

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 96 - The Food and Feed Imports (Amendment) (EU Exit) Regulations 2019

*Laid in the UK Parliament: 5 February 2019*

#### **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	Not known
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 23
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 of the European Union (Withdrawal) Act 2018.

The Food and Feed Imports (Amendment) (EU Exit) Regulations 2019 amends European legislation relating to import controls on food and feed, from outside of the United Kingdom, to ensure its operability following the UK's departure from the European Union. Imports legislation sets rules for the verification of food and feed law by competent authorities in the UK such as the Food Standards Agency (FSA). This instrument amends references to European institutions and systems in order that the legislation is operable in the UK following our departure from the EU. It is intended to provide continuity for operators and trade whilst protecting public health.

The Regulations have no effect on the legislative competence of the Assembly but will enhance the Welsh Ministers' executive powers by

transferring powers and duties currently conferred and imposed on the European Commission to the Welsh Ministers in relation to Wales.

Legal Advisers agree with the statement laid by the Welsh Government dated 6 February 2019 regarding the effect of these Regulations. We particularly welcome the clarity of this statement, and the clear explanations provided as to the impact upon the Welsh Ministers' executive powers.

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.