

## Brexit update

Y Pwyllgor Materion Allanol a Deddfwriaeth Ychwanegol | 18 Medi 2017  
External Affairs and Additional Legislation Committee | 18 September 2017

### Research Briefing:

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#### 1. Introduction

This paper provides an update on the most recent developments on Brexit of relevance to Wales. It includes sections on the work of the Assembly and Welsh Government; EU; UK; and Scotland and Ireland. The period covered is 12 July – 18 September, although reference is made to later events where information is available at time of final drafting.

#### 2. Developments in Wales

##### National Assembly for Wales

##### External Affairs and Additional Legislation Committee

*The External Affairs and Additional Legislation (EAAL) Committee is the lead Committee in the Assembly for co-ordinating the Brexit-related activities of Committees.*

The most recent sessions of the EAAL Committee were:

- 10 July: The Committee questioned the First Minister on the preparations being made by the Welsh Government for Brexit and the way in which it will input to the process. [Webcast](#).
- 17 July: The Committee heard from the Estonian Ambassador about his country's priorities during its presidency of the EU. [Webcast](#).

Regular updates on the work of the EAAL Committee are posted on the Assembly Blog: <https://assemblyblog.wales/tag/european-union/>.

6 July: [The First Minister wrote to the Committee regarding the Committee's report on the Great Repeal Bill White Paper](#).

13 July: Committee Chair David Rees AM said the [Brexit Bill could undermine the “will of the Welsh people”](#).

4 August: The Committee published its report [Inquiry into the implications of Brexit for Welsh ports, warning](#) that lengthy delays, tailbacks on Welsh roads and disruption to freight

supply chains could become the norm without proper planning for ports in Wales following Britain's exit from the European Union.

## **External Affairs and the Additional Legislation Committee and the Constitution and Legislative Affairs Committee**

The External Affairs and Additional Legislation Committee and the Constitution and Legislative Affairs Committee have launched [a joint-consultation](#) on the European Union (Withdrawal) Bill.

24 August The Chairs of the Committee David Rees, AM and Huw Irranca Davies AM, published a joint-article on the Bill and the work of the committees: [EU Withdrawal Bill must not be allowed to roll-back hard-won devolution.](#)

The Research Service's own blogs are published on [In Brief](#). The latest Brexit blogs are [The European Union \(Withdrawal\) Bill: An introductory guide](#), [What does the EU \(Withdrawal\) Bill mean for Wales and devolution?](#), [In Dublin's Fair City – External Affairs Committee visits Ireland to ask what Brexit means for Welsh ports.](#)

## **Other**

18 July: [Debate on the European Union \(Withdrawal\) Bill.](#)

19 July: [Debate on Brexit and Rural Communities.](#)

The Climate Change, Environment and Rural Affairs Committee has published its reports on [Marine Protected Areas in Wales](#), and the [Future of Agricultural and Rural Development Policies in Wales](#).

The Equality, Local Government and Communities Committee is carrying out an inquiry: [What will human rights in Wales look like after Brexit?](#)

## **Welsh Government**

13 July: [First Minister meets with Barnier to make the case for Wales.](#)

13 July: First Minister of Wales, [Carwyn Jones](#), responds to the [EU \(Withdrawal\) Bill](#).

13 July: [Joint statement from First Ministers of Wales and Scotland in reaction to the EU \(Withdrawal\) Bill.](#)

19 July: [Formal dispute resolution process underway over fair share of Barnett consequentials from UK Government's DUP deal.](#)

20 July: [£4.2m EU funds to construct new business units in Anglesey.](#)

23 July: ["UK Government's EU Withdrawal Bill could put us back decades"](#) – warns Cabinet Secretary.

24 July: [New £4.2m EU-backed veterinary facility at Aberystwyth.](#)

27 July: Welsh and Scottish Ministers discussed Brexit – [Changes must be made to the EU Withdrawal Bill](#).

31 July: [New £1 m EU-funded project to boost prospects of young people in Mid Wales](#).

2 August: [Twenty eight projects set to benefit from EU property development funds](#).

7 August: [Continued European collaboration vital for Wales](#), says Finance Minister.

14 August: [More EU investment for growth and jobs in Port Talbot](#).

22 August: [Amendments to UK Brexit bill will be proposed](#) – First Ministers of Wales and Scotland agree actions to counter serious risks to devolution.

