finance** |

I attended a meeting of the JMC (EN) last Thursday, convened principally to take forward discussions about the potential for agreed amendments to the EU (Withdrawal) Bill which would enable the Welsh Government and Scottish Government to recommend that the National Assembly and the Scottish Parliament respectively should give legislative consent.

The meeting was chaired by the Chancellor of the Duchy of Lancaster, the Rt Hon David Lidington, MP. The Minister for UK Negotiations on Scotland’s Place in Europe, Michael Russell MSP represented the Scottish Government. I attach the communique which gives further details of the attendees.

The meeting was held in a positive spirit on all sides. I was able to give a considered response to the UK Government’s proposition tabled shortly before the last JMC(EN) on 22 February which as I reported to the Assembly in my oral statement on 27 February represented significant progress but was not of itself sufficient to allay our concerns. Both Michael Russell and I put forward constructive solutions to remaining concerns: these would enable agreement to amendments before the Bill reached the Report stage in the House of Lords. There was agreement that these proposals merited further examination.

UK Ministers confirmed that they would be introducing their own amendment(s) in the House of Lords in order to show progress and to test the mood of the House at Committee stage, these have now been tabled. However, I was left with a clear understanding that it would not be the Government’s intention to press such amendments to a vote, and that there would be opportunities for further discussion before an amendment in final form was produced for Lords Report stage. The Welsh Government has been very clear it would have been far preferable to have had amendments already agreed between the three Governments before now. However, in my view, a UK Government amendment at this stage does no more than protect its position, as a fall-back option, in much the same way as our Continuity legislation does for the Welsh Government and National Assembly.

I will, of course, keep Members updated as to progress, while respecting the necessity for respecting the confidentiality of these vital inter-governmental negotiations.

The Committee discussed the UK Government’s latest analysis of areas of EU law that intersect with devolved competence in Scotland, Wales and Northern Ireland. I will be writing to AMs setting out the Welsh Government’s views on this analysis.

The Committee was also given an update on negotiations with the EU-27 and we received a further assurance that a paper would be tabled at the next JMC (EN) on the Devolved Administrations’’ future involvement in these negotiations.

**JOINT MINISTERIAL COMMITTEE (EU NEGOTIATIONS) COMMUNIQUE**

**08 March 2018**

The eighth Joint Ministerial Committee (EU Negotiations) met today in 70 Whitehall. The meeting was chaired by the Rt Hon David Lidington MP, Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office.

The attending Ministers were:

From the UK Government: the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, Rt Hon David Lidington MP; the Secretary of State for Northern Ireland, Rt Hon Karen Bradley MP; the Secretary of State for Wales, Rt Hon Alun Cairns MP; the Secretary of State for Scotland, Rt Hon David Mundell MP; the Parliamentary Under Secretary of State for Exiting the EU, Robin Walker MP; and the Parliamentary Under Secretary of State for Northern Ireland, Shailesh Vara MP.

From the Welsh Government: the Cabinet Secretary for Finance, Mark Drakeford AM.

From the Scottish Government: the Minister for UK Negotiations on Scotland’s Place in Europe, Michael Russell MSP.

Dr Andrew McCormick, Director General International Relations from the Northern Ireland Civil Service attended the meeting in the continued absence of a Northern Ireland Executive.

The Chair opened the meeting by summarising official level engagement since the Committee last met, including discussions on the proposed amendment to the EU (Withdrawal) Bill. The Committee discussed the UK Government’s proposed amendment to clause 11 and progress made towards reaching agreement. The Committee noted the timings for the Committee Stage debate in the House of Lords. All administrations remained committed to reaching agreement on the EU (Withdrawal) Bill. Discussions on further detail on the proposal would continue between the UK Government and Scottish and Welsh Governments in the coming weeks.

JMC(EN) noted and agreed the UK Government's intention to publish its frameworks analysis and committed itself to continuing work towards agreements on common frameworks.