

UK MINISTERS ACTING IN DEVOLVED AREAS

The Marketing of Seeds and Plant Propagating Material (Amendment etc.) (England and Wales) (EU Exit) Regulations 2018

Laid in the UK Parliament: 5 December 2018

Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed negative
Date of consideration by the House of Commons European Statutory Instruments Committee	18 December 2018
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	
Date sifting period ends in UK Parliament	7 January 2018
Written statement under SO 30C:	Paper 51
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 2(2) of the European Communities Act 1972 and section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

These Regulations amend a number of domestic regulations relating to the marketing of seed and propagating material. Specifically, the Regulations make a number of amendments to the Marketing of Vegetable Plant Material Regulations 1995, the Marketing of Ornamental Plant Propagating Material Regulations 1999, and amendments to three other sets of regulations which apply to England only.

The effect of these Regulations is to enable the domestic regulations to continue to function following the UK's departure from the European

Union. These Regulations contain transitional provisions and make technical amendments, and do not implement new policy. Legal Advisers agree with the statement laid by the Welsh Government dated 10 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.