7 September: [Brexit and Fair Movement of People](#) – First Minister proposes a new approach to migration post-Brexit.

12 September: [First Minister takes step to protect Wales post-Brexit](#). First Minister of Wales Carwyn Jones has today formalised the Welsh Government challenge against the UK government's EU (Withdrawal) Bill to protect devolved powers.

The Government has produced a [Legislative Consent Memorandum on the European Union \(Withdrawal\) Bill](#). The conclusion is 'This memorandum sets out the Welsh Government's view of the requirement for the legislative consent of the Assembly in respect of the EU (Withdrawal) Bill, and confirms that we will not be in a position to recommend consent unless the Bill is amended to address our concerns'.

## News

10 July: [Brexit Makes Role Extension for Groceries Code Adjudicator Even More Vital](#) – TFA.

12 July: [Government must address labour concerns to avoid shortage, says NFU Cymru](#).

17 July: [TFA Cymru Holds Productive Discussions with Welsh First Minister and Cabinet Secretary for Environment & Rural Affairs](#).

21 July: [Time for change in farm support, say rural landowners](#) – CLA

23 July: [NFU Cymru calls for 'vital' open and frictionless trade with the EU post-Brexit](#).

23 July: [Gove's vision for agriculture a concern – FUW says](#).

24 July: [Lack of progress in Brexit planning unacceptable – FUW says](#).

24 July: [FUW calls for cross government agri summit](#).

25 July: [Peers back CLA on importance of animal welfare post-Brexit](#) – CLA.

2 August: [Public backs call for continued investment in the countryside](#) – CLA.

4 August: [Farming Industry Calls for Commitments](#) – includes NFU Cymru, TFA, CLA.

11 August: [FUW welcomes growing support for transitional Brexit arrangements](#).

14 August: [Time to be proactive in winning markets, livestock representatives urge Government](#) – TFA.

16 August: [CLA statement on the Government proposal for a future customs relationship with the EU](#).

18 August: [Post-Brexit report is 'stark reading' for Welsh livestock industry](#) – NFU Cymru.

21 August: [Need for UK agri summit reinforced at Pembrokeshire County Show](#) – FUW.

24 August: [NFU Cymru criticises proposals for Britain to pursue tariff-free trade at all costs post-Brexit](#).

4 September: NFU Cymru has published four vision documents for the future of farming: [A new domestic agricultural policy](#); [A new outlook international trade](#); [Access to a competent and flexible workforce](#); [A regulatory regime that's fit for purpose](#).

7 September: A competition has been launched to recognise the success of [individuals whose lives have been transformed thanks to EU funding in Wales](#) – WCVA.

11 September: [Labour recognition of need for Brexit transition welcomed by FUW](#).

### 3. EU developments

#### European Council

12 July: [Council agrees its position for the 2018 EU budget and backs increase of 2017 EU budget](#).

1 August: [23 cities offer to host UK-based EU agencies](#).

#### European Commission

12 July: [Speaking points by Michel Barnier after the College meeting](#), [Factsheet: State of play of Article 50 negotiations](#).

13 July: Michel Barnier met the Labour leader Jeremy Corbyn, the First Minister of Scotland, Nicola Sturgeon, and the First Minister of Wales, Carwyn Jones.

13 July: [July Infringements package](#).

13 July: Position papers sent by the Commission to the UK: [nuclear materials and safeguard equipment \(Euratom\)](#); [Goods placed on the Market under Union law before the withdrawal date](#); [Issues relating to the Functioning of the Union Institutions, Agencies and Bodies](#); [Ongoing Union Judicial and Administrative Procedures](#); [Judicial Cooperation in Civil and Commercial matters](#); [Governance](#); [Ongoing Police and Judicial Cooperation in Criminal matters](#).

17–20 July: Second round of negotiations: [Agenda](#); [Speaking points by Michel Barnier](#) at the end of the second round; [Joint technical note on EU–UK positions on citizens' rights](#).

