



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **The Ionising Radiation (Environmental and Public Protection) (Miscellaneous Amendments) (EU Exit) Regulations 2018**

**DATE**            **7 December 2018**

**BY**                **Julie James AM, Leader of the House and Chief Whip**

### **The Ionising Radiation (Environmental and Public Protection) (Miscellaneous Amendments) (EU Exit) Regulations 2018**

The 2018 Regulations contain provisions which fall within devolved competence; these provisions amend the following legislation.

#### **The retained EU Law which is being amended**

- Council Directive 2013/59/Euratom
- Directive 2011/92/EU

#### Domestic Legislation

- The Justification of Practices Involving Ionising Radiation Regulations 2004

#### **The SIs impact in relation to Wales:**

In terms of the SIs impact in Wales, it makes minor technical amendments to ensure the operability of legislation relating to ionising radiation post EU exit.

#### **Any impact the SI may have on the Assembly's legislative competence and/or the Welsh Ministers' executive competence**

The SIs (where relevant) to Wales are within devolved competence, however, in these exceptional circumstances when we are required to consider and correct an unprecedented volume of legislation within a tight timeframe and with finite resources, the Welsh Government's general principal is that it appropriate that we ask the UK Government to legislate on our behalf in a large number of statutory instruments.

## **The purpose of the amendments**

The European Union Withdrawal Act 2018 ('EUWA') allows EU-derived legislation to be fixed to ensure it operates properly and effectively once the UK has left the EU.

These amendments address deficiencies arising from the exit of the UK from the EU. This instrument amends provisions which will not function correct due to inoperable references to EU instruments and to terminology that is no longer appropriate from the point that the UK is no longer a Member state of the EU.

After exit, without amendment the relevant EU law would not operate properly to such an extent that powers to continue carrying out statutory functions could be put in doubt.

This instrument amends the relevant legislation to ensure that existing protections and regulatory frameworks are maintained and continue to work in the same way once the UK has left the EU.

The SI and accompanying Explanatory Memorandums, setting out the effect of each amendment is available here:

<https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments>

## **Why consent was given**

Consent has been given for the UK Government to make these corrections in relation to, and on behalf of, Wales for reasons of efficiency, expediency and due to the technical nature of the amendments. The amendments have been considered fully; and there is no divergence in policy. These amendments are to ensure that the statute book remains functional following the UK's exit from the EU. This is in line with the principles for correcting agreed by the Cabinet Sub-Committee on European Transition in May.