The Welsh Government's Legislative Consent Memorandum on the Great British Energy Bill

December 2024



1. Background

- 1. The Great British Energy Bill¹ (the Bill) was introduced in the House of Commons and had its First Reading on 25 July 2024. It is sponsored by the Department for Energy Security and Net Zero.
- **2.** The long title to the Bill states that it is a Bill to:

"Make provision about Great British Energy."2

3. The Explanatory Notes to the Bill as introduced state that:

"The purpose of this Bill is to enable the Secretary of State for Energy Security and Net Zero to designate a company as Great British Energy and place it on a statutory footing. Great British Energy will be an operationally independent company whollyowned by the Government. Its objects will be to facilitate, encourage and participate in the production, distribution, storage and supply of clean energy; the reduction of greenhouse gas emissions from energy produced from fossil fuels; improvements in energy efficiency; and measures for ensuring energy security".³

4. The Bill had its First Reading in the House of Lords on 30 October 2024 and received its Second Reading on 18 November 2024. At the time this report was agreed, Committee Stage in the House of Lords was scheduled to begin on 3 December 2024.

The Welsh Government's Legislative Consent Memorandum

- **5.** Standing Orders 29.1 and 29.2 provide that a legislative consent memorandum is required when a relevant UK Bill makes provision in relation to Wales that has regard to devolved matters..
- **6.** On 8 August 2024, Ken Skates MS, the then Cabinet Secretary for Economy, Transport and North Wales (the Cabinet Secretary), laid before the Senedd a Legislative Consent Memorandum (the Memorandum) in respect of the Bill.⁴

¹ Creat British Energy Bill, as introduced

² Ibid

³ Explanatory Notes to the Great British Energy Bill, as introduced paragraph 1

⁴ Welsh Government, <u>Legislative Consent Memorandum</u>, Great British Energy Bill, 8 August 2024

- **7.** Following a reshuffle of the Welsh Government Cabinet on 11 September 2024, Rebecca Evans MS, the Cabinet Secretary for Economy, Energy and Planning (the Cabinet Secretary), took over responsibility for the Memorandum.
- **8.** Where the report draws on statements in the Memorandum, the Cabinet Secretary in question is the Cabinet Secretary for Economy, Transport and North Wales. Where the report draws on evidence given to the Committee on 4 November, the Cabinet Secretary in question is the Cabinet Secretary for Economy, Energy and Planning.
- **9.** The Business Committee agreed that the Legislation, Justice and Constitution Committee and the Climate Change, Environment and Infrastructure Committee should report on the Memorandum by 15 November 2024.⁵ On 5 November 2024, the Business Committee agreed a revised reporting deadline of 10 January 2025.⁶

Provisions for the which the Senedd's consent is required

- **10.** The Welsh Government's assessment is that consent is required for the following provisions⁷:
 - clause 1 Great British Energy;
 - clause 2 Crown status:
 - clause 3 Objects;
 - clause 4 Financial assistance:
 - clause 5 Strategic priorities and plans;
 - clause 6 Directions;
 - clause 7 Annual accounts and reports;
 - clause 8 Extent, commencement and short title.

3

⁵ Business Committee, <u>Timetable for consideration</u>: <u>Legislative Consent Memorandum on the Great British Energy Bill</u>, 17 September 2024

⁶ Business Committee, <u>Revised timetable for consideration</u>: <u>Legislation Consent Memorandum on the Great British Energy Bill</u>, 5 November 2024

⁷ Memorandum, paragraphs 13 to 24

- 11. The Welsh Government's view, as set out in the Memorandum, is that these clauses require the consent of the Senedd as they:
 - "... make provision regarding Wales that falls within the Senedd's legislative competence; or otherwise have regard to the devolved matters of environmental protection and air quality, in relation to facilitating, encouraging and participating in:
 - the reduction of greenhouse gas emissions from energy produced from fossil fuels, which relates to the devolved matter of the protection of the environment, and
 - improvements in energy efficiency, which relates to the devolved matter of the protection of the environment and the encouragement of energy efficiency otherwise than by prohibition or regulation.
 - the production, distribution, storage and supply of clean energy."8

UK Government view on the need for consent

- **12.** In the Explanatory Notes to the Bill, the UK Government specifies that clauses 1 to 8 (in part) of Bill requires the legislative consent of the Senedd.⁹
- **13.** In the Memorandum, the Welsh Government states that "The UK Government consider the consent of the Senedd is required for the Bill".¹⁰

