

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



Llywodraeth Cymru
Welsh Government

Huw Irranca-Davies MS
Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru

Huw.Irranca-Davies@senedd.wales

10 October 2022

Dear Huw,

I wish to inform the LJC Committee of the intention to consent to the UK Government making and laying Control of Mercury (Amendment) (EU Exit) Regulations 2022 by 19 October 2022.

I have received a letter from the former Minister for State for Farming, Fisheries and Food requesting consent to these Regulations. The Regulations will be made by the Secretary of State for Environment, Food and Rural Affairs, in exercise of the powers conferred by the European Union (Withdrawal) Act 2018. The provisions in the Regulations intersect with devolved policy and will apply to Wales. The provisions could have been made by Welsh Ministers in exercise of our powers conferred by the European Union (Withdrawal) Act 2018. The Regulations will extend to England, Scotland and Wales and a similar request for consent has been sent to Scottish Ministers.

The SI amends the heading in Annex 2 to the retained Commission Implementing Decision (EU) 2017/2287 to replace a reference to “a Member State” with a reference to “Great Britain”.

The Statutory Instrument (SI) is subject to the negative procedure and is due to be laid before Parliament on 19 October 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.

The Welsh Government's general principle is 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 on this matter. This ensures a coherent and consistent statute book with the regulations being accessible in a single instrument. I consider 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.

Regards,

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

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