# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

|  |  |
| --- | --- |
| **TITLE**  | **Possible Legal challenge to the UK Internal Market Bill** |
| **DATE**  | **16 December 2020** |
| **BY** | **Jeremy Miles MS, Counsel General and Minister for European Transition** |

The Welsh Government is determined to do everything we can to protect the Senedd in the face of the outrageous attack on its legislative competence made by the UK Government through the UK Internal Market Bill, to which the Senedd has rightly refused consent.

The Bill will today complete the process of Commons Consideration of Lords Amendments. If the Bill is enacted in its present form, this would leave the ambit of the devolution settlement in Wales uncertain and undermined.

Regulation-making powers in the Bill would open the Government of Wales Act 2006 (GoWA) to very wide substantive future amendment, and the powers of the Senedd and Welsh Government to serious diminution, at the hands of the UK Government.

The provisions in the Bill are also so wide and deep in operation that they risk constraining the legislative space for the Senedd in areas which are currently devolved.

We have therefore today formally notified the UK Government that should the UK Parliament enact the Bill in its present form, I intend to take immediate action to seek a declaration from the Administrative Court that the ambit of constitutional legislation cannot lawfully be cut down in this way and that the ensuing Act cannot be interpreted so as to have that effect.

We have asked for a response from the UK Government within 14 days.

I will keep Members fully informed of developments.