



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

20 July 2022

Dear Huw

I wish to inform Committee members of the granting of consent to the UK Government making and laying The Aquatic Animal Health (Amendment) Regulations 2022.

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 section 38 of the Fisheries Act 2020.

Officials, as part of the UK Aquatic Animal Health Policy Group, have been considering the functioning of the retained and domestic legislation, to improve the regime to make it more flexible, efficient and less burdensome. A number of improvements have been identified including enabling changes more quickly to the following Lists:

- i. lists of aquatic animal species which act as vectors for listed aquatic animal diseases;
- ii. lists of aquatic animal species which are susceptible to listed diseases; and

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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.

- iii. the lists of species which can be imported into Great Britain from certain countries, as well as zones within these countries they can be imported from.

The amendments will provide better protection for Great Britain's aquatic animal health status, and significantly reduce the resources required to make these changes.

Legislation made under the Fisheries Act is covered by a 'carve out' within the Government of Wales Act 2006 (Amendment) Order 2021, as such the creation of these concurrent-plus functions would not impinge on the Senedd's ability to legislate in this area in future, if it so wished.

The Regulation is due to be laid before Parliament on 19 July 2022 with a commencement date of 15 August 2022.

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 Paul Davies MS, the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely

A handwritten signature in cursive script that reads "Lesley Griffiths". The signature is written in black ink and is positioned in the lower half of the page.

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