

Business Committee report on revising the remit of the External Affairs and Additional Legislation Committee

Purpose of the Committee

The Committee will need to ensure that Welsh interests are safeguarded in negotiations and eventual decisions on:

- the UK's withdrawal from the European Union;
- the UK's future relationship with the European Union; and
- intra-UK post-withdrawal arrangements for policies, finance and legislation that stem from the European Union.

This work could be summarised as having three interdependent loci: Cardiff, London and Brussels.

Approach

The approach could be phased accordingly:

Understanding the implications – A comprehensive assessment of the policy, financial, legislative and constitutional implications for Wales. Draw on Commission, Government, academic and third sector expertise to deliver this. It could convene an expert panel to assist with this aspect of its work.

Understanding the practical steps – Once the magnitude and detail of the implications are understood, the Committee could look at what needs to be done to ensure that Welsh interests are adequately represented and acted upon during the exit negotiations. In doing so, it would scrutinise the Welsh Government's strategy for managing this process and, if necessary, recommend alternative approaches.

Understanding the Welsh interest – the Committee could play a positive role in terms of providing a platform for dialogue between stakeholders and the exit negotiations – ensuring stakeholder views are heard and inform scrutiny of those involved in the negotiations. Additionally, feeding-back progress as negotiations progress can assist in ensuring stakeholders remain engaged

and that the Assembly stays ahead of the game in terms of representing the people of Wales.

Holding the Welsh Government to account – the Committee could use the knowledge it has developed in these first phases of its work to scrutinise the Welsh Government's actions and influence on the exit process.

The focus throughout would be on ensuring the best possible outcome for the people of Wales.

Where a committee is able to support the Welsh Government, this cross-party endorsement could strengthen the Welsh position. If a committee makes constructive criticism, this too can strengthen the prospect of positive outcomes for Wales if acted upon by the Welsh Government.

The work to understand the implications and engage stakeholders could start immediately. It provides an opportunity to position the Assembly as the forum for debate about the Wales-specific issues surrounding the UK's exit from the EU.

Other committees will wish to examine the implications for domestic policy of the negotiations. This Committee could co-ordinate that work and draw on this to augment its own work (rather than duplicating). The Business Committee notes that the Chairs' Forum is due to discuss this in the Autumn.

In order to obtain the information and intelligence needed for this work, the Committee (and Chair in particular) will need to ensure that it is embedded in inter parliamentary networks such as the EC-UK forum, that they have a thorough understanding of the field of play in Brussels and London and to be in a position to respond with agility and pace to emerging developments.

The Business Committee could consider whether this Committee should be required to report on progress to the Assembly on a rolling basis.

Additional Legislation

This Committee can also undertake the scrutiny of legislation, in any subject area referred to it by the Business Committee, where capacity does not enable it to be scrutinised within the existing Committee structure.

It would also be logical to reallocate the responsibilities for draft European Union legislation, which currently lie with the Constitutional and Legislative Affairs (CLA) Committee, to this Committee.

There is nothing to prevent the Business Committee reviewing these arrangements in the future.

Revised remit proposed by Business Committee to the Assembly

Business Committee proposes the following remit:

1. To examine the implications for Wales of the United Kingdom's withdrawal from the European Union and to ensure Welsh interests are safeguarded during the withdrawal process, in any new relationship with the European Union and in the intra-UK post-withdrawal arrangements for relevant policy, finance and legislation.
2. To coordinate activity across Assembly committees in relation to point 1 above.
3. To carry out the functions of the responsible committee under Standing Orders 21.8 to 21.11.
4. To consider any other matter, including legislation, referred to it by the Business Committee.

A corresponding change will also be needed to the remit of the Constitutional and Legislative Affairs Committee.