



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Animal Health, Plant Health, Seeds and Seed Potatoes
(Amendment) (EU Exit) Regulations 2019**

DATE **18 February 2019**

BY **Rebecca Evans AM, Minister for Finance and Trefnydd**

**The Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit)
Regulations 2019**

The law which is being amended

The elements of these Regulations that apply to Wales amend Commission Implementing Decision 2014/709/EU and the Plant Health (EU Exit) Regulations 2019.

Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence

There is no impact on the Assembly's legislative competence. The elements of these Regulations that apply to Wales do not confer legislative functions, however they confer administrative functions on the Welsh Ministers without encumbrance.

The purpose of the amendments

The elements of these Regulations that apply to Wales:

make minor technical amendments to ensure that Commission Implementing Decision 2014/709 concerning animal health control measures relating to African swine fever will continue to be operable after EU exit. The Decision was due to expire in December 2018 but has now been extended by the Commission and so requires certain deficiency amendments to be made. The Decision requires appropriate Ministers to prohibit movement of live feral pigs and requires advisory signage regarding the dangers of spread of the disease; and

amend the Plant Health (EU Exit) Regulations 2019 to ensure that recent Commission Implementing Decisions (EU) 2018/1503 and (EU) 2018/1959 establishing measures to prevent the introduction into and spread within the EU of *Aromia bungii* and *Agrius planipennis* (Fairmaire) are implemented to protect domestic biosecurity. Changes are also

made to facilitate trade in plant health controlled material between the Crown Dependencies and Wales, England and Northern Ireland.

The amendments made by these Regulations do not amount to a change in policy but ensure that retained EU law continues to operate effectively after the UK leaves the EU.

The Regulations and accompanying Explanatory Memorandum, setting out the effect of amendments is available here: <https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments>

Why consent was given

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales for reasons of efficiency, expediency and due to the technical nature of the amendments. The amendments have been considered and present no divergence of policy. These amendments are to ensure that the statute book remains functional following the UK's exit from the EU. This is in line with the principles for correcting agreed by the Cabinet Sub-Committee on European Transition in May.