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Y Pwyllgor Cydraddoldeb, Llywodraeth Leol a Chymunedau
Equality, Local Government and Communities Committee
ELGC(5)-14-17 Papur 5/ Paper 5

27 April 2017

Dear John

Great Repeal Bill White Paper

Following our discussion of Brexit issues at the Chairs' Forum on 5 April 2017, and in light of decisions taken by the External Affairs Committee at its meeting on 3 April 2017, I am writing to inform you of the work that the External Affairs Committee has planned in relation to the Great Repeal Bill White Paper.

I am also writing to invite you and your committee to contribute to this work.

The Great Repeal Bill and the UK Government's broader approach to legislating for Brexit, poses the Assembly and its committees some significant challenges.

The final shape of this Bill will have significant implications both in terms of the Assembly's role in the Brexit process and its place in the constitutional order of the United Kingdom.

The White Paper offers the Assembly its first opportunity to influence the legislation and, arguably, its best opportunity.

I see two key aspects to this scrutiny:



1. **Devolution:** ensuring the Assembly and Welsh Ministers are not prevented from taking an appropriate role in the process; and
2. **Balance of executive power:** that an appropriate balance is struck between the powers and pace needed by Welsh Ministers to complete their legislative task with the need for proper Assembly oversight.

Whilst the External Affairs Committee has been established by the Assembly to take a lead on these issues, such is the scale of the task ahead that I believe most Assembly committees will need to play a part in the Assembly's response. We will maximise the Assembly's ability to influence the final shape of legislation by working collaboratively and coordinating our work where possible.

I would welcome your views on the Great Repeal White Paper and the UK Government's broader legislative approach to Brexit. Our terms of reference are as follows:

In the context of the UK Government's White Paper, to assess whether:

- the Assembly's role in the Brexit legislative process, and in scrutinising executive functions, in areas of devolved competence is protected;
- principles of effective law making are being observed;
- the Welsh people, stakeholder and organisations have sufficient opportunity to contribute to the legislative processes established by the Bill;
- the Bill enables the Assembly to exercise appropriate control over delegated powers provided by the Bill; and
- the Welsh Government's response is sufficient.

The External Affairs Committee is preparing to gather evidence during the first half of the Summer Term, with a view to reporting in early June. Should you wish to respond to this letter, then I would be grateful for responses by Friday 2 June 2017.

We are planning to continue our scrutiny of this legislation (and the implications it has throughout and following the Brexit process) should the Great Repeal Bill be



introduced later in the year and I will write to you again should the timescales for this become clearer.

Yours sincerely

A handwritten signature in black ink that reads "David F. Rees." The signature is written in a cursive style with a clear, legible font.

David Rees AM

Chair of the External Affairs and Additional Legislation Committee