The Welsh Government's position as set out in the Memorandum

- **14.** Standing Order 29.3(iii) provides that a Legislative Consent Memorandum must explain whether it is considered appropriate for devolved provision to be made by means of a Bill. Neither a statement, nor a full explanation, is provided in the Memorandum.
- **15.** In paragraph 11 of the Memorandum, the Cabinet Secretary states that there is an overlap between the aims and operations of Great British Energy and existing Welsh Government operations, most directly through the company

⁸ Memorandum, paragraph 13

⁹ Explanatory Notes to the Great British Energy Bill, as introduced, Annex A

¹⁰ Memorandum, paragraph 25

Trydan Gwyrdd Cymru¹¹, which was established by the Welsh Government to develop renewable energy projects on the Welsh Government estate.

16. In the Memorandum, the Cabinet Secretary further states that:

"The Bill would not constrain the Welsh Ministers' ability to continue to support Trydan Gwyrdd Cymru using the existing powers available to them. However, given the high-level strategic approach of this Bill and information available currently on GBE in general, it is difficult to determine what the impact may be in terms of the operational application of GBE as a company and potential conflicts of competition with Trydan Gwyrdd Cymru or other aspects of Welsh Government energy delivery functions." ¹²

- 17. The Cabinet Secretary confirms in the Memorandum that UK Government officials engaged with Welsh Government officials on the policy intent for Great British Energy and that a draft Bill was shared with officials before introduction. However, the Cabinet Secretary states that the Welsh Government was not involved in joint policy development or drafting "due to the timescales involved". 13
- **18.** The Cabinet Secretary also confirms that, while the Welsh Government is supportive of the Bill and Great British Energy in general, it is seeking further engagement with the UK Government on the role of the Welsh Ministers and the Senedd with the Bill.¹⁴

Evidence from the Cabinet Secretary

- 19. We considered the Memorandum at our meeting on 7 October 2024.¹⁵
- **20.** On 10 October 2024, we wrote¹⁶ to the Cabinet Secretary for Economy, Energy and Planning, inviting her to appear before the Committee to provide evidence on matters in relation to the Memorandum. The Cabinet Secretary attended our meeting on 4 November 2024.¹⁷

¹¹ Trydan Gwyrdd Cymru

¹² Memorandum, paragraph 12

¹³ Memorandum, paragraph 10

¹⁴ Memorandum, paragraph 28

¹⁵ Legislation, Justice and Constitution Committee, 7 October 2024

¹⁶ Letter to the Cabinet Secretary for Economy, Energy and Planning, 10 October 2024

¹⁷ Legislation, Justice and Constitution Committee, 4 November 2024

The Welsh Government's position

- **21.** The Cabinet Secretary told us that, before the Welsh Government could recommend consent, further discussion was required with the UK Government, adding that there had been "good engagement both at official level and also at ministerial level".¹⁸
- **22.** In summarising the Welsh Government's position, the Cabinet Secretary told us that the Welsh Government was "very supportive of the proposal to establish Great British Energy", and that she saw "a great deal of potential there, particularly working with Trydan Gwyrdd Cymru and Ynni Cymru¹⁹". The Cabinet Secretary went on to say:

"But as we set out in the LCM, we are having some further discussions with the UK Government, particularly on what the role of the Welsh Ministers would be, and of course of the Senedd, in respect of aspects of the Bill. So, I'll provide some further information to the Senedd once those conversations have concluded."²⁰

23. The Cabinet Secretary expanded on her comments about the ongoing discussions with the UK Government and, when asked what specific changes to the Bill the Welsh Government would like to see before recommending the Senedd gives its consent, she said:

"I think one is around what the role is for Welsh Ministers and for the Senedd. One example of a change could be around the changing of 'consult' to 'consent'. I think that would be probably one of the most simple ways in which we could address some of the concerns that have been raised. But... there are other ways in which we could look to potentially make changes as well."²¹

24. In terms of the Bill's likely progress through the UK Parliament, the Cabinet Secretary told us that there was "still some uncertainty", but that the Welsh

¹⁸ LJC Committee, 4 November 2024, RoP [8]. See also RoP [10].

