

UK MINISTERS ACTING IN DEVOLVED AREAS

76 - The REACH etc. (Amendment etc) (EU Exit) Regulations 2019

Laid in the UK Parliament: 9 January 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	21/01/2019
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 11
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 sections 8, 14(1) of, and paragraph 1, Schedule 4 of the European Union (Withdrawal) Act 2018.

These Regulations correct deficiencies in retained EU law relating to the registration, evaluation, authorisation and restriction of chemicals, known as 'REACH'. The instrument also ensures that EU legislation will operate effectively in the domestic context after the UK leaves the EU and the creation of a UK regulatory system for chemicals (similar to the current EU 'REACH' regime) by making amendments to European directly applicable instruments and also to domestic, secondary legislation. These Regulations also make transitional provisions to minimise the disruption to existing supply chains.

The REACH regime covers both devolved and reserved matters, as it is has been designed to protect the health and safety of workers (a reserved matter in Wales) as well as public health and the environment (which are devolved).

Legal Advisers agree with the statement laid by the Welsh Government dated 11 January 2019 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.