

Huw Irranca-Davies MS
Cabinet Secretary for Climate Change and Rural Affairs

5 June 2024

Dear Huw

The Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022

You will be aware that the Legislation, Justice and Constitution Committee considered carefully the Welsh Government's handling of the Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022 (the Regulations), following the Welsh Government's decision, in December 2022, to ask the Senedd to approve the Regulations despite a number of errors within the Regulations. You will know that the Welsh Government's approach was, in part, due to the imminent expiry of powers in the *European Union (Withdrawal) Act 2018*.

In correspondence following the Plenary debate, the then Minister for Rural Affairs and North Wales, and Trefnydd, said that the Welsh Government intended to bring forward a bespoke statutory instrument to correct the errors.

We are unsure if an amending instrument was ever made. We acknowledge that, some 18 months on from the Senedd's approval of the Regulations, it may be the case that the need for such an instrument has been superseded by other changes to the trade in animals and related products regime.

We would be grateful to receive an update on the Welsh Government's plans to bring forward a bespoke statutory instrument to correct the errors identified by the Committee in December 2022, or confirmation of when and how the need for a correction instrument was superseded.

In the correspondence referred to above, the then Minister also undertook to update the Committee by letter on the Welsh Government's progress in identifying a power to enable the Minister to meet

her commitment, made during the debate on the Regulations, to amend the scrutiny procedure applicable to one of the delegated powers in the Regulations from the negative to the affirmative procedure. We do not appear to have received such an update and would be grateful if you could clarify the current position.

I would be grateful to receive a response by 24 June 2024.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges
Chair