



Ein cyf/Our ref: FM/00841/14

David Melding AM  
Chair - Constitutional & Legislative Affairs Committee  
Ty Hywel  
Cardiff Bay  
Cardiff  
CF99 1NA

8 August 2014

Dear David,

I am writing in response to your letter of 17 July regarding the draft driftnets regulation.

None of the UK Fisheries Administrations were aware of the proposed regulation ahead of its publication and, while there was a consultation last year, the Commission did not inform the UK Administrations, though it would typically be expected to do so in order to ensure responses from the relevant bodies. Moreover, it appears that several other Member States, also with a great interest in the driftnet fisheries, were similarly unaware of the proposal and, given that they did not respond to the consultation, it is likely that they too were not informed of it.

However, on having sight of the proposal, Welsh Government fisheries officials immediately raised the serious implications it would have on the Welsh fishing industry with Defra, as the lead UK authority, and subsequently contributed in depth to the Explanatory Memorandum that was sent to Parliament on 1 June. On 18 July the Deputy Minister for Agriculture and Fisheries also wrote to George Eustice MP, the Defra Minister for Farming, Food and the Marine Environment, to make our opposition to much of the Commission's proposal quite clear.

The proposal is at the early stage of the legislative process and the Welsh Government is working closely with Defra in the interests of the Welsh fishing industry to make the case for a modification of the proposal to be a more proportionate response to the issues raised by the use of driftnets.

As you will be aware, we broadly welcomed your Committee's report on *Wales' role in the EU decision-making process*, which was generally positive about the way in which we pursue Wales' interests in the EU. As stated in the Government's response to recommendation 8, we carefully considered its implications and were unable to accept the recommendation as there would be significant time and, therefore, resource implications in doing so; this would not be able to be met within existing budgets. The impact would be considerable on those departments with work that is closely aligned to the EU.

The rationale underpinning the response to recommendation 8 remains valid, though we do, of course, review the monitoring of EU policy and legislative proposals.

However, as we stated in the response to the recommendation, your Committee, or individual Assembly Members, could request information about any specific Explanatory Memorandum from the appropriate Minister.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carwyn Jones', written in a cursive style.

**CARWYN JONES**