17 July: [EU and Brazil join forces for global level-playing field in farm subsidies.](#)

19 July: [Smarter, greener, more inclusive?](#) How is the European Union progressing towards its Europe 2020 targets? A mixed picture.

1 August: [European Commission starts assessment of Member States' applications to host the European Medicines Agency and the European Banking Authority.](#)

1 August: [Consultation on Streamlining the implementation of the Trans-European Transport Network \(TEN-T\)](#) (closes 9 November)

16 August: [Consultation on an Initiative to improve the food supply chain](#) (closes 17 November)

28–31 August: Third round of negotiations: [Agenda](#); [Joint technical note on EU-UK positions on citizens' rights after third round of negotiations](#); [Speech by Michel Barnier at the press conference following the third round of Article 50 negotiations with the United Kingdom.](#)

7 September: [Brexit: European Commission publishes guiding principles on Ireland and Northern Ireland. Statement by Michel Barnier.](#)

7 September: Position papers transmitted to EU27: [Intellectual property rights \(including geographical indications\)](#); [Use of Data and Protection of Information Obtained or Processed before the Withdrawal Date](#); [Customs related matters needed for an orderly withdrawal of the UK from the Union](#); [Guiding principles for the Dialogue on Ireland/Northern Ireland](#); [Public Procurement.](#)

13 September: [President Jean-Claude Juncker's State of the Union Address 2017. Factsheets.](#)

## **European Parliament**

11 July: [Public Hearing “Impact of Brexit on Aviation”](#): No deal could mean no flights between UK and EU-27 immediately after Brexit, warned Michael O’Leary of Ryanair.

12 July: [Constitutional affairs MEPs discussed Brexit negotiations with Guy Verhofstadt.](#)

12 July: [North Sea plan: ensuring sustainable stocks and security for fishermen.](#)

12 July: [Brexit: MEPs concerned over UK offer on EU citizens’ rights.](#)

20 July: [Border Communities Against Brexit](#) is one of the winners of the European Citizen's Prize 2017.

25 July: [Brexit: Statement by Guy Verhofstadt and the EP Brexit Steering Group.](#)

30 August: [European Parliament Brexit Coordinator Guy Verhofstadt discussed the Brexit negotiations with Employment Committee members on Wednesday afternoon.](#)

5 September: [Brexit: MEPs worried about UK position on British “divorce bill”.](#)

7 September: [Brexit: joint statement by EP President and Brexit coordinator.](#)

12 September: [MEPs want to reduce the size of the European Parliament after Brexit.](#)

13 September: [State of the Union: Let's make the most of the momentum to shape an ambitious future.](#)

## 4. UK developments

### UK Government

13 July: [Prime Minister's meeting with King Felipe VI of Spain.](#)

13 July: [The European Union \(Withdrawal\) Bill](#) (the Great Repeal Bill) is published.

13 July: [Information about the Repeal Bill: Repeal Bill overview](#); [Converting and preserving law](#); the [Correcting Power](#); the [power to implement the withdrawal agreement](#); [Devolution](#); [Charter of Fundamental Rights](#); [Workers' Rights](#); [Environmental protections](#); [Consumer protections](#); [Glossary](#); [Impact assessment](#); [Regulatory Policy Committee opinion](#); [Equality analysis](#).

13 July: [Exiting the EU with certainty. Guidance for businesses and organisations on the Repeal Bill. Technical note on implementing the withdrawal agreement.](#)

13 July: [Position papers published ahead of July negotiation](#); [Ongoing Union judicial and administrative proceedings](#); [Nuclear materials and safeguards issues](#) (Technical note on spent fuel and radioactive waste; Technical note on existing contracts for the supply of nuclear material); [Privileges and immunities](#) (Technical note on functionality and Protocol 7).

17–20 July: Second round of negotiations: [Programme](#); [David Davis' opening remarks](#); [David Davis' closing remarks](#); [Joint technical note on the comparison of EU–UK positions on citizens' rights](#).

18 July: [PM meeting with Estonian Prime Minister Ratas.](#)

28 July – 10 August: [Brexit Minister concludes two day tour of Scotland](#). Visit to [South West](#). Visit to the [Crown Dependencies](#).

