

Huw Irranca-Davies AS/MS
Y Dirprwy Brif Weinidog ac Ysgrifennydd y Cabinet dros
Newid Hinsawdd a Materion Gwledig
Deputy First Minister and Cabinet Secretary for Climate
Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA/HIDCC/10102/24

Mike Hedges MS
Chair
Legislation, Justice and Constitution Committee
Welsh Parliament

24 September 2024

Dear Mike,

I am writing to inform the Committee of my intention to consent to the UK Government making and laying the Official Controls (Extension of Transitional Period) and Plant Health (Frequency of Checks) (Miscellaneous Amendment) Regulations 2024 (“the 2024 Regulations”).

We have received a letter from Baroness Sue Hayman the Minister for Biosecurity, Animal Health, and Welfare, asking for consent to these Regulations. The Regulations intersect with devolved policy and will apply to Wales. The Regulations will extend to England, Scotland, and Wales and a similar request for consent has been sent to Scottish Ministers.

The Regulations will be made in exercise of the powers conferred under:

- Article 144(6) of, and paragraphs 2 and 3(2) of Annex 6 to, Regulation (EU) 2017/625 of the European Parliament and of the Council (‘the OCR’).

The purpose of 2024 Regulation is to extend the implementation period of import checks on certain sanitary and phytosanitary (‘SPS’) goods entering Great Britain (‘GB’) from certain countries, until 1 July 2025.

In addition, this instrument extends an easement which delays the requirement for import checks (that applies to rest of the world countries) in respect of plants, plant products, and other objects (such as machinery and vehicles which have been used for agricultural or forestry purposes) entering Great Britain from the EU, Liechtenstein and Switzerland through a West Coast Port (as listed in the definition of ‘relevant port’ in paragraph 2 of Annex 6 to Regulation (EU) 2017/625 of the European Parliament and of the Council (‘the Official Controls Regulation’), before 1 July 2025. The instrument also adds Swansea Port to the list of West Coast Ports (contained in the aforementioned definition of ‘relevant port’).

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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.

Finally, the instrument extends an easement which delays the requirement for import checks (that applies to rest of the world countries) in respect of certain fruit and vegetables as set out in Schedule 2A of the Plant Health (Amendment etc.) (EU Exit) Regulations 2020 imported from the EU, Liechtenstein or Switzerland before 1 July 2025.

The Regulations do not commit Welsh Ministers to adopting any future UK Government position on biosecurity. The Regulations do not diminish or undermine the powers of Welsh Ministers in any way.

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 this instrument to apply to Wales as there is no policy divergence between the Welsh and UK Government in this matter. I consider that legislating separately for Wales would be neither the most appropriate way to give effect to the necessary changes nor a prudent use of Welsh Government resources given other important priorities.

I have written similarly to Paul Davies MS, the Chair of the Economy, Trade and Rural Affairs Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Huw Irranca-Davies', written in a cursive style.

Huw Irranca-Davies AS/MS

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