



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020**

DATE **19 October 2020**

BY **Rebecca Evans MS, Minister for Finance and Trefnydd**

SI laid in Parliament, which amends secondary legislation in a devolved area

The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020

The amendments made by the Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations (“the 2020 Regulations”) are technical operability amendments and do not introduce policy changes. The 2020 Regulations make operability changes and other consequential amendments to Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 on protective measures against pests of plants to ensure the continued functioning of plant health phytosanitary controls within GB and between GB and the EU at the end of the Transition Period.

The 2020 Regulations amend the following legislation

European Legislation

Commission Implementing Regulation (EU) 2019/2072.

Any impact the SI may have on the legislative competence of the Senedd and/or the Welsh Ministers’ executive competence

The 2020 Regulations do not impact on the legislative competence of the Senedd but broaden the executive competence of the Welsh Ministers’ by conferring functions on them (in their capacity as the ‘Competent Authority’ for Wales) without encumbrance.

The purpose of the amendments

The purpose of the 2020 Regulations is to protect biosecurity and support trade by ensuring that effective phytosanitary controls continue to operate within GB and between GB and the

EU at the end of the Transition Period on 31 December 2020.

The 2020 Regulations set out the lists of GB quarantine pests, provisional GB quarantine pests, Pest Free Area quarantine pests and GB regulated non-quarantine pests, and measures in relation to the introduction of plants, plant products and other objects into GB and the movement of plants, plant products and other objects within GB to reduce the risks in connection with those pests to an acceptable level.

The 2020 Regulations and accompanying Explanatory Memorandum, setting out the detail of the provenance, purpose and effect of the Regulations, are available here:

<https://www.legislation.gov.uk/ukdsi/2020/9780348213706/introduction>

Why consent was given

Consent has been given for the UK Government to make these corrections in relation to Wales for reasons of efficiency and expediency. The amendments have been considered fully and there is no divergence in policy. These amendments are to ensure that the statute book remains functional at the end of the Implementation Period.