The [July 2017 Fiscal Risks Report](#) of the Office for Budget Responsibility discusses Brexit, in particular in 'Economic risks associated with Brexit' (paras 3.88 to 3.90) and 'Brexit and fiscal risks' (paras 10.17 & 10.18).

15–24 August: Future partnership papers: [Future customs arrangements](#) (press release); [Providing a cross-border civil judicial cooperation framework](#); [Enforcement and dispute resolution](#); [The exchange and protection of personal data](#) (press release).

16 August: [Pledge to protect Belfast Agreement and Common Travel Area](#) in new position paper: [Northern Ireland and Ireland](#); [Common Travel Area data and statistics](#); [Northern Ireland trade data and statistics](#).

23 August: [PM marks £1.7bn funding to help businesses export post-Brexit.](#)

21 August: [Position papers published ahead of third round of negotiations: Continuity in the availability of goods for the EU and the UK; Confidentiality and access to documents.](#)

28–31 August: Third round of negotiations; [Programme](#); [David Davis' opening remarks](#); [David Davis' closing remarks](#).

30 August: [PM heads to Japan to build strong post-Brexit relationship with Tokyo](#).

31 August: [PM press conference with PM Abe of Japan](#).

1 September: [David Davis' speech at US Chamber of Commerce](#).

5 September: [Secretary of State update to the House of Commons on EU negotiations](#).

5 September: [PM call with President Trump](#).

7 September: [PM call with President Macron](#).

7 September: [David Davis' opening statement at the second reading of the Repeal Bill](#).

11 September: PM statement: [20th anniversary of vote for creation of a Scottish Parliament](#).

12 September: [PM statement on EU Withdrawal Bill](#).

12 September: [Landmark Brexit legislation passes Second Reading](#).

6 – 12 September: Future Partnership papers: [Collaboration on science and innovation \(press release\)](#); [Foreign policy, defence and development \(press release\)](#).

## House of Commons

18 July: [Brexit reassurance letters to Toyota and Nissan should be published](#) – Nicky Morgan, Chair of the Treasury Committee.

19 July: The Parliamentary Under-Secretary of State for Exiting the European Union, Robin Walker, lead a debate on [Exiting the European Union: Sanctions](#).

5 September: The Secretary of State for Exiting the European Union made a statement, followed by debate, on the [EU Exit Negotiations](#).

5 September: Ian Blackford (SNP) [asked for a debate on the UK exiting the EU and the role of devolved Administrations](#). The Deputy Speaker refused, hinting that the matter may be brought before the House in time by other means.

6 September: During Welsh Questions the Secretary of State for Wales answered questions on [Exiting the EU: Welsh Economy](#).

7 September: Oral questions on [Exiting the European Union](#).

7 September: The Secretary of State for Exiting the European Union lead the debate on the [second reading of the European Union \(Withdrawal\) Bill](#).

11 September: [Second reading of the European Union \(Withdrawal\) Bill continued, and agreed.](#)

13 September: The Environment, Food and Rural Affairs Committee held an [oral evidence session on the work of Defra with the Secretary of State.](#)

## House of Lords

10 July: [Constitution Committee published its report on 2016–17](#), it has published three reports in response to Brexit: The invoking of Article 50; European Union (Notification of Withdrawal) Bill; and 'The Great Repeal Bill' and delegated legislation.

11 July: First Reading of [European Union \(Referendum on the Withdrawal Agreement\) Bill.](#)

11 July: The EU Energy and Environment Sub-Committee launched an inquiry into the [implications of Brexit for energy security in the UK.](#)

11 July: [Regulators advise on Brexit and consumer protection rights](#) – EU Justice Sub-Committee evidence session.

12 July: [Operation Sophia saves lives but has not stopped people smuggling](#) – EU External Affairs Sub-Committee.

12 July: [Brexit: EU Select Committee visited Brussels to meet Michel Barnier and Guy Verhofstadt.](#) The [verbatim transcripts have been published.](#)

12 July: [The King of Spain, King Felipe, visited the UK Parliament](#) and addressed members of both Houses of Parliament in the Royal Gallery of the House of Lords.

