



Department for
Business, Energy
& Industrial Strategy

Nusrat Ghani MP
Minister of State

Department for Business,
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Sir Gary Streeter MP &
Rt Hon Sir George Howarth MP
Chair, REUL Public Bill Committee
House of Commons
London
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11 November 2022

Dear Sir Streeter and Sir Howarth,

As per your request at the Public Bill Committee evidence session of the Retained EU Law (Revocation and Reform) Bill on the 8th November, I am writing to you as Chair of the Committee to provide additional information on the work conducted by the Brexit Opportunities Unit and The National Archives to identify retained EU law (REUL).

The REUL dashboard, available on [gov.uk](https://www.gov.uk), currently categorises over 2,400 pieces of legislation as an authoritative assessment of REUL that sits within the UK Government's competence. As indicated on gov.uk at the time of the dashboard's inaugural publication on 22nd June, officials across Whitehall have continued to identify additional pieces of REUL.

Throughout this process, the Government has engaged The National Archives in the development of the dashboard. The National Archives was responsible for publication of retained direct EU legislation, under Schedule 5 of the European Union (Withdrawal) Act 2018. They operate legislation.gov.uk and maintain the Government's legislation database. This includes data about every amendment made by EU Exit Statutory Instruments to REUL under the European Union (Withdrawal) Act 2018. In addition, for EU Exit they compiled an archive of European Law for the UK at exit and at the end of the transition period, spanning Treaties, International agreements, Directions, Regulations, Decisions, Complementary legislation, Case law, Consolidated Acts and EFTA documents.

As you would expect, given their role, The National Archives were commissioned by Government to conduct a review of their databases, in order to identify supplementary pieces of REUL and crosscheck this against the REUL dashboard. In the Financial Times, it was quoted that this exercise had uncovered some additional pieces of legislation to those which have been categorised on the dashboard. This number has not yet been verified by the Government.

The National Archives legislation database contains a large number of items of EU law, including decisions of the Commission, other EU laws that have never been in force in the UK and legislation that has already been amended, repealed and replaced. In contrast, the current REUL dashboard represents the considered view of departments as to where REUL is concentrated in their policy areas.

Officials will continue to work with the National Archives to assess all REUL and will update the dashboard accordingly, as we push forward with our legislative reform programme and the passage of the Retained EU Law Bill. We plan to make a further update to the dashboard in the coming days, to add additional REUL, and we expect another update early in 2023.

If you or any other member of the committee have further questions, please do let me know. I am copying this letter to the other members of the Public Bill Committee, and I am depositing a copy of this letter in the Library of the House.

Yours sincerely,



Nusrat Ghani MP
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