

# **International Agreements**

Agreements considered on 14  
February 2022

March 2022



## 1. Background

1. The Legislation, Justice and Constitution Committee is responsible for the scrutiny of non-trade international agreements in the Sixth Senedd.
2. International agreements signed by the UK Government can cover matters within devolved competence or matters which have important policy implications for Wales.
3. The Committee will consider the impact on Wales of international agreements laid in the UK Parliament under the process established by the Constitutional Reform and Governance Act 2010 (CRaG Act 2010). It provides an initial 21 day scrutiny period.
4. Our consideration of an international agreement takes into account:
  - whether it engages the Senedd's competence; and/or
  - whether there are potential policy implications for Wales.
5. On 14 February 2022 we considered two international agreements that have recently been laid in the UK Parliament.<sup>1</sup>
6. The agreements we considered were:
  - UK/France: Agreement concerning Railway Undertaking Licences in respect of Rail Transport Services through the Channel Fixed Link; and
  - UK/France: Agreement concerning Train Driving Licences and Complementary Certificates in respect of Rail Transport through Channel Fixed Link
7. We agreed to note the two agreements for information. Further details on each of the agreements are set out below.

---

<sup>1</sup> Legislation, Justice and Constitution Committee, 14 February 2022

---

## 2. Agreements noted for information

### **UK/France: Agreement concerning Railway Undertaking Licences in respect of Rail Transport Services through the Channel Fixed Link**

8. This international agreement was laid in the UK Parliament on 27 January 2022. Its scrutiny deadline, as required by the CRaG Act 2010, is 8 March 2022.

9. The aim of this agreement is to provide reciprocal recognition of rail operator licences between the UK and France in the UK and French sections of the Channel Tunnel and up to the first border crossing stations in UK and French territory.

10. The Explanatory Memorandum states that the agreement will provide long-term certainty, clarity and confidence to cross-border rail operators and will reduce administrative burdens. Without the agreement, rail operators would be required to hold two licences, one issued in the EU and one issued in the UK.

11. The section on devolution ordinarily included in Explanatory Memoranda to international agreements is missing from the Memorandum. Therefore, no information is available regarding the devolved administrations, including whether they were consulted in the drafting of this agreement and the UK Government's view on competence.

12. We noted the agreement for information and that information related to devolution, which is ordinarily included as standard, is missing.

### **UK/France: Agreement concerning Train Driving Licences and Complementary Certificates in respect of Rail Transport through Channel Fixed Link**

13. This international agreement was laid in the UK Parliament on 1 February 2022. Its scrutiny deadline, as required by the CRaG Act 2010, is 14 March 2022.

14. The aim of this agreement is to provide for the recognition of train driving licences issued in the European Economic Area ("EEA") and in Great Britain between the UK and France in the UK and French sections of the Channel Tunnel and up to the first border crossing stations in UK and French territory.

15. The Explanatory Memorandum states that the agreement will provide long-term certainty, clarity and confidence to cross-border rail operators and will reduce administrative burdens. Without the agreement, train drivers operating in the Channel Tunnel would be required to hold two licences, one issued in the EEA and one issued in Great Britain.

**16.** The Explanatory Memorandum goes on to explain that as train driving licensing relates to a reserved matter, the agreement has no implications for the devolved governments. As such, they were not consulted on its drafting.

**17.** We noted the agreement for information only.