

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 179 - The Blood Safety and Quality (Amendment) (EU Exit) Regulations 2020

*Laid in the UK Parliament: 08 October 2020*

#### Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Draft affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	NA
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	NA
Date sifting period ends in UK Parliament	NA
Written statement under SO 30C:	Paper 85
SICM under SO 30A (because amends primary legislation)	Not required

#### Scrutiny procedure

Outcome of sifting	NA
Procedure	Draft affirmative
Date of consideration by the Joint Committee on Statutory Instruments	21/10/20
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	20/10/20

#### Background

These Regulations are proposed to be made by the UK Government pursuant to sections 8(1) and 8C of the European Union (Withdrawal) Act 2018.

#### Summary

The Blood Safety and Quality (Amendment) (EU Exit) Regulations 2019 (“the 2019 Regulations”) amended the Blood Safety and Quality Regulations 2005 (“the 2005 Regulations”) to correct deficiencies arising as a result of the UK’s withdrawal from the European Union in the field of blood and blood component safety and quality. The 2019 Regulations are due to come into force on IP completion day.

In order to give effect to the Northern Ireland Protocol, the subject Regulations amend the 2019 Regulations to restrict the changes made by the 2019 Regulations to Great Britain only, and make other minor amendments.

#### Statement by Welsh Government

Legal Advisers make the following comments in relation to the Welsh Government’s statement dated 15 October 2020 regarding the effect of these Regulations:

1. Regulation 13 of the 2019 Regulations inserted a new regulation-making power at Regulation 23A(1)(a) of the 2005 Regulations for the Welsh Ministers (or the Secretary of State acting with the consent of the Welsh Ministers), as the appropriate authority for Wales, to make provision in relation to standards and requirements relating to a quality system for blood establishments.
2. Regulation 13(b)(ii) of the subject Regulations appears to extend that power to also include the ability to make such provision in respect of hospital blood banks.

**Intergovernmental Agreement on the European Union (Withdrawal) Bill**

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.