



**HOUSE OF LORDS**  
European Union Committee

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19 December 2012

*Dear David*

**Review of the Balance of Competences between the United Kingdom and the European Union**

Thank you for your letter of 23 October 2012 regarding the Balance of Competences Review, including the proposed timetable. I was also grateful to receive your letter of 15 November regarding the first semester of the Review. I note that the six Calls for Evidence falling within this semester have now been received.

At their meeting on 11 December the Committee received a briefing from Angus Lapsley, the Director of the European and Global Issues Secretariat in the Cabinet Office, on the Review. The Committee was most grateful for his time and his helpful responses to our various questions. This session also allowed the Committee to consider further how they would like to engage with the Review.

After consideration, the Committee decided that they are not in a position to formally respond to each of the Review's individual Calls for Evidence. Instead, we would like to draw your attention to the numerous reports that we have published since session 2007-08 until the present, as well as scrutiny correspondence, which concern the majority of the competences which will be covered by the Review. I enclose an Annex which contains a list of the relevant reports and provides links to the scrutiny correspondence.

We suggest that each department should take account of the content of each of these reports with respect to each particular competence, especially during their analysis of the evidence received in response to each of their Calls for Evidence. They should also feel free to contact the Committee should they require any further information or clarification about any particular section or recommendation contained in those reports.

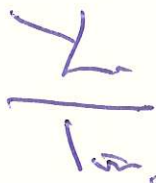
During subsequent scrutiny activity and inquiries conducted by this Committee, and its Sub-Committees, we will also take account of the published and forthcoming Balance of Competences Calls for Evidence when considering the substance of EU proposals. We would also suggest that each department takes account of the Committee's subsequent reports and scrutiny correspondence accordingly.

In my last letter of 25 July I requested copies of any guidance or circulars sent to the departments regarding how the Review should be conducted. I note reference in your letter of 23 October to the preparation of such guidance and would like to repeat my request for a copy to be made available to the Committee.

In the meantime, we will continue to take an interest in the process of the Review as a whole, and we would be grateful if you could keep us informed of its progress, particularly as the first batch of reports near the publication stage, and before the second semester is due to commence. We will also take the opportunity of questioning you about the Review during your regular appearances before the Committee. If we can be of any further assistance, we will of course wish to help.

I would also be grateful if you could direct all future correspondence about the Review, including the published and forthcoming Calls for Evidence, to me rather than to the chairmen of the respective Sub-Committees.

I am copying this letter to Rt Hon Vince Cable MP, Secretary of State for Business, Innovation and Skills; Rt Hon Owen Paterson MP, Secretary of State for Environment, food and Rural Affairs; Earl Howe, Parliamentary Under Secretary of State for Quality, Department of Health; Rt Hon Justine Greening MP, Secretary of State for International Development; David Gauke MP, Exchequer Secretary to the Treasury; Mr. William Cash MP, Chair of the Commons European Scrutiny Committee; Sarah Davies, Clerk to the Commons Committee; Paul Hardy, Legal Adviser to the Committee; Les Saunders (Cabinet Office); Sophie Middlemiss and Magdalena Williams (FCO Departmental Scrutiny Coordinators) and Una Ryan (FCO Select Committee Liaison Officer).



