

Lesley Griffiths MS
Minister for Rural Affairs and North Wales, and Trefnydd

22 September 2023

Dear Lesley,

The Plant Protection Products (Miscellaneous Amendment) Regulations 2023

Thank you for your letter of 13 September 2023 in respect of your intention to consent to the UK Government laying before the UK Parliament The Plant Protection Products (Miscellaneous Amendment) Regulations 2023. We note that the UK Government's intention is to lay the draft regulations before the UK Parliament on 16 October 2023, and they will have a commencement date of 31 December 2023.

At our meeting of 18 September 2023, we considered your letter and detail contained therein. There are a number of matters which we would like to pursue with you further.

I would be grateful if you could provide a response to our questions, which are included in the annex to this letter, by 5 October 2023.

Yours sincerely,



Huw Irranca-Davies
Chair

Annex

1. You state that you received a letter from Rebecca Pow MP, Minister for Environmental Quality and Resilience, asking for your “formal consent” to the Regulations. The Regulations are being made using powers in the *Retained EU Law (Revocation and Reform) Act 2023* (the REUL Act). You will be aware that the REUL Act does not contain a provision requiring the consent of the Welsh Ministers to be sought before a UK Minister exercises a delegated power in a devolved area under that Act. Please would you confirm and provide details of the consent process which has been followed in respect of the Regulations.
2. Please would you confirm that the Welsh Ministers were consulted on the terms of the Regulations as part of the relevant common framework structures.
3. Before making a decision to consent to the Regulations, did the Welsh Government undertake any assessment of the specific power in the REUL Act being used to make the Regulations?
4. Before making a decision to consent to the Regulations, did the Welsh Government undertake any assessment of the choice of scrutiny procedure being followed by the UK Government?
5. You will be aware that the powers in section 14 of the REUL Act are constrained to revocation or replacement of the law that a relevant national authority considers does not increase the regulatory burden in a particular subject area. Before making a decision to consent to the Regulations, did the Welsh Government’s consideration of the Regulations include an assessment of how they comply with this constraint and if there is any potential increase to the regulatory burden? If so, would you share it with the Committee?