

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

SeneddLJC@senedd.wales

10th May 2023

Dear Huw,

I refer to my letter to you of 1 April 2023. I wish to inform the Committee I have given my consent to the Secretary of State to lay Plant Health and Phytosanitary Conditions (Oak Processionary Moth and Plant Pests) (Amendment) Regulations 2023 in relation to Wales. I have laid a Written Statement which can be found <https://senedd.wales/media/trtfe4k0/ws-ld15813-e.pdf>.

Part of the Regulations intersect with devolved policy and will apply to Wales, with the exception of measures on Oak Processionary Moth (OPM), which extend to England and Wales but apply in relation to England only. The provisions could be made by Welsh Ministers in exercise of our own powers. The Regulations extend to England, Scotland and Wales.

The Regulations were made in exercise of the powers conferred by Regulation (EU) 2016/2031. The Statutory Instrument was subject to the negative procedure and was laid before UK Parliament on 2 May 2023, with a commencement date of 24 May 2023.

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. The major changes introduced in the Regulations (the OPM changes) only apply to an area which is centred on London area at present. The other changes in the Regulations are minor and technical in nature, amend existing GB-wide legislation and any divergence in regulations between Wales and England would cause greater confusion and burden for delivery bodies and industry. On this occasion, I considered 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.

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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.

Therefore, I have given my consent to these Regulations. There is no policy divergence between the Welsh and UK Government in this matter.

Yours sincerely

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive style with a large, sweeping 'L' and 'G'.

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