

SL(6)481 – The Plant Health etc. (Miscellaneous Fees) (Amendment) (Wales) Regulations 2024

Background and Purpose

These Regulations amend the Plant Health etc. (Fees) (Wales) Regulations 2018 and the Plant Health (Fees) (Forestry) (Wales) Regulations 2019.

Regulation 2(2) amends the fees for documentary checks relating to certain plants, plant products or other objects originating from an EU Member State, Liechtenstein or Switzerland. It also provides that no fee is payable for physical and identity checks relating to certain goods from EU Member States, Liechtenstein and Switzerland and provides exceptions to that rule.

Regulation 2(3) inserts a table of certain plants, plant products and other objects to which the fees amended by regulation 2(2) relate. The table updates and corrects the import inspection fees for *Solanum lycopersicum* from Morocco and the Canary Islands.

Regulation 3 amends the Plant Health (Fees) (Forestry) (Wales) Regulations 2019. Paragraph (2) corrects the type of inspection for which a fee is chargeable under those Regulations.

Procedure

Draft Affirmative.

The Welsh Ministers have laid a draft of the Regulations before the Senedd. The Welsh Ministers cannot make the Regulations unless the Senedd approves the draft Regulations.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

One point is identified for reporting under Standing Order 21.3 in respect of this instrument –

1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

These regulations were previously considered by the Committee in its meeting on 18 March 2024. The Committee's report noted three technical errors which the Welsh Government agreed to correct. On 3 April 2024, the regulations were formally withdrawn under standing order 27.1 and were re-laid on 16 April 2024. The errors identified have been corrected. On 15 March 2024, the Committee sent a [letter](#) to the Counsel General, Mick Antoniw MS requesting that where subordinate legislation was being used to amend errors in previous instruments that it would be helpful if that was highlighted in the accompanying explanatory



memorandum. The Committee acknowledge and welcome the fact that these corrections have been highlighted clearly to the Committee in section 2 of the explanatory memorandum.

Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

24 April 2024



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee