

UK MINISTERS ACTING IN DEVOLVED AREAS

The Justification Decision Powers (EU Exit) Regulations 2018 *Laid in the UK Parliament: 23 November 2018*

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	w/c 3 December 2018
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 37
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	N/A
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	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 of the European Union (Withdrawal) Act 2018.

These regulations provides the Secretary of State and the Devolved Administrations with a replacement power to make justification decisions in the form of regulations in respect of classes and types of practices involving ionising radiation for the purposes of the Justification of Practices Involving Ionising Radiation Regulations 2004. The powers to make regulations for this purpose will no longer be available once the European Communities Act 1972 is repealed. The Regulations do not enact any new policy.

Legal Advisers agree with the statement laid by the Welsh Government dated 28 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.

