



Ein cyf/Our ref: LG/0237/22

Paul Davies MS
Chair
Economy, Trade and Rural Affairs Committee

Paul.Davies@senedd.wales

27 April 2022

Dear Paul,

I am writing to inform you of my consent being granted for a Statutory Instrument being made by the UK Government which contains elements within the competence of Welsh Ministers.

The Common Agricultural Policy (Cross Compliance Exemptions and Transitional Regulation) (Amendment) (EU Exit) Regulations 2022 (henceforth the Regulations) will amend Regulation (EU) 1308/2013 to alter the effect of the amendments made by Regulation (EU) 2020/2220, insofar as they concern Article 55 on apiculture programmes and Article 167a on olive oil marketing rules. As there were no practical changes made during the period in which Regulation (EU) 2020/2220 applied in Wales, no monitoring of the delivery of this SI will be required.

I am agreeing, in this case, to give consent to Victoria Prentis, the Minister for Farming, Fisheries and Food, to make provision to remedy the failure of retained EU law to operate effectively in Wales. This is through the powers granted in section 8 of the European Union (Withdrawal) Act 2018. The Welsh Ministers are the Appropriate Authority for REUL 1308/2013 in relation to Wales, but the Secretary of State can legislate in relation to Wales with the consent of the Welsh Ministers.

The period for which I am giving consent is limited to the passage of the Regulations. These regulations do not have a practical impact over a period of time, they only make retained EU law operable in Wales. As such, no review mechanism is needed and longer-term constitutional arrangements will not be affected.

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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.

We anticipate the Regulations being the last of the corrective SIs which relate to the Common Organisation of the Markets in Agricultural Produce. Their policy rationale is, therefore, to maintain the operability of retained EU legislation in Wales. This SI applies to Wales with regards to apiculture programmes and olive oil marketing rules because of the small impact of these two aspects of the legislation, and the expediency of working on a UK-wide basis to correct inoperable retained EU legislation.

Wales' interests remain protected with the passage of the Regulations, as Welsh Ministers retain the option of amending them in future on a Wales-only basis.

Welsh Government officials discussed and refined the Regulations over a period of weeks with counterparts in DEFRA, the Scottish Government and DAERA. The UK Government continue to recognise the areas in which the Regulations apply to Wales as within the competence of Welsh Ministers. DEFRA officials have been aware of the need to seek the consent of Welsh Ministers for these Regulations, insofar as they apply to Wales, throughout their development.

Regards,

A handwritten signature in cursive script that reads "Lesley Griffiths". The signature is written in black ink and is positioned above the printed name and title.

Lesley Griffiths AS/MS
Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd