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Prìomh Mhinistear na h-Alba



Llywodraeth Cymru
Welsh Government

Rt Hon Theresa May MP
Prime Minister
10 Downing Street
London

19th September 2017

Dear Theresa,

The Scottish and Welsh Governments recognise our responsibility to prepare our laws for the upheaval of EU withdrawal. The governments of these islands have much work to do to ensure that stability and continuity can be achieved on exit day, and all governments will have to work together if that is to be done most effectively. So we stand ready to work in a cooperative and coordinated way with others to prepare for Brexit. But the approach of the UK Government to devolution in the EU (Withdrawal) Bill is preventing this essential cooperation and coordination.

We have been clear since the Bill was first introduced that our governments could not recommend it as currently drafted to our legislatures for their consent. We have now set out our reasons for that, in detail, in legislative consent memorandums laid before each of the Scottish Parliament and the National Assembly for Wales. And, as we have indicated, we have begun to consider the scope for preparing alternative devolved legislation to provide for continuity of law on withdrawal from the EU. That is not, however, our preferred option. We want a European Union (Withdrawal) Bill that can be made to work with, not against, devolution. The current Bill will need to be substantially amended for us to be able to recommend to our respective legislatures that they give their consent to it.

Our Governments have therefore prepared a set of amendments which, if made, would make the Bill one which we could consider recommending to the Scottish Parliament and the National Assembly for Wales. We have made these amendments widely available, and in particular to chairs/conveners of the relevant committees in the National Assembly for Wales and the Scottish Parliament. We hope that they will be received in the way they are intended: as a constructive contribution by the devolved administrations, which would enable progress to be made among the governments in a way which respects the hard-won devolution settlements of the UK.

NICOLA STURGEON

CARWYN JONES