



Mike Hedges MS
Chair Climate Change, Environment and Rural Affairs Committee

SeneddCCERA@senedd.wales

24 March 2021

Dear Mike,

The Phytosanitary Conditions (Amendment) Regulations 2021

The Secretary of State proposes to make the above named Statutory Instrument (SI) under powers conferred by Articles 5(3), 30(1), 41(3), 72(3) and 105(6) of Regulation (EU) 2016/2031, of the European Parliament and the Council, as regards protective measures against pests of plants (“the Plant Health Regulation”) to protect biosecurity and support trade between Great Britain (“GB”) and relevant third countries.

The SI makes amendments to Commission Implementing Regulation (EU) 2019/2072, establishing uniform conditions for the Plant Health Regulation by:

- introducing new requirements against host plants of certain pests;
- re-instating the Commission Decision (EU) 2002/499/EC for the import of bonsai plants from the Republic of Korea - this legislation was not incorporated into domestic law using powers under the European Union (Withdrawal) Act 2018 as the Commission Decision (EU) 2002/499/EC expired on 31 December 2020 without extension from the EU; and
- correcting an amendment made by the Official Controls and Phytosanitary Conditions (Amendment) Regulations 2021 (S.I. 2021/136).

I am writing to let you know I give my consent to the Secretary of State to make this SI in relation to Wales. I understand the SI will be laid before the Houses of Parliament on 30 March and will be subject to the negative procedure.

In these exceptional circumstances when we are required to consider and amend an unprecedented volume of legislation within a tight timeframe and with finite resources, the Welsh Government’s general principal is that, if appropriate, we permit the UK Government to legislate on our behalf. Should consent be withheld, these corrections will need to be made through legislation made by the Welsh Government. There is insufficient time and resources to be able to draft and lay such regulations to come into force before the end of the Senedd.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I am copying this letter to the Counsel General and Minister for European Transition,
Minister for Finance and Trefnydd and Chair of the Legislation, Justice and Constitution
Committee.

Regards

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping 'L' and 'G'.

Lesley Griffiths AS/MS

Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs