

House of Commons: Written Statement (HCWS730)

Cabinet Office

Written Statement made by: **The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Michael Gove)** on 21 Jan 2021.

Update on the European Union (Future Relationship) Act 2020

The European Union (Future Relationship) Act received Royal Assent on 31 December 2020 and the Trade and Cooperation Agreement is now enshrined in UK law, a historic moment in our nation's journey following the 2016 referendum.

The government sought, in line with the Sewel Convention, legislative consent from the devolved legislatures of Scotland, Wales and Northern Ireland for the Future Relationship Bill. The Scottish Parliament voted to withhold consent for the Bill. The Northern Ireland Assembly and the Welsh Parliament did not hold a vote on a legislative consent motion for the Bill. The Northern Ireland Assembly voted for a motion, with an Social Democratic Labour Party amendment, that called for the Assembly to decline legislative consent. The Welsh Parliament voted in favour of a motion to 'note' the Bill, regretting that it was not in a position to determine legislative consent.

The Government respects the devolution settlements and the Sewel Convention, and is committed to working with the devolved administrations on the implementation of the Trade and Cooperation Agreement.

The Convention holds that the UK Government will not normally legislate with regard to devolved matters without the consent of the devolved legislatures, but the circumstances were not normal. The UK and EU needed to exchange notification of completion of procedures and complete other legal necessities, such as the UK's passing of legislation, early on Thursday 31 December to enable provisional application. If the Bill had not received Royal Assent in time, we would have been unable to exchange our notification by the morning of 31 December, the Agreement could not have been provisionally applied, and the transition period would therefore have ended without a future UK-EU agreement in force.

We recognise that the expedited timescale was challenging, although the Bill was debated and voted on in Parliament by elected Members from across the UK. Taking the Bill to Royal Assent without the consent of the devolved legislatures was a significant decision. It is not one that was taken lightly. The circumstances of EU exit and the imperative of implementing the 2016 referendum constituted circumstances that were not normal.

While negotiations with the EU are a reserved matter, the UK Government is committed to continue working closely with the devolved administrations to ensure that our future relationship with the EU works in the interests of citizens and businesses across the whole of the UK – something we demonstrated when engaging with the devolved administrations in good faith throughout the negotiations.