

Huw Irranca-Davies AS/MS
Ysgrifennydd y Cabinet dros Newid Hinsawdd a Materion Gwledig Cabinet
Secretary for Climate Change and Rural Affairs



Llywodraeth Cymru
Welsh Government

Llŷr Gruffydd MS
Chair,
Climate Change, Environment, and Infrastructure Committee
Senedd Cymru
SeneddClimate@senedd.wales

16 July 2024

Dear Llŷr,

The Windsor Framework (Retail Movement Scheme: Plant and Animal Health) Regulations 2024.

I wish to inform the Committee of the intention to consent to the UK Government making and laying The Windsor Framework (Retail Movement Scheme: Plant and Animal Health) Regulations 2024 (“the Regulations”) by 29 July 2024.

I received a letter from Lord Douglas-Miller, the Minister for Biosecurity, Animal Health and Welfare, requesting consent to the Regulations. The Regulations will be made by the Secretary of State for Environment, Food and Rural Affairs, in exercise of the powers conferred by Section 8C(1) and (2) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

The purpose of the Regulations is to protect biosecurity and support trade between Northern Ireland (“NI”) and Great Britain (“GB”), following the agreement of the Windsor Framework. The amendments contained in the Regulations change the way in which plants, plant products and other objects move between GB and NI, restoring the smooth flow of trade within the internal market of the United Kingdom.

The Regulations expand the list of non-EU, Rest of the World (RoW), plants, plant products and products of animal origin (POAO) goods eligible for movement under the Northern Ireland Retail Movement Scheme (NIRMS) and the facilitated movement scheme.

The Statutory Instrument (SI) is subject to the negative procedure and is due to be laid before UK Parliament on 29 July 2024.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Although the Welsh Government's general principle is that the law relating to devolved matters should be made and amended in Wales, on this occasion, it is considered appropriate for the substance of the amendments to apply to Wales. The SI relates to a devolved area, however, the SI operates GB-wide and has effect as to the acceptance of goods into Northern Ireland. Given the application to Northern Ireland it would not be within competence of Welsh Ministers to wholly make this SI as Wales-only. Additionally, there is no policy divergence between the Welsh and UK Government in this matter. This ensures a coherent and consistent statute book with the regulations being accessible in a single instrument. Making the regulations GB-wide also ensures there will be no risk of legislative divergence in the UK which would likely jeopardise the implementation of the Windsor Framework. Therefore, I am giving my consent to these Regulations.

I have written similarly to Mike Hedges MS, the Chair of the Legislation, Justice and Constitution Committee (LJCC).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Huw Irranca Davies', written in a cursive style.

Huw Irranca Davies AS/MS

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Cabinet Secretary for Climate Change and Rural Affairs