12 July: Questions on [Brexit: United Kingdom–European Union Parliamentary Assembly.](#)

12 July: Debate on [Brexit: Risks to NHS Sustainability.](#)

17 July: [First Informal Brexit Liaison Group held.](#)

17 July: The Lords took note of the Report from the European Union Committee [Brexit: UK–EU movement of people.](#)

18 July: The Lords took note of the Report from the European Union Committee [Brexit: trade in goods.](#)

18 July: [Barrier to Trade and Security if Data Transfers are hindered after Brexit](#) – EU Home Affairs Sub-Committee report.

19 July: [Brexit 'a fundamental challenge' to the future of the UK](#) says European Union Committee in its report [Brexit: devolution.](#)

19 July: Questions on [Brexit and the Crown Dependencies.](#)

20 July: A debate on the consequences of leaving [Euratom.](#)



20 July: The EU External Affairs Sub-Committee held an evidence session launching its [new inquiry on sanctions policy after Brexit](#).

21 July: [Immigration policies being formulated in the dark, say Economic Affairs Committee](#). Report: [Brexit and the Labour Market](#).

21 July: The EU Internal Market Sub-Committee launches a [new inquiry into UK competition policy after Brexit](#).

24 July: The EU Financial Affairs Sub-Committee launched a [new inquiry into the future of financial regulation and supervision following Brexit](#).

24 July: The International Relations Committee [launched its inquiry into the UK and the Balkans](#), with a particular focus on the UK's approach to the region beyond Brexit.

25 July: The EU Energy and Environment Sub-Committee published its [report on Brexit: farm animal welfare](#).

27 July: [Security risk to UK identified if European Arrest Warrant is not replaced](#) – EU Home Affairs Sub-Committee report.

9 August: The Secretary of State for Exiting the European Union, David Davis, wrote to the Lords EU Committee to [summarise the outcome of the second round of Brexit negotiations](#).

29 August: [Letter from Secretary of State for Exiting the European Union](#) to the European Union Committee.

5 September: [Government response to the European Union Committee's Brexit: UK-Irish relations report](#).

5 September: [The Government has responded](#) to the [report of the European Union Committee on Brexit: UK-Irish relations](#).

5 September: The Lords debated the European Union Committee's report [Brexit: UK-Irish Relations](#) and [noted the report](#).

5 September: The Secretary of State's statement in the Commons was repeated and there was a debate on [Update on the Progress of EU Exit Negotiations](#).

6 September: Academics and industry discussed the [impact of Brexit on energy security](#) with the EU Energy and Environment Sub-Committee.

6 September: [Letter to The Secretary of State for Exiting the European Union](#) from the European Union Committee.

7 September: Questions on [Brexit: Negotiations](#).

7 September: The [Constitution Committee in its interim report](#) called for the Government to act on the Committee's criticism of the "unprecedented" transfer of powers from Parliament to Government, proposed in the European Union (Withdrawal) Bill.

8 September: [Letter from the Secretary of State for Exiting the European Union](#) to the European Union Committee.

8 September: The EU Home Affairs Sub-Committee launched a [new inquiry into reciprocal healthcare after Brexit](#).

11 September: Questions on [Brexit: Impact on Young People](#).

12 September: [Debate to take note of the position papers and future partnership papers published by Her Majesty's Government](#).

12 September: Competition and Markets Authority advises on [Brexit and Consumer Protection](#) – EU Justice Sub-Committee.

12 September: [Home Office and Nuffield Trust questioned on reciprocal healthcare after Brexit](#) – EU Home Affairs Sub Committee.

13 September: [Brexit: Overseas Territories concerns must be taken in to account](#) – Letter to the Secretary of State for Exiting the European Union from the European Union Committee.

13 September: [Academics give evidence on financial regulation and supervision](#) – EU Financial Affairs Sub Committee.

14 September: The EU External Affairs Sub-Committee took evidence from the Foreign and Commonwealth Office as part of its inquiry [Brexit: sanctions policy](#).

14 September: The EU Internal Market Sub-Committee held evidence sessions launching its new inquiry on [Brexit: competition](#).

