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for Exiting the  
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Rt Hon Norman Lamb MP, Chair  
Science and Technology Committee  
House of Commons  
London  
SW1A 0AA

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*Dear Norman*

## **LEAVING THE EU: IMPLICATIONS AND OPPORTUNITIES FOR SCIENCE AND RESEARCH**

Thank you for your letter of 25 August, regarding the impact of UK's exit on the science and research sector.

As you will have seen, the government published the Science and Innovation Future Partnership paper in early September. The paper illustrated that, as the UK leaves the EU, one of our core objectives is to continue to collaborate with European partners on major science, research and technology initiatives. There are a number of ways in which the UK and EU could achieve this objective and we believe that it is in the best interests of both parties to continue to collaborate to tackle our shared challenges together and achieve our common goals.

The EU has strong collaborative relationships with a range of international partners in science and innovation, underpinned by bilateral agreements, for example with the US, Canada, Israel and the EFTA countries. As part of the new, deep and special partnership, the UK will seek an ambitious science and innovation agreement with the EU that ensure the valuable research links between us continue to grow. We have a proud history of leading and supporting cutting-edge research and innovation.

This Government is committed to ensuring a positive outcome for the sector, that enhances competitiveness and builds on the success that we are rightly proud of, as we exit the EU. We recognise the importance of a close cooperative relationship between the UK and EU in the field of medicines regulation and science and research collaboration and intend for this to form a key part of our deep and special partnership with the EU.

Regarding your query on the transposition of the forthcoming EU Clinical Trials Regulation, the general approach taken in the Repeal Bill (formally known as the European Union (Withdrawal) Bill) is that EU law which applies directly in the UK legal system immediately before exit will be converted into domestic law after exit. Specifically, this includes EU regulations, directly effective EU decisions and tertiary legislation.

Under the Bill, direct EU legislation is only converted and incorporated into domestic law "so far as operative immediately before exit day". Clause 3 in the Bill clarifies what this means. Regulations (and provisions in regulations) will be operative where they are in force immediately before exit day, except where they are stated to apply after the date on which they come into force. Some EU legislation is stated to apply in a staggered way over time, and the Bill converts this legislation only so far as it is stated to apply before exit day.

We are aware that the implementation of the EU Clinical Trials Regulation has been postponed and the application of the Regulation is dependent on the decision of the EU's medicines regulator, the European Medicines Agency (EMA). The EMA's Management Board is expected to discuss this in its October 2017 meeting. As you have indicated in your letter, the new Regulation may take effect after we leave the EU and therefore will not be covered by the Repeal Bill and so our future alignment with the new EU Clinical Trials Regulation will be subject to negotiations.

However, as the Secretaries of State for Health and for Business, Energy and Industrial Strategy jointly set out in an open letter in the Financial Times on 5 July, the UK is fully committed to continuing the close working relationship we enjoy with our European partners across the field of medicines regulation that will include any future EU regime on clinical trials. You also asked for clarification on participating in Horizon 2020 and successor framework programmes.

We recognise the need to ensure that people and organisations have stability and certainty in the period leading up to our departure from the EU. This is why the Government has committed to underwrite bids for Horizon 2020 projects submitted while the UK is still a member of the EU. The UK will work with the Commission to ensure payments when funds are awarded, and Horizon 2020 participants should continue to collaborate as normal. This includes cases where bids are submitted before our withdrawal, but approved after our withdrawal.

As the Collaboration on science and innovation paper outlines, the UK would welcome discussion on future collaboration with the EU in some programmes. We also recognise the concerns that you have raised about the future immigration system and the effect that exiting the EU will have on freedom of movement for EU researchers. The UK will remain an open and tolerant country; one that recognises the valuable contribution migrants make to our society and welcomes those with the skills and expertise to make our nation better still and that is exactly what this Government will deliver.

However, the precise way in which the Government will control the movement of EU nationals to Britain after we withdraw from the EU is yet to be determined. We are carefully considering the options that are open to us following our exit to gain more control. As part of that, it is important that we understand the impact on the different sectors of the economy and the labour market, such as researchers, from any changes that we make. That is why the Home Secretary has commissioned the Migration Advisory Committee (MAC) to gather evidence on patterns of EU migration and the role of migration in the wider economy, ahead of our exit from the EU.

This MAC commission will provide a clear channel for business and other employers, such as universities, to express their views. The MAC's findings will be used to inform decisions about the post EU exit immigration arrangements, including international students and research workforce.

Finally, the UK will remain at the forefront of collective endeavours to better understand, and make better, the world in which we live. We will welcome agreement to continue to collaborate with our European partners on major science, research, and technology initiatives. We will continue to recognise the valuable contribution migrants make to our society and welcome those with the skills and expertise to make our nation better still and that is exactly what this Government will deliver.

Separately, the Committee have asked for an update on the Department's plans for appointing a Chief Scientific Adviser. The Department is committed to ensuring that we access the very best scientific expertise. We are actively considering the best way of achieving this and it is important for us to take into account DExEU's role as a co-ordinating department when considering what provisions to put in place. We are currently exploring these options, including considering the appointment of a Chief Scientific Adviser.

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

**ROBIN WALKER MP  
PARLIAMENTARY UNDER SECRETARY OF STATE  
FOR EXITING THE EUROPEAN UNION**

*P.S. Congratulations on your election to Chair*