



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Maritime Transport Access To Trade And Cabotage
(Revocation) (EU Exit) Regulations 2018**

DATE **2 November 2018**

BY **Julie James AM, Leader of the House and Chief Whip**

The Maritime Transport Access To Trade And Cabotage (Revocation) (Eu Exit) Regulations 2018

The Law which is being amended

- *Council Regulation (EEC) No 2919/85 (revocation)*
- *Council Regulation (EEC) No 4055/86 (revocation)*
- *Council Regulation (EEC) No 4057/86 (revocation)*
- *Council Regulation (EEC) No 4058/86 (revocation)*
- *Council Regulation (EEC) No 3921/91 (revocation)*
- *Council Regulation (EEC) No 3577/92 (revocation)*
- *Council Regulation (EC) No 1356/96 (revocation)*
- *Council Regulation (EC) No 789/2004 (revocation)*
- *Council Decision 83/573/EEC (revocation)*
- *Decision 167/2006/EC (revocation)*
- *Annex XIII to the EEA agreement*

Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence

No impact

The purpose of the amendments

The purpose of the amendments is to correct deficiencies in legislation arising from the UK leaving the European Union relating to the permitting cabotage across the EU.

The Cabotage regulations will revoke a number of Regulations and Decisions, including Regulation 3577/92 applying the principle of freedom to provide services to

maritime transport. This is in line with wider practice, as cabotage is generally restricted and not permitted in the UK by countries which are not member states. The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here:

<https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-maritime-transport-access-to-trade-and-cabotage-revocation-eu-exit-regulations-2018>

Why agreement was given

This SI revokes a variety of EU legislation around shipping/maritime transport services. The reservation of shipping in GoWA 2006 applies to ships on the sea or any other waterway and it covers all aspects of shipping, including shipping services. The competence of the NAFW is only in respect of financial assistance for shipping services to, from or within Wales.

The Welsh Government consider that it would not be proportionate for the Welsh Ministers to legislate in such a limited way, and that it is appropriate for the UK Government to do. No practical impact for Wales is expected to arise from these changes.

On this basis, it is considered making separate SIs in Wales and England would lead to duplication, and unnecessary complication of the statute book. Agreeing to a UK wide/ England and Wales wide SI ensures that there is a coherent approach wherever possible in preparing the statute book to function properly after the UK has left the EU. This approach will promote the clarity and accessibility of legislation across the UK. In these exceptional circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.