



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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<b>TITLE</b>	<b>The Persistent Organic Pollutants (Amendment) (No. 2) Regulations 2023</b>
<b>DATE</b>	<b>19 October 2023</b>
<b>BY</b>	<b>Lesley Griffiths MS, Minister for Rural Affairs and North Wales, and Trefnydd</b>

Members of the Senedd will wish to be aware I have given consent to the Secretary of State for Environment, Food and Rural Affairs to exercise a subordinate legislation-making power in a devolved area in relation to Wales.

The Persistent Organic Pollutants (Amendment) (No. 2) Regulations 2023 have been laid before the UK Parliament by the Parliamentary Under Secretary of State in exercise of powers under Articles 15(1) and 18(1) of Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (recast) (“the POPs Regulation”). This was done to implement international obligations, which are placed on the UK by changes to the Stockholm Convention on POPs coming into force on 16 November.

This SI amends the POPs Regulation. The amendment will add perfluorohexane sulfonic acid (“PFHxS”), its salts and PFHxS-related compounds to the list of substances of which the manufacturing, placing on the market and use are prohibited under the POPs Regulation. It also sets limit values for PFHxS, its salts and PFHxS-related compounds occurring as an unintentional trace contaminant in substances, mixtures and articles.

The Welsh Ministers do not propose to introduce an equivalent Welsh SI as the Regulation being amended is GB-wide, so any amendments to it must be in English only.

### **Impact the instrument may have on the Senedd’s legislative competence and/or the Welsh Ministers’ executive competence:**

The draft Regulations do not diminish or undermine the powers of Welsh Ministers in any way. The Secretary of State can only exercise functions in relation to Wales without consent in the case of reserved powers. The Secretary of State can only exercise functions in relation to Wales in devolved matters with the consent of Welsh Ministers.

I would like to reassure the Senedd it is normally the policy of the Welsh Government to legislate for Wales in matters of devolved competence. However, in certain circumstances

there are benefits in working collaboratively with the UK Government where there is a clear rationale for doing so. On this occasion, I have given my consent to these Regulations for reasons of efficiency and expediency, adherence to international obligations, cross-government coordination and consistency.

The Regulations were laid in draft before the UK Parliament on 16 October 2023, aiming to come into force on 16 November 2023.