



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Animals, Food, Plant Health, Plant Propagating Material and
Seeds (Miscellaneous Amendments etc.) Regulations 2022**

DATE **15 July 2022**

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

Members of the Senedd will wish to be aware that we are giving consent to the Secretary of State for Environment, Food and Rural Affairs exercising a subordinate legislation-making power in a devolved area in relation to Wales.

The above titled Statutory Instrument (SI) will be made by the Secretary of State in exercise of powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 on official controls and other official activities.

Impact the SI may have on the Senedd's legislative competence and/or the Welsh Ministers' executive competence:

The creation of new concurrent powers confines the Senedd in exercising its legislative competence (on the basis that SoS consent is needed under paragraph 11 of Schedule 7B to remove these functions).

The requirement to obtain the Secretary of State's consent to remove any Minister of the Crown function has been amended by the Government of Wales Act 2006 (Amendment) Order 2021 ('the 2021 Order'). The 2021 Order amended Schedule 7B to the Government of Wales Act 2006 to remove the requirement to obtain Minister of the Crown consent if the Welsh Ministers modify or remove a Secretary of State function in the circumstances set out in paragraph 11(6) to Schedule 7B and include any function of the Minister of the crown that is to any extent 'exercisable concurrently where that function exists to any extent by virtue of regulations made under sections 8 to 8C of the EUWA 2018.

The regulations were laid before Parliament on 13 July 2022 to come into force 21 days later.