

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 of the Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

30 October 2023

Dear Huw,

The Official Controls (Plant Health) (Prior Notification) and Phytosanitary Conditions (Amendment) Regulations 2023.

I refer to my letter to you of 28 September 2023. I wish to inform the Committee I have given my consent to the Minister of State to lay the Official Controls (Plant Health) (Prior Notification) and Phytosanitary Conditions (Amendment) Regulations 2023 in relation to Wales. I have laid a Written Statement which can be found [here](#).

The Regulations intersect with devolved policy and will apply to Wales. The Regulations extend to England, Scotland and Wales. The Statutory Instrument (SI) is subject to the negative procedure and was laid before Parliament on 26 September 2023 with a commencement date of 17 November 2023, 24 November 2023 and 2 May 2024.

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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.

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 was considered appropriate for the Regulations to be laid by UK Government. The Regulations relate to a devolved area, however, they impact on imports of plant and plant products GB-wide. Many of the changes in the Regulations relate to the importation of plants and plant products. Most of these goods which enter Wales come through English ports and would be subject to their importation legislation. Introducing separate regulations in Wales and England may cause additional burden on the Animal and Plant Health Agency (APHA), business, traders and growers. Regulating on a GB-wide basis ensures a coherent and consistent statute book with the regulations being accessible in a single instrument with no risk of legislative divergence in Great Britain. Additionally, doing Wales-only Regulations for some provisions within this SI would likely have implications for the task of reforming and consolidating plant health legislation following assimilation of the REUL Bill at the end of 2023, as well having implications for notifying the World Trade Organisation (WTO) of the changes.

I have written similarly to Llŷr Gruffyd MS, the Chair of the Climate Change, Environment, and Infrastructure (CCEI) Committee.

Yours sincerely

A handwritten signature in black ink that reads "Lesley Griffiths". The signature is written in a cursive, flowing style.

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