

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 141 - The Plant Health (Amendment etc.) (EU Exit) Regulations 2019

*Laid in the UK Parliament: 22 July 2019*

#### Sifting

Subject to sifting in UK Parliament?	No
Procedure:	N/A
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	N/A
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 32
SICM under SO 30A (because amends primary legislation)	Paper 28

#### Scrutiny procedure

Outcome of sifting	N/A
Procedure	Draft 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	10 September 2019

#### 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 amend the Plant Health (EU Exit) Regulations 2019 and the Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019. The amendments ensure that Schedules 1 to 6 to the Plant Health (EU Exit) Regulations 2019 are updated to reflect recent EU and national legislation so that EU-derived protective measures against the introduction and spread of organisms harmful to plants or plant products which are in place immediately before exit day continue to remain effective and operable following the UK's withdrawal from the EU.

These Regulations also remove references to EU obligations from sections 2(1) and 3(1) of the Plant Health Act 1967.

Legal Advisers agree with the statement laid by the Welsh Government dated 26 July 2019 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.