

UK MINISTERS ACTING IN DEVOLVED AREAS

The Shipments of Radioactive Substances (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 37
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) and (5) of the European Union (Withdrawal) Act 2018.

This statutory instrument corrects deficiencies in the operation of retained EU law within Euratom Regulation 1493/93 ('the Regulation') on the shipment of radioactive substances between EU Member States. The Regulation requires that shipment of radioactive sources between Member States are controlled and documented. On exit day (29 March 2019), the Regulation will automatically become retained EU law under the European Union (Withdrawal) Act 2018 but will be inoperable. This statutory instrument revokes the Regulation and replaces it with similar provisions so that retained deficiencies are fixed and the Regulations can continue to operate as it does now insofar as possible.

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.

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.