



Department
for Exiting the
European Union

The Repeal Bill

Factsheet 5: Devolution

repeal-bill@dexeu.gov.uk

Devolution

The Government is committed to ensuring that withdrawal from the EU is a successful and smooth process for the whole of the UK.

At present, EU rules create a consistent approach across the UK in a range of policy areas. This protects the freedom of businesses to operate across the UK single market, and the UK's ability to fulfil international obligations and protect common resources.

As powers are repatriated from the EU, our guiding principle is that no new barriers to living and doing business within our own union are created when we leave the EU. We will therefore need to examine these powers carefully to determine the level best placed to take decisions on these issues.

The Government expects that the return of powers from the EU will lead to a significant increase in the decision making powers of the devolved administrations.

Key facts

- The Bill will replicate the common UK frameworks created by EU law in UK law, and maintain the scope of devolved decision making powers immediately after exit. This means that any decisions that the devolved authorities can take before exit, they can continue to take after exit.
- This will be a transitional arrangement to provide certainty after exit and allow intensive discussion and consultation with devolved authorities on where lasting common frameworks are or are not needed.
- Where it is determined that a common approach is not required, the Bill provides a power to lift the limit on devolved competence in that area.

Frequently Asked Questions

Aren't you just re-reserving powers? Isn't this a Westminster land grab?

- No. As the PM has made clear, under this Bill decisions that are currently made by devolved administrations will continue to be made by the devolved administrations. That is what is set out in the Bill.
- There will then be discussions about where lasting common frameworks are or are not needed. It is the expectation of the Government that the outcome of this process will be a significant increase in the decision making power of each devolved authority.
- This is about ensuring that decision making powers returning from the EU are allocated within the UK in a way that works - ensuring that no new barriers to living and doing business within the UK are created.
- This will be vital if we are to protect the UK internal market, and ensure we have the ability to strike the best trade deals around the world, protect our common resources, and fulfil our international obligations. This is in the interest of citizens in every part of the UK.

What input have the devolved administrations had on the development of the devolution provisions in the Bill?

- The Government has discussed the Repeal Bill with the devolved administrations, and the Bill and White Paper were shared with the devolved administrations in advance of publication. UK Government officials have been engaging with their colleagues in the devolved administrations on the Bill and to help determine the scale of the changes needed to correct the statute book across the UK.