

Press release: UK government publishes analysis on returning EU powers

The UK government has today published [provisional analysis](#) of the returning EU powers that will result in the devolved administrations of the UK receiving extensive new powers as we depart the EU.

This analysis covers 153 areas where EU laws intersect with devolved competence. There are only 24 policy areas that are now subject to more detailed discussion to explore whether legislative common framework arrangements might be needed, in whole or in part.

This means that the vast majority of powers returning from Brussels will start off in Edinburgh, Cardiff and Belfast.

None of the existing powers of the devolved governments will be affected in any way.

The document published today by the Cabinet Office makes clear that the vast majority of these policy powers are now intended to be in the full control of the devolved governments from day one of Brexit. This is expected to include policy areas such as:

- carbon capture and storage
- water quality
- charging of HGVs
- onshore hydrocarbon licensing

The 24 policy areas that are expected to require a UK legislative framework and where it is intended that existing EU rules and regulations will rollover into UK law for a temporary period, include:

- animal health and traceability
- food and feed safety and hygiene law
- food labelling
- chemical regulation

This temporary restriction on the devolved governments using some of these new EU powers is to help ensure an orderly departure from EU law and to provide certainty to UK businesses while new legislative frameworks are agreed.

Speaking as he published details of the new powers that will transfer to the devolved governments, the Chancellor of the Duchy of Lancaster, David Lidington MP, said:

This is cast iron evidence that the EU Withdrawal Bill will deliver significant brand new powers for the devolved governments in Scotland, Wales and Northern Ireland. The list we have published

today shows how many EU powers that were controlled by Brussels, will, after Brexit, be controlled by the parliaments and assemblies in Edinburgh, Cardiff and Belfast.

The vast majority of these new powers will be in the control of the devolved administrations on the day we leave the EU. There is a much smaller group of powers where the devolved governments will be required to follow current EU laws for a little bit longer while we work out a new UK approach.

We are discussing with the devolved governments how this process will work but, as the UK government, we feel very strongly that we must have the ability to take action to protect the UK internal market which represents a huge investment to everyone in the UK.

We are publishing this material today because this can no longer just be a conversation between governments – this process has to be open and transparent. These issues are of central importance to Parliament and the devolved legislatures, as well as businesses and wider stakeholders whose day to day activities will be affected by these decisions.

The UK government has moved a considerable distance to accommodate the concerns of the devolved government and other parliamentarians. It is now time for others to engage in a similarly constructive manner. We have not yet been able to reach an agreed way forward on Clause 11 but I remain hopeful that we will still be able to.