¹⁹ Ynni Cymru

²⁰ LJC Committee, 4 November 2024, RoP [9]

²¹ LJC Committee, 4 November 2024, RoP [73]

Government expected that there would be a need for the Senedd to consider a legislative consent motion "early in the new year".²²

Engagement with the UK Government

25. The Cabinet Secretary elaborated on engagement between the Welsh Government and the UK Government in respect of the Bill as follows:

"So, we've had really good discussions with UK Government. I met with Michael Shanks, the lead Minister for the Bill in the Department for Energy Security and Net Zero, on 24 October. I did set out the welcome for Great British Energy, the focus that the UK Government is putting on renewables, and was able to set out the work that we've already been doing in this space, particularly around Ynni Cymru and Trydan Gwyrdd Cymru. So, those discussions were very good, but I was really clear that our concerns, really, are around the role of Welsh Ministers and of the Senedd as we move forward. And then I know, at official level, the discussions have been frequent and ongoing in that space as well."²³

26. An official accompanying the Cabinet Secretary told us:

"In terms of the conversations that we tend to have at official level on any UK Bill, there will be an exploration of the various sorts of precedents that the Senedd have supported over the past few years and beyond, as well as other potential solutions that maybe haven't been explored in the past—obviously, always through the spectrum of ensuring that our principles are respected, and also that the Senedd's positions that have been taken over the last few years are reflected in those conversations as well. Hence the reason why the various types of solutions are being explored...". 24

²² LJC Committee, 4 November 2024, RoP [77]

²³ LJC Committee, 4 November 2024, RoP [42]. See also RoP [88].

²⁴ LJC Committee, 4 November 2024, RoP [62]

Great British Energy and Trydan Gwyrdd Cymru

- **27.** As highlighted by the Welsh Government in the Memorandum²⁵, there is overlap between the aims and operations of Great British Energy and existing Welsh Government operation, most directly through Trydan Gwyrdd Cymru.
- **28.** The Cabinet Secretary told us that:

"All this Bill does, essentially, is set up Great British Energy, or allow it to be designated, and then set out the strategic priorities for it. So, those discussions about how we will work in partnership with the UK Government, through Trydan Gwyrdd Cymru and Ynni Cymru, are ongoing at the moment, because, as we've heard, the UK Government is fairly early on in its thinking. So, whilst the legislation will set up Great British Energy, what comes next and how it does it are still part of the policy development, but we're involved in those discussions." 26

- **29.** The Cabinet Secretary added that she did not want to see "duplication in any way, or the two Governments inadvertently working against each other". She said that the two governments "need to be working together and finding opportunities to collaborate".²⁷
- **30.** An official accompanying the Cabinet Secretary also told us:

"We've been taking a much more planned approach, as you know, in Wales, to the energy system. We've now got local energy plans across the whole of the country. We're actually able now to feed in, in a proactive way, to this strategic spatial energy plan that's now been co-commissioned between the three Governments. And actually, Great British Energy then is the opportunity to perhaps create more of the value, as that's delivered, but retain more of that value in Wales.

From my perspective, one of the problems about our policy on ownership, that we should have more of this generation owned in Wales than we previously had, has been finding the counter parties and finding those citizen representative bodies that have got the ability and the competence to invest in this. And,

²⁵ Memorandum, paragraph 11

²⁶ LJC Committee, 4 November 2024, RoP [91]

²⁷ LJC Committee, 4 November 2024, RoP [92]. See also RoP [105].

potentially, that's one of the areas where we can work alongside Great British Energy, to make sure that a GB stake can be taken in some of those projects that are too big and too complex for any of the community and local organisations that we support and work with. So, I think there are huge opportunities there.

I think one of the key things, really, in delivering the climate change challenges and the plans that we've got for energy is that it's not about who should make the decisions, really; it's more about how do we all work together. The structures at the UK, the Welsh, the regional and the local level all need to be pointing in the right direction, so that we've got that bottom-up project-level information that can then accelerate that delivery in Wales, I think."²⁸

- **31.** The Cabinet Secretary added that she had been "keen to stress" to UK Government Ministers that "if they want to make rapid progress and have early wins in this space, then Wales is the place to do it, because we are so much further ahead in terms of the plans and the structures".²⁹
- **32.** We highlighted to the Cabinet Secretary that the Welsh Government's view, as set out in the Memorandum, is that the Bill would not constrain the Welsh Ministers' ability to continue to support Trydan Gwyrdd Cymru using the existing powers available to them. We asked whether such assurances had been given by the UK Government, and would the Bill be amended to reflect any such assurances. The Cabinet Secretary responded:

