

SL(6)209 – The Meat Preparations (Wales) (Amendment) Regulations 2022

Background and Purpose

The Meat Preparations (Wales) (Amendment) Regulations 2022 (“the Regulations”) are made in exercise of the powers conferred by paragraph 11A(1) of Schedule 2 to the Trade in Animals and Related Products (Wales) Regulations 2011 (S.I. 2011/2379).

The Regulations extend the existing temporary suspension of the requirement for meat preparations, imported into Wales from EEA member states, the Faroe Islands, Greenland or Switzerland, to be deep frozen. This is achieved by amending the date of expiry of the transitory modification of Commission Decision 2000/572/EC, in regulation 3 of the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/1) (“the 2021 Regulations”).

In accordance with the Regulations, the new expiry date for the transitory modification will be 31 December 2022. This date has been extended previously as follows:

- to 30 September 2021 by the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) (Amendment) Regulations 2021 (S.I. 2021/376);
- to 31 December 2021 by the Meat Preparations (Amendment and Transitory Modification) (Wales) (EU Exit) (Amendment) (No. 2) Regulations 2021 (S.I. 2021/977); and
- to 30 June 2022 by the Official Controls (Extension of Transitional Periods and Miscellaneous Amendment) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/1480).

Procedure

Negative

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following 2 points are identified for reporting under Standing Order 21.3 in respect of this instrument.



1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

By convention, amending regulations are generally given the title of the principal SI, plus “(Amendment)”. Previous regulations amending the expiry date of the transitory modification in the 2021 Regulations have followed this convention (the exception is S.I. 2021/1480, which required a different title because it also made provision for amendments to other legislation).

The Regulations do not follow this pattern and, in particular, the words “Transitory Modification” have been dropped from the title. While this is not a technical defect it has the potential to cause confusion for anyone seeking to trace the various amendments to the transitory modification.

2. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

No public consultation has been carried out by the Welsh Ministers in respect of the Regulations. The Explanatory Memorandum provides the following explanation:

No consultation requirement arises under the Trade in Animals and Related Products (Wales) Regulations 2011. The Welsh Ministers have therefore not consulted in respect of this instrument. However, there has been GB-wide extensive stakeholder engagement with the Agri-Food industry and with delivery partners with responsibilities over border controls (such as local border authorities, the Animal and Plant Health Agency and the Foods Standards Agency), since January 2021.

Additionally, in relation to the UK Regulations, a short, targeted consultation exercise was undertaken by UK Government from 25 – 30 May 2022. It summarised the changes to be made by those Regulations and invited comments. The consultation was targeted at key stakeholders in the Agri-Food sector, including those in Wales, such as representative trade and industry organisations, interest groups and competent authorities.

The consultation acknowledged that an amendment made by the UK Regulations to the Meat Preparations (Amendment and Transitory Modification) (England) (EU Exit) Regulations 2020 (the effect of which mirrors that of the 2022 Regulations) does not apply in relation to Wales, but also that the Welsh Ministers would introduce equivalent amendments in Wales-only legislation.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

10 June 2022



Senedd Cymru
Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad
—
Welsh Parliament
Legislation, Justice and Constitution Committee