# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE** | **Proposed participation by the Counsel General for Wales in the Reference of the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill** |
| **DATE** | **07 June 2018** |
| **BY** | **Jeremy Miles, Counsel General for Wales** |

I have today made an application to the Supreme Court for permission to participate in the Reference of the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill.

Some of the issues raised by the Attorney General and the Advocate General for Scotland in that Reference raise questions regarding all of the devolution settlements in the UK and are not limited to the Scottish Bill nor indeed the Scottish devolution settlement.

The Reference may raise questions about the legislative role of the devolved legislatures and the limits of their legislative competence. The court’s decision could therefore have an impact on the National Assembly’s legislative competence and the relationship between the National Assembly and the UK Parliament.

My decision to make the application does not have any implications for the Intergovernmental Agreement on the EU (Withdrawal) Bill, which was reached between the UK Government and the Welsh Government. My intention is simply to ensure the Supreme Court’s analysis and reasoning in the Reference is fully informed, including any potential impact on the Welsh devolution settlement.

The Reference is due to be heard by the Supreme Court on 24 and 25 July.

I will of course ensure Members are kept fully updated about the Reference as it progresses in the Supreme Court and intend to make an oral statement in due course.