"We established Trydan Gwyrdd Cymru using the executive powers of Welsh Ministers, so there's nothing in the Bill that would affect that, so, in that sense, we don't see the need to see any specific amendments in that context."³⁰

33. In respect of changes to the Bill that the Welsh Government is pursuing, the Cabinet Secretary said "we want to see a stronger role for Welsh Ministers and the Senedd in terms of setting the strategic priorities", and that was the "key area of concern with the Bill".³¹ She also told us:

²⁸ LJC Committee, 4 November 2024, RoP [93] to [95]

²⁹ LJC Committee, 4 November 2024, RoP [96]

³⁰ LJC Committee, 4 November 2024, RoP [118]

³¹ LJC Committee, 4 November 2024, RoP [122]

"So, if those strategic priorities are in areas where we have devolved responsibility, for example, Warm Homes, then, obviously, there needs to be a role for the Welsh Government and for the Senedd in those discussions, and that's where we're having the particular discussions at the moment."³²

- **34.** The Cabinet Secretary added that if and where the strategic priorities may allow the UK Government to invest in areas which fall within devolved competence, the Welsh Government "would need to have safeguards in place so that the decisions are made here".³³
- **35.** An official accompanying the Cabinet Secretary also told us that there was "nothing that constrains the powers of the Welsh Ministers in this Bill" but that "clearly, there is an interaction between the devolved policies as regards the implementation of the various bodies". He added:

"With further clarity and assurances, at the very least, you would have a better understanding of how those two areas exist together, whether that's done in legislation or not. But from that kind of amendment perspective, I don't think it constrains powers, is what we would conclude." ³⁴

36. We asked the Cabinet Secretary what the creation of Great British Energy would mean for the work of Trydan Gwyrdd Cymru (and Ynni Cymru); specifically, would the work of Trydan Gwyrdd Cymru now be limited, or were things being put on hold until it was better understood how Great British Energy would operate. The Cabinet Secretary said she wanted to offer reassurance "that we're still all systems go in terms of Trydan Gwyrdd Cymru and the additional funding that we've put into Ynni Cymru as well". She added:

"So, Trydan Gwyrdd Cymru, we've got five particular projects that we're working on at the moment, so we'll continue to pursue all of those projects, moving those forward as well. As we've heard, the discussions are ongoing about how we might work together, but it's still relatively early days, I think, for Great British Energy, so we're not going to wait around." 35

³² LJC Committee, 4 November 2024, RoP [118]

³³ LJC Committee, 4 November 2024, RoP [120]

³⁴ LJC Committee, 4 November 2024, RoP [121]

³⁵ LJC Committee, 4 November 2024, RoP [37]

37. The Cabinet Secretary committed to share with the Senedd further information about the wider role of Great British Energy as soon as that is available³⁶, and also made a commitment to provide Senedd Committees with updates on intergovernmental discussions as they take place.³⁷

Delegated powers in the Bill

38. Clause 6 confers wide-ranging powers of direction on the Secretary of State for Great British Energy. These directions could have a direct impact on devolved areas. We asked the Cabinet Secretary whether she was satisfied with this approach. We also asked for her views on whether the Welsh Ministers should be listed as a statutory consultee on the face of the Bill, or whether there should be a requirement for the consent of the Welsh Ministers to be obtained. In addition, we asked if she had had any discussions with the UK Government as to whether the powers of direction could be exercised jointly or concurrently if they relate to devolved matters. The Cabinet Secretary said:

"At the moment, we do have those reassurances from the UK Government that we will be consulted, but actually we want to see more than just being statutory consultees in this space. Again, it comes back to the heart of the discussion about the way in which Welsh Government Ministers, and also the Senedd, will be involved. So, again, this is one of those spaces where we could look to consent, rather than consult. That's the kind of space that we've having those discussions in, although, as the team has said, there might be other solutions as well. But it really is about respecting and understanding the role of the Welsh Government and the Senedd."³⁸

Impact assessments

39. The Welsh Government's view, as set out in the Memorandum, is that there are no financial implications for Wales if the Senedd consents to the provisions in the Bill. We asked the Cabinet Secretary what regulatory and financial impact assessments the Welsh Government had undertaken on the provisions of the Bill that will impact Wales. The Cabinet Secretary told us:

³⁶ LJC Committee, 4 November 2024, RoP [139]

³⁷ LJC Committee, 4 November 2024, RoP [107]

³⁸ LJC Committee, 4 November 2024, RoP [144]. See also RoP [147].

