

UK MINISTERS ACTING IN DEVOLVED AREAS

The Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2018

Laid in the UK Parliament: 20 November 2018

Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed negative
Date of consideration by the House of Commons European Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	w/c 3 December
Date sifting period ends in UK Parliament	5 December 2018
Written statement under SO 30C:	Paper 23
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	Not known
Procedure	Negative or 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(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

The Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2018 amend, and to a smaller degree revoke, retained EU law which protects human health against zoonotic disease (in particular, salmonella) so that it will continue to be operable after the UK leaves the EU. Zoonotic diseases are those that may transfer from animals to humans.

The minor and technical changes made by the instrument are designed to ensure that retained EU law continues to operate effectively. The changes include removing or amending references to EU institutions such as “Community reference laboratories” and “the Commission” which will

no longer be appropriate after exit. Imports of live poultry and hatching eggs from the EU will continue on the same basis after exit day. The existing EU legislation sets out controls that protect public health from zoonotic disease and in particular from salmonella. The UK Government has expressed its wish to retain those standards of health protection on EU exit and is making amendments to retained EU legislation to allow this.

Legal Advisers agree with the statement laid by the Welsh Government dated 23 November 2018 regarding the effect of these Regulations. The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect and the extent to which these Regulations would enact new policy in devolved areas.

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.