



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **The Regulation (EU) No 2018/1724 The Single Digital Gateway Regulation (Revocation) (EU Exit) Regulations 2020**

**DATE**            **3 July 2020**

**BY**                **Rebecca Evans AS, Minister for Finance and Trefnydd**

### **The Single Digital Gateway Regulation (Revocation) (EU Exit) Regulations 2020**

#### **Policy Overview of the SI**

Regulation [EU 2018/1724](#) – The Single Digital Gateway is intended to provide a gateway for citizens and businesses to have easy access to high quality information, procedures and effective assistance services of the EU internal market.

The regulation establishes a Single Digital Gateway that will give access to,

- Information on rights, obligations and rules
- Information on online and offline procedures and links to online procedures
- Information on, and links to, the assistance services

By 11 December 2020, Member States must ensure that users have easy, online access on their national webpages to the following;

- Information about those rights, obligations and rules that are derived from national law.
- Information about those procedures that are established at a national level.
- Information about those assistance services that are provided at a national level.

There are two further stages of implementation below which fall outside the transition period.

- December 2022: provide information and assistance and problem-solving services on EU internal market rights and rules at local authority level (Annexes I & III)
- December 2023: digitalise 21 administrative 'life event' procedures and operability of the Once Only principle. The 'life event' procedures include birth and death registrations, applying for a study grant and claiming a pension. The Once Only system would allow Gateway user details to be re-used by other public authorities across borders so that users do not need to re-enter their details each time they access the Gateway (Annex II)

This SI is intended to repeal Regulation [EU 2018/1724](#) to ensure the UK and Wales do not have to comply with EU internal standards and EU timescales for implementation that fall outside of the transition period. This will also allow the UK and Wales to develop systems and standards independently from the EU.

This SI also repeals Regulation (EU) 1024/2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation'), to omit paragraph 12 of the Annex which refers to Regulation EU 2018/1724.

## **Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services**

### **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 implementation of a Single Digital Gateway. The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment are available here:

<https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-single-digital-gateway-regulation-revocation-eu-exit-regulations-2020>

### **Any impact the SI may have on the Welsh Ministers' executive competence**

The UK Government maintains that this SI is covered by Paragraph 10(2) of Schedule 7A to the Government of Wales Act 2006, which covers international relations including relations with the EU and its institutions. It has taken this view because the purpose of the EU Regulation concerns the sharing of information between EU Member States, and EU Member States and the Commission at the EU level, i.e. relations between the UK, as a Member State, and the EU and its institutions.

The Welsh Government does not agree with this assessment. Using this justification would make all EU Exit SIs a reserved matter and would render the Inter-governmental Agreement (IGA) relating to the EU (Withdrawal) Act 2018 obsolete. The wider purpose of the SDGR is about a citizen's access to public and governmental information, some of which clearly falls within devolved subject areas

(health, education etc.). It is within the Senedd's legislative competence to legislate on the digital provision of access to information, procedures, assistance and problem-solving services for citizens and businesses regarding devolved national laws and administrative requirements.

### **Any impact the SI may have on the legislative competence of the Senedd**

The SI has no impact on the Senedd's legislative competence.

The Senedd has always had powers to legislate on the digital provision of information in devolved areas, above and beyond the minimum standards of scope and content set out under SDGR. This SI removes the requirement of an EU minimum standard and allows Wales to formulate its own minimum requirements to meet the needs of citizens and businesses.

### **Why consent was given**

There is no divergence between the Welsh Government and the UK Government on the policy for the correction. Therefore, making separate SIs in Wales and England would lead to duplication, and unnecessary complication of the statute book.

Consenting to a UK wide SI ensures that there is a single legislative framework across the UK which promotes clarity and accessibility during this period of change. In these exceptional circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.