"...the UK Government's impact assessment of that Bill doesn't include details in relation to financial allocations, and the reason for that is because that work will come next and it will come with the business cases in terms of the proposals for investment and so on."³⁹

- **40.** The Cabinet Secretary said the UK Government's approach "seems reasonable." ⁴⁰
- **41.** When we sought clarity as to whether the Welsh Government planned on undertaking assessments at a later date, the Cabinet Secretary responded:

"So, we think that it would be the UK Government that would be providing that greater level of detail, particularly around the business cases. Of course, there's that interrelationship with Ynni Cymru and Trydan Gwyrdd Cymru as well, which, again, is at an early development stage, because this Bill is simply about setting up Great British Energy, and, what comes next in terms of the projects that are supported, they will obviously have the impact assessments and so on attached to them."⁴¹

2. Committee consideration

42. We agreed our report on 25 November 2024.42

Our view

Provisions requiring consent

43. We note the Welsh Government's assessment of the provisions within the Bill which require the consent of the Senedd.

Conclusion 1. We agree with the Welsh Government's assessment, as set out in the Memorandum, of the provisions within the Bill which require consent of the Senedd in accordance with Standing Order 29.

³⁹ LJC Committee, 4 November 2024, RoP [26]

⁴⁰ Ibid

⁴¹ LJC Committee, 4 November 2024, RoP [29]

⁴² Legislation, Justice and Constitution Committee, 25 November 2024

- **44.** We also note that the UK Government agrees that consent is required for clauses 1 to 8 of the Bill.
- **45.** We further note, and bring to the Senedd's attention, that the Memorandum is silent on the question of whether the Senedd should consent to the Bill.
- **46.** We however acknowledge the Cabinet Secretary's commitment to keep the Senedd informed about the Welsh Government's position following further engagement with the UK Government. As set out below, we raise a series of concerns about the provisions in the Bill. With these in mind, we believe it is imperative that the Cabinet Secretary continues to provide regular updates to the Senedd on the Welsh Government's developing position in respect of the Bill.

Recommendation 1. The Cabinet Secretary should continue to provide regular updates to the Committee and the Senedd on its position in respect of the Bill, to enable it to form a view on whether or not it should provide its consent.

The Welsh Government's position, including its engagement with the UK Government and the overlap between Great British Energy and Trydan Gwyrdd Cymru

- **47.** We note the Cabinet Secretary's comments that the Welsh Government has engaged with the UK Government on the Bill. It is therefore unfortunate that there are significant outstanding issues, none more so than the potential for conflict or at the very least duplication of work between Great British Energy and Trydan Gwyrdd Cymru.
- **48.** We note, with some concern, the Welsh Government's view (as set out in the Memorandum) that "it is difficult to determine what the impact may be in terms of the operational application of GBE as a company and potential conflicts of competition with Trydan Gwyrdd Cymru or other aspects of Welsh Government energy delivery functions".
- **Conclusion 2.** We are concerned that the Senedd will likely be asked to make a decision on whether or not to consent to the Bill without knowing sufficient details about the planned operation of Great British Energy and therefore its potential impact on Trydan Gwyrdd Cymru.

Conclusion 3. In our view, understanding how Great British Energy will work alongside the already established Trydan Gwyrdd Cymru is a crucial factor in the decision-making process as to whether the Senedd should give its consent to the Bill.

49. We also note the comments by an official accompanying the Cabinet Secretary who said that, in delivering climate change challenges, "it's not about who should make the decisions". We acknowledge that many voices and actors are involved in tackling climate change challenges. Nonetheless, legislative provisions and legal frameworks should reflect and respect devolution boundaries. The Senedd and the Welsh Ministers should not give up decision-making power, or the ability to pursue Welsh priorities. This does not mean that crucial partners, like the Welsh and UK governments, cannot work collaboratively, and the law could be designed to allow such collaboration but with the appropriate safeguards; safeguards which the Cabinet Secretary herself described would ensure "decisions are made here".

