

UK MINISTERS ACTING IN DEVOLVED AREAS

The Transmissible Spongiform Encephalopathies and Animal By-Products (Amendment) (EU Exit) Regulations 2018

Laid in the UK Parliament: 22 November 2018

Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed negative
Date of consideration by the House of Commons European Statutory Instruments Committee	4 December 2018
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	
Date sifting period ends in UK Parliament	10 December 2018
Written statement under SO 30C:	Paper xx
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	Not known
Procedure	Negative or 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	Not known

Commentary

These Regulations are proposed to be made by the UK Government pursuant to section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

These Regulations ensure that the following 5 pieces of direct EU legislation will be fully operable when the UK leaves the EU and relate to animal disease prevention; specifically concerning the control and eradication of transmissible spongiform encephalopathies and to the use, disposal, placing on the market and import of animal by products:

- Regulation (EC) No. 999/2001
- Commission Decision 2007/453
- Commission Decision 2009/719
- Regulation (EC) No. 1069/2009
- Commission Regulations (EU) No. 142/2011

Transmissible spongiform encephalopathies and animal by products are areas of devolved responsibility and implemented in the UK via secondary legislation in each constituent nation of the UK. The Regulations do not enact any new policy.

Legal Advisers agree with the statement laid by the Welsh Government dated 27 November 2018 regarding the effect of these Regulations. The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.

Legal Advisers have not identified any legal reason to seek a consent motion under Standing Order 30A.10 in relation to these Regulations.