



Llywodraeth Cymru  
Welsh Government

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

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**TITLE** Notification in Relation to Statutory Instruments made by UK Ministers in devolved areas under the European Union (Withdrawal) Act 2018 not laid before the Assembly

**DATE** 31 October 2018

**BY** Julie James AM, Leader of the House and Chief Whip

### **The Inquiries and Coroners (Amendment) (EU Exit) Regulations 2018**

#### **The retained EU Law which is being amended**

- The Inquiries Act 2005.
- The Coroners and Justice Act 2009.
- The Coroners Act (Northern Ireland) 1959.

#### **Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence**

The SI has no impact on the National Assembly's legislative competence or the Welsh Minister's executive competence as it is purely technical in nature.

#### **The purpose of the amendments**

The purpose of the amendments is to correct deficiencies in legislation arising from the UK leaving the European Union in relation to public inquiries. The regulations will replace references to "EU obligations" and "enforceable EU obligations" with "retained EU obligations" and "retained enforceable EU obligations".

The SI and accompanying Explanatory Memorandum, setting out the effect of each amendment is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments/the-inquiries-and-coroners-amendment-eu-exit-regulations-2018>

A Statutory Instrument Consent Memorandum has also been laid in the National Assembly in respect of the amendments to the Inquiries Act 2005.

The SI also makes technical corrections to the Coroners and Justice Act 2009 and the

Coroners Act (Northern Ireland) 1959, but since these amendments could not be made by the Welsh Ministers (as they are outside devolved competence) they do not require approval.

**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 coherent approach wherever possible in preparing the statute book to function properly after the UK has left the EU. This approach will promote the clarity and accessibility of legislation across the UK. In these exceptional circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.