Delegated powers in the Bill

- **50.** We note that clause 6 of the Bill confers wide-ranging powers of direction on the Secretary of State for Great British Energy, and that these directions could have a direct impact on devolved areas.
- **51.** At present, the Secretary of State could issue directions under clause 6 without obtaining the consent of, nor consulting with, the Welsh Ministers or the Senedd if the Secretary of State did not consider such consultation appropriate.
- **Conclusion 4.** Enabling the UK Government to issue directions in Wales relating to devolved areas without any requirement for consent from the Senedd or the Welsh Government is inappropriate. As such, we are concerned at the breadth of power clause 6 of the Bill offers to UK Government Ministers.
- **52.** We note the Cabinet Secretary's comments that the Welsh Government has received assurances from the UK Government that it will be consulted before directions under clause 6 are given. However, the Cabinet Secretary will be aware that assurances do not bind the UK Government; only a provision in a Bill can ensure a formal role for the Welsh Government.
- **Conclusion 5.** We welcome the Cabinet Secretary's statements that she is negotiating with the UK Government a change to the Bill so that the Welsh Ministers' consent must be obtained before clause 6 directions may be given.
- **53.** Nonetheless, a role solely for the Welsh Ministers would still mean that the Senedd would be bypassed in these matters. As we highlight above, it is concerning that the Senedd will likely be asked to make a decision on whether or not to consent to the Bill without knowing sufficient details about the planned

operation of Great British Energy and therefore its potential impact on Trydan Gwyrdd Cymru.

Conclusion 6. Given that the Senedd may be required to make its consent decision in the absence of important information and given the uncertainty about the impact of Great British Energy, we believe that the Bill should be amended to include a formal role for the Senedd in connection with the exercise of any delegated powers under the Bill by the Secretary of State.

- **54.** We note that the Cabinet Secretary told us that there were "other ways" that the Welsh Government could look to "potentially make changes" to the Bill.
- **55.** We also note the comments made by an official accompanying the Cabinet Secretary that, in negotiating with the UK Government, "there will be an exploration of the various sorts of precedents that the Senedd have supported over the past few years and beyond, as well as other potential solutions that maybe haven't been explored in the past". While we understand the logic of 'not looking to reinvent the wheel' when discussing and searching for solutions, we believe it is important that each Bill and each situation is considered on its own merits and on a case-by-case basis.
- **56.** As such, we believe that the Cabinet Secretary should provide clarity to the Senedd as to the options under consideration.

Recommendation 2. The Cabinet Secretary should set out the different ways the Welsh Government is seeking the Bill to be amended to ensure a role for the Welsh Ministers and the Senedd.

Impact assessments

- **57.** We note the Cabinet Secretary's comments that the UK Government not undertaking a financial impact assessment for Bill at this stage "seems reasonable" because of her view that that work will come with business cases for the proposals for investment.
- **58.** When we sought clarity as to whether the Welsh Government planned on undertaking its own assessments at a later date, we were disappointed with the Cabinet Secretary's response that it would be the UK Government providing the "greater level of detail, particularly around the business cases". This is of specific concern to us because of Great British Energy's interrelationship with Ynni Cymru and Trydan Gwyrdd Cymru; a relationship which is acknowledged by the Cabinet Secretary.

59. The Cabinet Secretary will be aware of comments we have previously made that when the Welsh Government proposes a Bill, a regulatory impact assessment would be required in accordance with the Senedd's Standing Orders. With legislative provision for Wales being included in a UK Bill and by not providing Wales-specific impact assessment, the ability of the Senedd to scrutinise the financial and other regulatory implications of the legislation that will impact on the lives of citizens in Wales is hindered.

Recommendation 3. The Cabinet Secretary should provide more information and clarity as to why the Welsh Government does not think there is a need for it to undertake its own assessments of the potential impact of the Bill on devolved matters.

UK-EU matters

60. The Trade and Cooperation Agreement between the UK and EU contains duties for UK and EU energy regulators and bodies to cooperate on energy efficiency and renewable energy. The Welsh Government has previously given a commitment to routinely include such analysis of the TCA in legislative consent memoranda laid before the Senedd.⁴³ However the Memorandum does not include any such analysis.

Recommendation 4. The Cabinet Secretary should explain and confirm how the Bill interacts with the obligations of the Trade and Cooperation Agreement.

⁴³ This commitment was given in the <u>Welsh Government's response</u> (January 2024) to the Culture, Communications, Welsh Language, Sport, and International Relations <u>Committee's International Relations Annual Report 2022-23</u> (November 2023)