## News

14 July: [Toyota made UK investment decision after Brexit reassurances](#) (Reuters)

## 5. Scotland

### Scottish Parliament

Scottish Parliament Brexit Updates: [7 September](#); [30 August](#); [23 August](#); [16 August](#); [9 August](#); [1 August](#); [24 July](#).

11 September: The Delegated Powers and Law Reform Committee issued a [call for evidence in relation to the European Union \(Withdrawal\) Bill](#).

11 September: [The Scottish Parliament's European Committee raised Scottish concerns over Brexit with the EU's Chief Negotiator, Michel Barnier](#).

### Scottish Government

12 July: [Concerns over the future of nuclear safety](#). Letter to UK Government on future relationship of UK with Euratom.

13 July: First Minister of Scotland Nicola Sturgeon and First Minister of Wales Carwyn Jones have issued a [joint statement on the EU \(Withdrawal\) Bill](#).

16 July: [EU Bill 'doesn't reflect reality of devolution'](#).

17 July: [Rights of EU citizens](#).

19 July: [UK Government/DUP deal](#). The Welsh and Scottish Governments have begun the formal dispute resolution process with the UK Government over their right to receive consequential funding as a result of the Prime Minister's deal with the Democratic Unionist Party.

27 July: [Scottish and Welsh Ministers discussed Brexit](#). Changes must be made to the EU Withdrawal Bill.

30 July: [Brexit and Scotch Whisky industry](#).

6 August: [GM crops and Brexit](#).

6 August: [Threat to European cultural collaboration](#).

9 August: [Brexit Bill talks](#). Scottish Government to recommend consent is rejected.

16 August: [Brexit risk to farming](#).

17 August: [Brexit threatens environmental ambition](#). Scottish and Welsh Ministers warn progress is being put at risk.

22 August: [Amendments to UK Brexit Bill will be proposed](#). First Ministers of Wales and Scotland agree actions to counter serious risks to devolution.

28 August: [No EU deal is 'unthinkable'](#). Call for UK Government to commit to remain in Single Market.

6 September: [Brexit planning process 'unacceptable'](#) – Minister raises concerns over lack of engagement by UK Government.

11 September: [Defending the Scottish Parliament](#) – First Minister calls for consensus on new powers.

## 6. Northern Ireland

The Assembly has published [EU Matters: BREXIT Negotiation Focus](#), which includes a summary of the UK government, European Council and European Parliament negotiating positions.

## 7. UK–Ireland relations

22 June: Seanad Special Committee on the Withdrawal of the United Kingdom from the European Union: [Engagement with Lord Alderdice, Former Speaker of the Northern Ireland Assembly](#).

12 July: Report of [Seanad Special Select Committee on the Withdrawal of the United Kingdom from the European Union](#): Motion to Note.

4 August: [Taoiseach addressed Queens University Belfast](#) – The challenge of our generation is Brexit.

16 August: [Government Statement on the publication of the UK's position paper on Northern Ireland and Ireland](#).

## 8. Reports published

*House of Commons Library*

[Brexit: the August negotiations](#)

[European Union \(Withdrawal\) Bill research paper](#)

*House of Lords Library*

[Position Papers and Future Partnership Papers on the UK's Future Relationship with the EU](#)

*Other*

[Collating Local Impact of Brexit](#) – funding, local economies, local labour markets, public services, state aid, local well-being plans, legislation (WLGA)

[Taking Back Control for Brexit and Beyond](#): Delegated Legislation, Parliamentary Scrutiny and the European Union (Withdrawal) Bill (Hansard Society)

[The Customs Declaration Service](#) (National Audit Office)

[European and British pharmaceutical and life science industry letter](#).

[Migration Statistics Quarterly Report: August 2017](#) (Office for National Statistics)

[What new barriers can EU citizens expect in their daily lives after Brexit?](#) (The Conversation)

[Yanis Varoufakis: a progressive Brexit transition can be built – on both sides of the Channel](#) (The Conversation)

[Softening a hard border: lessons from North America for post-Brexit Ireland](#) (LSE Brexit Blog)

[Come Together? Wales, Scotland, and post-Brexit Governance in the UK](#) (Welsh Brexit Blogs)

[Making Brexit work for Wales' smaller firms](#) (Welsh Brexit Blogs)