

Rebecca Evans AM
Minister for Finance and Trefnydd
Welsh Government

6 February 2019

Dear Rebecca

**The Import of and Trade in Animals and Animal Products (Amendment etc.)
(EU Exit) Regulations 2019**

The Constitutional and Legislative Affairs Committee considered the Welsh Government written statement issued under Standing Order 30C for the above named regulations at its meeting on 4 February 2019.

I would like to draw your attention to concerns we have with these Regulations.

The written statement confirms that the amendments contained in the Regulations are “to be made by the Secretary of State in relation to UK or GB wide legislation in relation to which the Welsh Ministers have executive functions and the subject matter of the legislation, namely the movement of animals and preventive health measures that apply to the movement of animals in relation to Wales is within the legislative competence of the National Assembly.”

However, the statement does not identify the impact these Regulations may have, either on the executive competence of the Welsh Ministers or the legislative competence of the Assembly, as required under Standing Order 30C.3(ii).

We ask that you provide clarification on which devolved powers are affected by the Regulations.

I would also like to draw your attention to other minor issues with the written statement.

The Regulations, at Schedule 2, revoke “Commission Decision 2006/65/EC on certain protection measures in relation to intra-Community trade in poultry



intended for restocking of wild game supplies". The stated Commission Decision reference appears to contain an error, and should read "2006/605/EC".

In addition, the written statement refers to the incorrect reference in its list of retained direct EU legislation being revoked, and also contains a duplicate reference to this Commission Decision (correctly referenced) in the section titled "European Directly Applicable Instruments".

I would be grateful for a response and clarification on which devolved powers are affected by the Regulations by 14 February 2019.

I am copying this letter to Lesley Griffiths AM, Minister for Environment, Energy and Rural Affairs.

Yours sincerely

A handwritten signature in black ink, appearing to read "Mick Antoniw". The signature is fluid and cursive, with a horizontal line underneath the name.

Mick Antoniw

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.
We welcome correspondence in Welsh or English.

