



Huw Irranca-Davies MS
Chair,
Legislation, Justice and Constitution Committee
Senedd Cymru

6 October 2022

Dear Huw

I am writing to inform the Committee I have given my consent to the Secretary of State to lay The Pests of Plants (Authorisations) (Amendment) Regulations 2022 in relation to Wales. I have laid a Written Statement which can be found at: <https://gov.wales/written-statement-pest-plants-authorisations-amendment-regulations-2022>

The Regulations intersect with devolved policy and will apply to Wales. The provisions could be made by Welsh Ministers in exercise of our own powers. The Regulations extend to England, Scotland, and Wales.

The current GB scientific authorisation regime issues authorisations which allow pests or plants, plant products and other material which would normally be prohibited, to be imported into or moved within Great Britain for official testing, scientific or educational purposes, trials, varietal selections, or breeding. Only designated quarantine stations or confinement facilities, which have been approved as suitable to contain the specified material, are eligible for an authorisation to introduce and store these materials.

The amendments will reduce the administrative burden on authorisation holders and GM plant health services. Amendments will be made the Letter of Authorisation (LoA) to allow multiple movements of permitted material. Information, which is not seen to help GM plant health services assess the biosecurity risk of the specified material will be removed. This amendment will remove the requirement for third countries of origin to endorse the import of the specified material into GB. Third country National Plant Protection Organisations (NPPOs) of the country of origin are not involved in the authorisation process and have no control over the material they are endorsing. This amendment will also add an obligation for the competent authority of the territory from which specified material is to be moved, to endorse the movement of the material to another territory within GB. This provides

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.

assurance that places of destination for these movements meet the requirements of a designated quarantine station or confinement facility.

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. This is because there is no policy divergence between the Welsh and UK Government in this matter. This ensures a coherent and consistent statute book with the regulations being accessible in a single instrument. In addition, there is an urgent need to introduce this legislation, to protect biosecurity in Wales. I consider legislating separately for Wales would be neither the most appropriate way to give effect to the necessary changes, especially given the urgent nature of the Regulations, nor a prudent use of Welsh Government resources given other important priorities.

These Regulations do not have implications for the Programme for Government. Preventing the entry of plant pests and diseases supports the majority of well-being goals in the Well-being of Future Generations (Wales) Act and will have a direct, positive contribution to the "a healthier Wales" and a 'resilient Wales' goals, together with associated impacts on the goals of "a prosperous Wales" and "a globally responsible Wales".

The Regulations were made in exercise of the powers conferred by Article 8(5) and 48(5) of Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants. The Statutory Instrument (SI) is subject to the negative procedure and was laid before Parliament on 3 October 2022 with a commencement date of 1 November 2022.

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

Regards

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

Lesley Griffiths AS/MS
Minister for Rural Affairs and North Wales, and Trefnydd