

SL(5)248 – The Food and Rural Affairs (Miscellaneous Revocations) Regulations 2018

Background and Purpose

These Regulations revoke a number of instruments relating to countryside access and dairy produce quotas in England and Wales.

The Explanatory Memorandum states “Following the “Working Smarter” report in Wales, the Welsh Ministers agreed to provide a measured and appropriate regulatory framework for farmers in Wales and this included a red tape review of existing legislation. As part of this, the Welsh Ministers agreed to work with DEFRA to revoke, where appropriate, legislation with cross territorial application to Wales and England where that legislation has become redundant or otherwise obsolete.”

Procedure

Negative, composite.

Technical Scrutiny

One point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(ix) – the instrument is not made in both English and Welsh

These Regulations have been made as a composite instrument, meaning that these Regulations have been: (a) made by both the Welsh Ministers and the Secretary of State, and (b) laid before both the National Assembly for Wales and the UK Parliament.

We note that Explanatory Memoranda to composite instruments usually refer to the lack of a Welsh version of the instrument (often by reference to an explanation such as “As this composite instrument is subject to approval by the National Assembly for Wales and by the UK Parliament, it is not considered reasonably practicable for this instrument to be made or laid bilingually”). However, there is no such reference in the Explanatory Memorandum to these Regulations.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Government Response

No government response is required.

Legal Advisers

Constitutional and Legislative Affairs Committee

31 July 2018