Lord Boswell  
Chairman of the European Union Committee



## ANNEX

### EU COMMITTEE REPORTS – SESSION 2007-08 TO THE PRESENT

Report title	Publication date
<b>Session 2007-08</b>	
<i>Current Developments in European Trade Policy</i> (1st Report of Session 2007-08, HL Paper 8)	28 November 2007
<i>Green Paper on Succession and Wills</i> (2nd Report of Session 2007-08, HL Paper 12)	4 December 2007
<i>Protecting the consumers of timeshare products</i> (3rd Report of Session 2007-08, HL Paper 13)	18 December 2007
<i>Current Developments in European Foreign Policy: the EU and Africa</i> (4th Report of Session 2007-08, HL Paper 32)	24 January 2008
<i>The Single Market: Wallflower or Dancing Partner?</i> (5th Report of Session 2007-08, HL Paper 36)	8 February 2008
<i>Solvency II</i> (6th Report of Session 2007-08, HL Paper 42)	6 February 2008
<i>The Future of the Common Agricultural Policy</i> (7th Report of Session 2007-08, HL Paper 54)	6 March 2008
<i>Current Developments in European Defence Policy</i> (8th Report of Session 2007-08, HL Paper 59)	7 March 2008
<i>Frontex: the EU external borders agency</i> (9th Report of Session 2007-08, HL Paper 60)	5 March 2008
<i>The Treaty of Lisbon: an impact assessment</i> (10th Report of Session 2007-08, HL Paper 62)	13 March 2008
<i>Current Developments in European Foreign Policy</i> (12th Report of Session 2007-08, HL Paper 75)	1 April 2008
<i>The euro</i> (13th Report of Session 2007-08, HL Paper 90)	1 May 2008
<i>The European Union and Russia</i> (14th Report of Session 2007-08, HL Paper 98)	22 May 2008
<i>The Passenger Name Record (PNR) Framework Decision</i> (15th Report of Session 2007-08, HL Paper 106)	11 June 2008
<i>Current Developments in European Foreign Policy: Burma</i> (16th Report of Session 2007-08, HL Paper 118)	19 June 2008
<i>Increasing the supply of donor organs within the European Union</i> (17th Report of Session 2007-08, HL Paper 123)	2 July 2008
<i>The future of EU Regional Policy</i> (19th Report of Session 2007-08, HL Paper 141)	16 July 2008
<i>Current Developments in European Defence Policy</i> (20th Report of Session 2007-08, HL Paper 145)	1 August 2008

<i>Progress of the Common Fisheries Policy (21st Report of Session 2007-08, HL Paper 146)</i>	22 July 2008
<i>Initiation of EU Legislation (22nd Report of Session 2007-08, HL Paper 150)</i>	24 July 2008
<i>Current Developments in European Foreign Policy (25th Report of Session 2007-08, HL Paper 169)</i>	20 October 2008
<i>Working time and temporary agency workers: towards EU agreement (26th Report of Session 2007-08, HL Paper 170)</i>	21 October 2008
<i>The EU's Target for Renewable Energy: 20% by 2020 (27th Report of Session 2007-08, HL Paper 175)</i>	24 October 2008
<i>EUROPOL: coordinating the fight against serious and organised crime (29th Report of Session 2007-08, HL Paper 183)</i>	12 November 2008
<i>Adapting the EU's approach to today's security challenges - the Review of the 2003 European Security Strategy (31st Report of Session 2007-08, HL Paper 190)</i>	21 November 2008
<i>Correspondence with Ministers October 2006 (30th Report of Session 2007-08, HL Paper 184)</i>	2 December 2008
<i>Developments in EU Trade Policy (35th Report of Session 2007-08, HL Paper 200)</i>	5 December 2008
<i>Revision of the EU's Emissions Trading System (33rd Report of Session 2007-08, HL Paper 197)</i>	10 December 2008
<b>Session 2008-09</b>	
<i>EU Legislative Initiatives in Response to the Financial Turmoil (1st Report, HL Paper 3)</i>	15 December 2008
<i>After Georgia. The EU and Russia: Follow-Up Report (3rd Report, HL Paper 26)</i>	12 February 2009
<i>Healthcare across EU borders: a safe framework (4th Report, HL Paper 30)</i>	24 February 2009
<i>Mobile Phone Charges in the EU: Follow-up Report (5th Report, HL Paper 42)</i>	10 March 2009
<i>Civil Protection and Crisis Management in the European Union (6th Report, HL Paper 43)</i>	11 March 2009
<i>The United Kingdom opt-in: problems with amendment and codification (7th Report, HL Paper 55)</i>	24 March 2009
<i>Procedural rights in EU criminal proceedings-an update (9th Report, HL Paper 84)</i>	11 May 2009
<i>Correspondence with Ministers - May to October 2007 (11th Report, HL Paper 92)</i>	28 May 2009
<i>Recast of the First Rail Freight Package (10th Report, HL Paper 90)</i>	2 June 2009
<i>The Review of the Less Favoured Areas Scheme (13th Report, HL Paper</i>	4 June 2009



