

UK MINISTERS ACTING IN DEVOLVED AREAS

The Tobacco Products and Nicotine Inhaling Products (Amendment) (EU Exit) Regulations 2018

Laid in the UK Parliament: 1 November 2018

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	-
Date of consideration by the House of Commons European Statutory Instruments Committee	NA
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	NA
Date sifting period ends in UK Parliament	NA
Written statement under SO 30C:	Paper 8
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	NA
Procedure	Affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	w/c 12 November

Commentary

Assembly Legal Services agree with the summary and objective of the amendments made by these Regulations, as set out by the Welsh Government in its Written Statement dated 5 November 2018.

When considering why the Welsh Government think that it is appropriate that these Regulations have been made by the UK Government, Members may wish to consider the reasoning provided in final paragraph of the Written Statement:

“There is no divergence between the Welsh Government and the UK Government on the policy for the correction. Therefore, making separate SIs in Wales and England would lead to duplication, and unnecessary complication of the statute book. Consenting to a UK-wide SI ensures that there is a single legislative framework across the UK which promotes clarity and accessibility during this period of change. In these exceptional

circumstances, the Welsh Government considers it appropriate that the UK Government legislates on our behalf in this instance.”