



# HOUSE OF LORDS

European Union Committee

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Rt Hon David Davis MP  
Secretary of State for Exiting the European Union  
9 Downing Street  
London, SW1A 2AS

4 May 2018

Dear Secretary of State

Thank you for appearing before the Committee on 1 May. As you know, the evidence session was truncated by divisions in the House of Commons at the beginning and end of the meeting, and you agreed to write to the Committee in response to questions that were either not replied to in detail or not reached during the session.

We would therefore be grateful for your written response to the following questions:

In our letter of 21 March, we asked you if paragraph 49 of the December Joint Report meant that the UK as a whole, or just Northern Ireland, would maintain full alignment. Your reply of 19 April quoted the words of the December Joint Report, that “the UK will maintain full alignment”. Does this mean that the full alignment referred to in the Joint Report would apply to the UK as a whole?

A Norwegian parliamentarian recently told us that Brexit would turn the UK from an EU member into a lobbyist. Is that a fair assessment? What thought have you given to the mechanisms and resources necessary to ensure continued UK engagement with and influence over the EU post-Brexit?

What is the basis of the UK Government’s agreement with the Welsh Government regarding returning powers from Brussels, devolved competences and UK frameworks? How can the continuing impasse with the Scottish Parliament be resolved? Regardless of its outcome, what are the ramifications of the Government’s legal challenge to the EU Continuity Bills passed by the Scottish Parliament and National Assembly for Wales?

The Prime Minister has stated that the draft agreement “correctly applies to Gibraltar”. Can you explain the significance of the asterisk in the draft agreement stating that “the territorial scope of the Withdrawal Agreement, including as regards the transition period, should fully respect paragraphs 4 and 24 of the European Council guidelines of 29 April 2017, notably as regards Gibraltar”? What is your understanding of Spain’s aims in relation to Gibraltar?

In light of the provisions in Article 123 of the draft withdrawal agreement regarding the provision of documents to the UK Parliament, does the Government intend to continue to deposit documents and provide Explanatory Memoranda during the transition period?

In answer to our questions regarding parliamentary involvement or oversight of the work of the Joint Committee envisaged under the Withdrawal Agreement, your letter of 19 April states that “the Joint Committee will publish an annual report on the functioning of the

agreement, and be composed of representatives from both the EU and the UK". What further detail can you give on how parliamentary scrutiny of the Joint Committee will be facilitated?

We would be grateful for a response by 21 May 2018.

*Yours sincerely,*

*Tim Boswell*

Lord Boswell of Aynho  
Chairman of the European Union Committee