

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

09 December 2021

Dear Huw,

I am writing to inform the Committee of the intention to consent to the UK Government making and laying the Pesticides (Revocation) (EU Exit) Regulations 2022 by 18 January.

I have received a letter from Victoria Prentis MP, Minister for State for Farming, Fisheries and Food asking for consent in respect of this legislation. This Regulation intersects with devolved policy and will apply to Wales. The provisions could be made by Welsh Ministers in exercise of our own powers. The Regulation will extend to England, Scotland and Wales and a similar request for consent has been sent to Scottish Ministers.

The Regulations will be made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a)) arising from the withdrawal of the UK from the European Union.

These Regulations revoke redundant retained direct EU legislation which forms part of the plant protection product ("PPP") and maximum residue level ("MRL") regulatory regimes, so that these regimes can continue to operate effectively following the end of the implementation period. The revocations concern direct EU legislation which came into force towards the end of the implementation period (and so was not addressed by the earlier EU Exit SIs) and which is given effect in Great Britain through transitional provisions in the earlier EU Exit SIs and the national statutory registers. As a result, the retained direct EU legislation to be revoked is no longer required.

Although the Welsh Government's general principle is that the law relating to devolved matters should be made and amended in Wales, on this occasion given the policy alignment between all three governments, and the clear advantages given the subject matter of the law relating to England, Scotland and Wales being accessible in a single instrument, I consider that legislating separately for Wales would be neither the most appropriate way to give effect to the necessary changes nor a prudent use of Welsh Government resources given other important priorities.

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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 Climate Change, Environment, and Infrastructure Committee, SeneddClimate@senedd.wales and Economy, Trade, and Rural Affairs Committee, SeneddEconomy@senedd.wales for their information.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

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