

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

Paul Davies MS Chair,
Economy, Trade and Rural Affairs Committee
Senedd Cymru
SeneddClimate@senedd.wales

18 March 2024

Dear Paul,

I refer to my letter to you of 5 February. I wish to inform the Committee I have given my consent to the Secretary of State to lay The Biocidal Products (Health and Safety) (Amendment and Transitional Provisions etc.) Regulations 2024 in relation to Wales. I have laid a Written Statement which can be found at [sub-ld16411-e.pdf \(senedd.wales\)](#).

The Regulations intersect with devolved policy and will apply to Wales. The Regulations extend to England, Scotland and Wales.

The Regulations were made in exercise of the powers delegated to the Secretary of State in Article 85 and Article 83A(2) of Great Britain Biocidal Products Regulation (EU) No 528/2012 (GB BPR) (adaptation to scientific and technical progress). The Statutory Instrument was subject to the negative procedure and was laid before Parliament on 13 March 2024 with a commencement date of 6 April 2024.

Currently legislation provides a power for the Secretary of State only to make regulations but there is a consent requirement and 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 as the Regulations are technical in nature and contain no change of policy. There is no policy divergence between the Welsh and UK Government in this matter. Under the current legislation, there is no provision allowing me to legislate separately for Wales.

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

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.

I have written similarly to Huw Irranca-Davies MS, the Chair of the Legislation, Justice and Constitution Committee.

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'.

Lesley Griffiths AS/MS

**Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd
Minister for Rural Affairs and North Wales, and Trefnydd**