

CALL FOR EVIDENCE: IMPACT OF THE EUROPEAN UNION (WITHDRAWAL) BILL ON THE DEVOLUTION SETTLEMENT

The UK Government introduced the European Union (Withdrawal) Bill on 13 July 2017. The Explanatory Notes to the Bill state that the Bill performs four main functions¹:

- Repeals the European Communities Act 1972;
- Converts EU law as it stands at the moment of exit into domestic law before the UK leaves the EU;
- Creates power to make secondary legislation, including temporary powers to enable corrections to be made to the laws that would no longer operate appropriately once the UK has left the EU and to implement a withdrawal agreement; and
- Maintains the current scope of devolved decision making powers in areas currently governed by EU law.

The Committee intends to undertake scrutiny of the Bill including consideration of the expected legislative consent memorandum following the Parliament's summer recess. In order to inform the Committee's evidence taking, the Committee is seeking views on the impact of the Bill upon the devolution settlement and the expected legislative consent memorandum. In particular, the Committee would be interested in hearing views with regard to the following issues—

- The appropriateness of the powers proposed in the Bill for UK Ministers and Scottish Ministers;
- The approach proposed in the Bill for repatriating powers which are currently competences of the European Union and the implications of this approach for the devolution settlement in Scotland;
- Whether there is a need to establish common UK frameworks to replace EU frameworks in devolved policy areas such as agriculture and environment; the appropriateness of the arrangements for these suggested by the European Union (Withdrawal) Bill; and alternative models for discussing, agreeing and operating any common frameworks that may be required;
- The suitability of current inter-governmental relations structures for a post-Brexit environment, and alternative processes and structures that may improve the effectiveness of intergovernmental relations, in light of the process of EU withdrawal and the development of common frameworks;
- Mechanisms that could be put in place to ensure that the Scottish Parliament has sufficient oversight over the process of negotiating, legislating for and

¹ European Union (Withdrawal) Bill, Explanatory Notes, p.5.

implementing Brexit, and of the exercise of powers conferred on Scottish and UK Ministers by the European Union (Withdrawal) Bill.

How to submit your evidence

The closing date for responses is **Friday 29 September 2017**.

All responses should be sent electronically (in Word format – no confirmatory hard copy required) to finance.committee@parliament.scot. Written responses will be handled in accordance with the Parliament's [policy for handling written evidence](#) received in response to calls for evidence. All written evidence received may be published by the Parliament and will be treated as a public document. If you wish to submit evidence in confidence or anonymously please read the policy at the link above.

What happens next?

The Committee will consider all written evidence received before deciding upon those witnesses from whom it wishes to hear oral evidence in due course.

Contact

Should you require alternative formats of this information or further assistance in making a written submission to the Committee, please do not hesitate to contact the clerking team of the Committee via the email address above or by telephone on 0131 348 5205.