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<i>European Contract Law: the Draft Common Frame of Reference (12th Report, HL Paper 95)</i>	10 June 2009
<i>The future of EU financial regulation and supervision (14th Report, HL Paper 106)</i>	17 June 2009
<i>Access to EU Documents (15th Report, HL Paper 108)</i>	18 June 2009
<i>The EU's Renewable Energy Target and the Revision of the Emissions Trading System: Follow-up report (16th Report, HL Paper 123)</i>	13 July 2009
<i>EU Consumer Rights Directive: getting it right (18th Report, HL Paper 126)</i>	15 July 2009
<i>Money laundering and the financing of terrorism (19th Report, HL Paper 132)</i>	22 July 2009
<i>Green Paper on the Brussels I Regulation (21st Report, HL Paper 148)</i>	27 July 2009
<i>The revision of the EU Directive on the protection of animals used for scientific purposes (22nd Report, HL Paper 164)</i>	10 November 2009
<i>The Stockholm Programme: home affairs (25th Report, HL Paper 175)</i>	10 November 2009
<b>Session 2009-10</b>	
<i>Asylum directives: scrutiny of the opt-in decisions (1st Report, HL Paper 6)</i>	4 December 2009
<i>Correspondence with Ministers - November 2007 to April 2008 (2nd Report, HL Paper 29)</i>	20 January 2010
<i>Directive on Alternative Investment Fund Managers (3rd Report, HL Paper 48)</i>	10 February 2010
<i>Impact Assessments in the EU: room for improvement? (4th Report, HL 61)</i>	9 March 2010
<i>Protecting Europe against large-scale cyber-attacks (5th Report, HL Paper 68)</i>	18 March 2010
<i>Stars and Dragons: The EU and China (7th Report, HL Paper 76)</i>	23 March 2010
<i>The EU's Regulation on Succession (6th Report, HL Paper 75)</i>	24 March 2010
<i>Adapting to climate change: EU agriculture and forestry (8th Report, HL Paper 91)</i>	30 March 2010
<i>Making it work: the European Social Fund (9th Report, HL Paper 92)</i>	30 March 2010
<i>The future regulation of derivatives markets: is the EU on the right track? (10th Report, HL Paper 93)</i>	31 March 2010
<i>Combating Somali Piracy: the EU's Naval Operation Atalanta (12th Report, HL Paper 103)</i>	14 April 2010
<b>Session 2010-12</b>	
<i>Subsidiarity assessment: admission of third-country nationals as seasonal workers (1st Report, HL Paper 35)</i>	13 October 2010

<i>Subsidiarity assessment: distribution of food products to deprived persons (2nd Report, HL Paper 44)</i>	28 November 2010
<i>Government and Commission Responses Session 2009-2010 (4th Report, HL Paper 72)</i>	17 January 2011
<i>Money laundering: data protection for suspicious activity reports (6th Report, HL Paper 82)</i>	20 January 2011
<i>Future inter-parliamentary scrutiny of EU foreign, defence and security policy (7th Report, HL Paper 85)</i>	24 January 2011
<i>The EU strategy for economic growth and the UK National Reform Programme (5th Report, HL Paper 81)</i>	25 January 2011
<i>Implementing the Stockholm Programme: home affairs (9th Report, HL Paper 90)</i>	4 February 2011
<i>The EU's Afghan Police Mission (8th Report, HL Paper 87)</i>	16 February 2011
<i>Amending Article 136 of the Treaty on the Functioning of the European Union (10th Report, HL Paper 110)</i>	11 March 2011
<i>The United Kingdom opt-in to the Passenger Name Record directive (11th Report, HL Paper 113)</i>	11 March 2011
<i>The Future of Economic Governance in the EU (12th Report, HL Paper 124)</i>	24 March 2011
<i>Re-launching the Single Market (15th Report, HL Paper 129)</i>	4 April 2011
<i>EU Financial Framework from 2014 (13th Report, HL Paper 125)</i>	5 April 2011
<i>The Workload of the Court of Justice of the European Union (14th Report, HL Paper 128)</i>	6 April 2011
<i>Grassroots Sport and the European Union (16th Report, HL Paper 130)</i>	6 April 2011
<i>The EU Internal Security Strategy (17th Report, HL Paper 149)</i>	24 May 2011
<i>The EU and Sudan: on the Brink of Change (18th Report, HL Paper 160)</i>	22 June 2011
<i>Innovation in EU agriculture (19th Report, HL Paper 171)</i>	7 July 2011
<i>The EU Financial Supervisory Framework: an update (20th Report, HL Paper 181)</i>	21 July 2011
<i>Sovereign Credit Ratings: Shooting the Messenger? (21st Report, HL Paper 189)</i>	21 July 2011
<i>Safety First: Mobility of Healthcare Professionals in the EU (22nd Report, HL Paper 201)</i>	19 October 2011
<i>Subsidiarity assessment: distribution of food products to deprived persons (23rd Report, HL Paper 217)</i>	11 November 2011
<i>Tunnel vision? Completing the European rail market (24th Report, HL Paper 229)</i>	8 December 2011
<i>The euro area crisis (25th Report, HL Paper 260)</i>	14 February 2012



