

## UK MINISTERS ACTING IN DEVOLVED AREAS

### **The Rural Development (Rules and Decisions) (Amendment) (EU Exit) Regulations 2018**

*Laid in the UK Parliament: 29 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 | 11 December 2018     |
| Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee   | w/c 10 December 2018 |
| Date sifting period ends in UK Parliament  | 18 December 2018     |
| Written statement under SO 30C:  | Paper 33             |
| 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.

These Regulations (together with The Rural Development (Amendment) (EU Exit) Regulations 2018) amend a series of EU regulations and implementing decisions applying to programmes currently funded by the European Agricultural Fund for Rural Development (EAFRD), to enable the UK's Rural Development Programmes for 2014-2020 to continue to operate in the event of a no deal scenario on the UK's exit from the European Union.

The amendments will correct deficiencies in retained EU law arising from the UK's exit from the EU and ensure that payments can continue to be made to beneficiaries under these programmes using domestic funding.

Legal Advisers agree with the statement laid by the Welsh Government dated 3 December 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.