

Statutory Instruments with clear reports, that were previously considered for sifting and are now subject to scrutiny under Standing Orders 21.2 and 21.3

4 February 2019

The following instruments were previously considered for sifting in accordance with Standing Order 21.3B. In the sift process, the Committee agreed that in all cases the appropriate procedure for the Regulations was the negative resolution procedure. Now the instruments are subject to usual scrutiny in accordance with Standing Orders 21.2 and 21.3. Although all the instruments have clear reports they also contain a merits point to highlight the sift process:

Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Assembly

A draft of these Regulations was laid before the Assembly for sifting in accordance with paragraph 4 of Schedule 7 to the European Union (Withdrawal) Act 2018. The Committee agreed that the negative procedure was the appropriate procedure for these Regulations

SL(5)307 – The Livestock (Records, Identification and Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

Procedure: Negative

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 to the European Union (Withdrawal) Act 2018 to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union. They amend the following legislation, which applies in relation to Wales, in the fields of the recording, identification and movement of livestock:

The Cattle Identification (Wales) Regulations 2007;

The Pigs (Records, Identification and Movement) (Wales) Order 2011; and

The Sheep and Goats (Records, Identification and Movement) (Wales) Order 2015.



Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: 14 January 2019

Date Made: 21 January 2019

Date Laid: 24 January 2019

Coming into force: in accordance with regulations 1(2)

SL(5)308 – The Animal By-Products and Transmissible Spongiform Encephalopathies (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

Procedure: Negative

The instrument will address deficiencies in domestic legislation arising from the withdrawal of the UK from the EU, and ensures that controls on Animal By-Products and Transmissible Spongiform Encephalopathies continue to operate on EU exit to protect animal and public health.

EU rules for the control of TSEs and ABPs are at least equivalent to, and in some cases higher than, the international standards set by the World Organisation for Animal Health (Office International des Epizooties – OIE). Whilst the UK will be under no legal obligation to adhere to EU rules for TSE and ABP controls following EU Exit, due to the history of the BSE epidemic in Europe (particularly within the UK in the 1980/90s), third countries will expect the UK to at least mirror the key EU controls, even though these exceed OIE safeguard standards.

Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: 14 January 2019

Date Made: 21 January 2019

Date Laid: 24 January 2019



Coming into force: in accordance with regulations 1(2)

SL(5)309 – The Elections (Wales) (Amendment) (EU Exit) Regulations 2019

Procedure: Negative

The instrument removes references to Members of the European Parliament, European Parliament and European Parliamentary elections where these will no longer be needed after exit day. No alternative provision is made.

Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: 7 January 2019

Date Made: 24 January 2019

Date Laid: 28 January 2019

Coming into force: in accordance with regulation 1

SL(5)311 – The Service Charges (Consultation Requirements) (Wales) (Amendment) (EU Exit) Regulations 2019

Procedure: Negative

This instrument makes an amendment to the Service Charges (Consultation Requirements) (Wales) Regulations 2004 by removing a reference to the Publications Office of the EU and replacing it with a reference to the UK e-notification system. That reference is to a definition to be inserted into regulation 51 of the Public Contract Regulations 2015 by regulation 5 of the Public Procurement (Amendment etc.) (EU Exit) Regulations 2019. Those Regulations have been laid before Parliament in draft.

Parent Act: European Union (Withdrawal) Act 2018



Sift requirements satisfied: 21 January 2019

Date Made: 24 January 2019

Date Laid: 28 January 2019

Coming into force: in accordance with regulation 1

