



Department for
Business, Energy
& Industrial Strategy

Kelly Tolhurst MP
Parliament Under-Secretary
Department for Business, Energy &
Industrial Strategy
1 Victoria Street
London
SW1H 0ET

Sir William Cash MP
Chair, European Scrutiny Committee
House of Commons
London, SW1H 9NB

T +44 (0) 20 7219 5387
E enquiries@beis.gov.uk
W www.gov.uk

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Dear Sir Bill,

Council Number 7203/18: Proposal for a Regulation of the European Parliament and of the Council establishing a European Labour Authority (ELA).

Following on from my letter last week, I am now able to provide further updates on the process of the Trilogue discussions on the European Labour Authority (ELA).

Discussions are drawing to a close and the draft Regulation maintains the aims and functionality of the text agreed at General Approach. The ELA will support Member States on concerted and joint inspections, carry out analysis and risk assessments on issues of cross-border labour mobility, support Member State capacity building and in tackling undeclared work. The text retains the acknowledgment of Member State competencies and respects Member State requirements on participation in joint and concerted inspections.

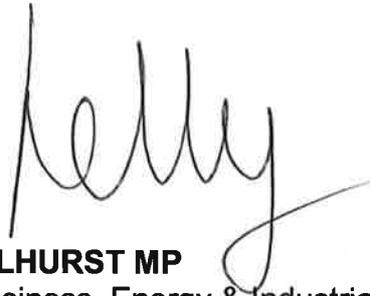
In my last letter I said the UK preference would be to keep social security coordination outside the scope of the ELA. It now looks likely that social security coordination will be within the scope of the ELA. The UK has stated previously that it could support the inclusion so long as the integrity and role of the social security Administrative Commission is protected. A compromise has been proposed that provides more detail on the relationship between the ELA and the Administrative Commission, and will preserve the current *acquis* and ensure proper scrutiny by the Administrative Commission of ELA opinions on social security disputes. As such I am able to support this compromise.

The UK supports the proposal overall and I request that scrutiny is lifted as soon as possible, ahead of the next Council meeting, to allow a vote on adoption. We do not have confirmation of the date of the Council meeting where this Regulation will be voted on, but we expect it to be in the series of meetings in March.

I am copying this letter to the Chair of the House of Lords European Scrutiny Committee, Lord Boswell, Les Saunders, DExEU, and to Callum Gray, Departmental Scrutiny Coordinator for BEIS.

Yours sincerely

Yours ever

A handwritten signature in black ink, appearing to read "Kelly". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

KELLY TOLHURST MP

Parliament Under-Secretary for Business, Energy & Industrial Strategy