

## UK MINISTERS ACTING IN DEVOLVED AREAS

### 017 - [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022](#)

*Laid in the UK Parliament: 24 October 2022*

#### **Sifting**

Subject to sifting in UK Parliament?	N/A
Procedure:	Draft affirmative
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
SICM under SO 30A (because amends primary legislation)	Not required

#### **Scrutiny procedure**

Outcome of sifting	N/A
Procedure	Draft affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Unknown
Date of consideration by the House of Commons Statutory Instruments Committee	Unknown
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	Unknown

#### **Background**

These Regulations are proposed to be made by the UK Government under section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018

#### **Summary**

These Regulations transfer new functions from the European Commission to the Welsh Ministers. The transfer of these functions was omitted in error by an earlier EU Exit SI. The functions will be re-instated and recast as functions of the 'appropriate authority'. The appropriate authority in relation to Wales is the Welsh Ministers.

These Regulations also make corrections to provisions of retained direct EU legislation in devolved areas in relation to which functions, so far as exercisable in relation to Wales, were transferred to Welsh Ministers under previous EU Exit SIs.

These Regulations also make amendments to retained direct EU legislation in the areas of food and feed hygiene and safety for the purpose of rectifying legal deficiencies and ensuring the continued operability of that legislation post Implementation Period

### **Statement by the Welsh Government**

Legal Advisers agree with the statement laid by the Welsh Government dated 24 October 2022 regarding the effect of these Regulations.

The written statement also sets out a helpful summary, with practical examples, of the changes being made by the Regulations.

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

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Senedd 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.