

A joint statement by the UK Government and the Welsh Government – Bilateral Agreement on the Agriculture Bill and World Trade Organisation (WTO) Agreement on Agriculture

As Agriculture is a devolved area, each administration in the UK will have the opportunity to develop policy to suit its particular circumstances when the UK leaves the EU, while also working together on common approaches where administrations agree they are needed.

The Agriculture Bill was introduced to Parliament on 12 September 2018. It provides the UK Government with new powers to ensure continuity and make changes to agricultural support schemes in England. At the request of the Welsh Government it provides similar powers for Welsh Ministers (as well as extending some provisions to Northern Ireland). Our Governments issued a joint statement on 12th September 2018 about how we will work closely together to achieve better outcomes for our farming industry, and to facilitate an open and transparent dialogue as our proposals develop. Examples where administrations consider coordinated approaches may be needed are marketing standards, market intervention and arrangements for cross border holdings.

Today we are publishing a Bilateral Agreement between the UK Government and the Welsh Government on how provisions in the Bill which relate to the World Trade Organisation (WTO) Agreement on Agriculture will operate. Our two governments have agreed a governance mechanism on how these powers will be used. This mechanism will sit alongside the provisions in the Bill and the regulations made under those provisions. Agreement of these arrangements reflect the particular, technical nature of WTO rules [and is without prejudice to the wider work on dispute resolution which is being taken forward as part of the Intergovernmental Relations Review commissioned by the Joint Ministerial Committee].

We have agreed:

- the devolved administrations will be consulted by UK Government before draft regulations are brought forward under the WTO clause in line with the principles set out in the Intergovernmental Agreement made in relation to the EU (Withdrawal) Act 2018.
- Ministers will seek to proceed by agreement in respect of these regulations, but in the event of a disagreement, relevant material will be made available to both Houses of Parliament before Parliament is asked to vote on the regulations;
- devolved Ministers will be responsible for proposing the initial classification of devolved agricultural support schemes; and
- there will normally be a role for independent advice should the governments disagree on the appropriate classification of schemes or other relevant matters. The Secretary of State should have regard to this advice before making any decision and

will share with the devolved administrations the advice, the decision and reasons for the decision to ensure appropriate scrutiny and accountability of decisions.

In summary, it is the intention of both governments to proceed by agreement. However, where this is not possible, there are strong mechanisms for Welsh Ministers to express their views and have those views taken into account by Parliament and by the UK Government in its dealings with the WTO.

These arrangements will be codified in a Memorandum of Understanding, and the UK Government's Secretary of State for Environment, Food and Rural Affairs has agreed to put this on record in a statement on the floor of the House of Commons.

[The full text of the Agreement can be found here.](#)