<i>The EU Drugs Strategy (26th Report, HL Paper 270)</i>	16 March 2012
<i>The Modernisation of Higher Education in Europe (27th Report, HL Paper 275)</i>	22 March 2012
<i>The EU: Sudan and South Sudan—follow-up report (28th Report, HL Paper 280)</i>	22 March 2012
<i>Towards a Financial Transaction Tax? (29th Report, HL Paper 287)</i>	30 March 2012
<i>The European Union's Policy on Criminal Procedure (30th Report, HL Paper 288)</i>	26 April 2012
<i>The United Kingdom opt-in to the draft directive on proceeds of crime (32nd Report, HL Paper 295)</i>	27 April 2012
<i>An Indispensable Resource: EU Freshwater Policy (33rd Report, HL Paper 296)</i>	2 May 2012
<i>The Multiannual Financial Framework 2014-2020 (34th Report, HL Paper 297)</i>	3 May 2012
<i>European Defence Capabilities: lessons from the past, signposts for the future (31st Report, HL Paper 292)</i>	4 May 2012
<b>Session 2012-13</b>	
<i>MiFID II: Getting it Right for the City and EU Financial Services Industry (2nd Report, HL Paper 28)</i>	10 July 2012
<i>Turning the Tide on Piracy, Building Somalia's Future: Follow-up report on the EU's Operation Atalanta and beyond (3rd Report, HL Paper 43)</i>	21 August 2012
<i>Leaving a bitter taste? The EU Sugar Regime (4th Report, HL Paper 44)</i>	4 September 2012
<i>Women on Boards (5th Report, HL Paper 58)</i>	9 November 2012
<i>Subsidiarity Assessment: Fund for European Aid to the Most Deprived (6th Report, HL Paper 87)</i>	12 December 2012
<i>European Banking Union: Key issues and challenges (7th Report, HL Paper 88)</i>	12 December 2012
<i>The EU's Global Approach to Migration and Mobility (8th Report, HL Paper 91)</i>	18 December 2012

## SCRUTINY ITEMS – CORRESPONDENCE WITH MINISTERS

EU Committee	Internet link
Select	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-select-committee-/committee-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-select-committee-/committee-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee A (Economic and Financial Affairs)	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-economic-and-financial-affairs-and-international-trade-sub-committee-a/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-economic-and-financial-affairs-and-international-trade-sub-committee-a/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee B (Internal Market, Infrastructure and Employment)	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu---internal-market-sub-committee-b/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu---internal-market-sub-committee-b/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee C (External Affairs)	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu---foreign-affairs-defence-and-development-policy-sub-committee-c/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu---foreign-affairs-defence-and-development-policy-sub-committee-c/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee D (Agriculture, Environment, Fisheries and Energy)	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-environment-and-agriculture-sub-committee-d/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-environment-and-agriculture-sub-committee-d/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee E (Justice, Institutions and Consumer Protection)	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-law-and-institutions-sub-committee-e/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-law-and-institutions-sub-committee-e/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee F (Home Affairs, Health and Education)	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-home-affairs-sub-committee-f/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-home-affairs-sub-committee-f/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>
Sub-Committee G (Social Policies and Consumer Protection) <i>[abolished at the beginning of Session 2012-13]</i>	<a href="http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-social-policy-and-consumer-affairs-sub-committee-g/scrutiny-work/parliament-2010/correspondence-with-ministers/">http://www.parliament.uk/business/committees/committees-a-z/lords-select/eu-social-policy-and-consumer-affairs-sub-committee-g/scrutiny-work/parliament-2010/correspondence-with-ministers/</a>