

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



Llywodraeth Cymru  
Welsh Government

Our ref: MA/JJ/1826/22

Huw Irranca-Davies MS Chair,  
Legislation, Justice and Constitution Committee  
Senedd Cymru  
[SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)

28 June 2022

Dear Huw,

I am writing to inform the Committee of the intention to consent to the UK Government making and laying The Official Controls (Plant Health) (Frequency of Checks) Regulations 2022 by 30 June 2022.

I have received a letter from Victoria Prentis MP, Minister for State for Farming, Fisheries and Food asking for consent to these Regulations. The Regulations intersect 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 by the Secretary of State, in exercise of the powers conferred by Articles 22(3) and 54(3) of Regulation (EU) 2017/625 of the European Parliament and of the Council ('the Official Control Regulations'). These Regulations make provisions for a GB focused risk-based frequency of checks regime, allowing the modification of the frequency of plant health checks on specific import trade pathways, depending on the level of plant health risk posed to GB. This instrument will apply equally to imports from non-EU countries and high-priority goods from EU member States, Switzerland, and Liechtenstein. The Statutory Instrument (SI) is subject to the negative procedure and is due to be laid before Parliament on 30 June 2022 with a commencement date of 22 July 2022.

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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.

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, it is considered appropriate for the substance of the amendments to apply to Wales as there is no policy divergence between the Welsh and UK Government in this matter. This ensures a coherent and consistent statute book with the regulations 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.

I have written similarly to Llyr Gruffydd MS, the Chair of the Climate Change, Environment and Infrastructure Committee.

Yours sincerely

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

**Julie James AS/MS**  
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Minister for Climate Change