

UK MINISTERS ACTING IN DEVOLVED AREAS

210 - The Plant Health (Amendment) (EU Exit) Regulations 2020

Laid in the UK Parliament: 9 December 2020

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Draft 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	N/A
Date sifting period ends in UK Parliament	N/A
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	N/A
Procedure	Draft 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

Background

These Regulations are proposed to be made by the UK Government pursuant to sections 8(1) and 8C of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

Summary

These Regulations make corrections and technical amendments to retained direct European Union (EU) law and domestic legislation in order to address failures of retained EU law to operate effectively and to ensure that the United Kingdom (UK) meets its obligations under the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement ('the Protocol') required at the end of the Implementation Period (IP), in relation plant health.

These Regulations amend the following legislation:

EU Legislation

- Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants; and

- Commission Implementing Regulation (EU) 2017/2313 of 13 December 2017 setting out the format specifications of the plant passport for movement within the Union territory and the plant passport for introduction into, and movement, within a protected zone.

Domestic secondary legislation

- The Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019.

Statement by Welsh Government

Legal Advisers agree with the statement laid by the Welsh Government dated 14 December 2020 regarding the effect of these Regulations.

Intergovernmental Agreement on the European Union (Withdrawal) Bill

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.