

**Jeremy Miles MS**  
**Y Cwnsler Cyffredinol a'r Gweinidog Pontio Ewropeaidd**  
**Counsel General and Minister for European Transition**



Llywodraeth Cymru  
Welsh Government

Mick Antoniw MS  
Chair, Legislation, Justice and Constitution Committee  
Senedd Cymru  
Tŷ Hywel  
Cardiff Bay CF99 1SN

5 October 2020

Dear Mick,

Thank you for your follow-up letter resulting from the Committee's session on 21 September.

I can confirm that the Plenary debate on the Welsh Government's legislative consent motion for the UK Fisheries Bill has been rescheduled for 6 October. It is regrettable that the MoU has not yet been finalised, and this is not the way in which we would ideally have preferred to proceed. However, given the wide ranging nature of the MoU it is still in development, and with the timetable for this Bill, it was impossible to share in advance of the Senedd's consent decision.

With regard to the section 109 order, the UK Government has not provided me with an explanation for the delay. The Secretary of State for Wales has confirmed, however, that he remains committed to bring the Order forward. Our officials are working to agree a new timetable and finalising the drafting.

Turning to the issue of Covid-19, the volume of legislation related to that has had a major impact on the timing of the EU exit related subordinate legislation, both SIs emanating from the UK Government and in respect of the Welsh SIs required to address EU exit issues. For the Welsh Government, we have made a very large number of pieces of subordinate legislation related to coronavirus and Covid-19, with over 110 having been made to date.

This work has taken up a very significant amount of resources across the Welsh Government and has, unavoidably, resulted in a greater amount of EU exit subordinate legislation being made in the latter half of 2020 than we would have liked.

The risks of not having all the necessary legislation in place at the end of transition would involve not having a functioning statute book and not delivering the Withdrawal Agreement and related agreements and post-transition domestic regimes. This would also apply to any treaty with the EU and Free Trade Agreements with third countries.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Prioritisation exercises have been, and are being, undertaken by the UK and Welsh Governments, to ensure, as far as possible, that all necessary legislation can be delivered by the end of the year.

A further resurgence of Covid-19 could create another significant challenge for the delivery of the legislative programme for the end of transition. That is one reason why we, as a responsible Government, asked the UK Government to seek an extension to the transition period.

I am copying this letter to the Llywydd, as the Chair of the Business Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Miles', with a stylized, cursive script.

**Jeremy Miles MS**

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