

Huw Irranca-Davies MS
Deputy First Minister and Cabinet Secretary for
Climate Change and Rural Affairs

24 September 2024

Dear Huw

**The Trade in Animals and Related Products (Amendment and Legislative Functions) and
Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022**

Thank you for your response of 9 September to my letter of 3 July 2024 in respect of the above Regulations, further to our previous exchange of correspondence.

My Committee considered your letter at its meeting of 16 September. We note your explanation for why the Welsh Government has not yet brought forward an amending statutory instrument to address reporting point 25 of the Committee's report on the Regulations, and your view that the error in question is of negligible impact "at present."

We also note the Welsh Government's commitment to introduce legislation to amend the Regulations at the earliest available opportunity.

However, you are undoubtedly aware that, by December, two years will have elapsed since the Senedd was asked to approve these Regulations. You will also no doubt be aware that, at the time, the Regulations were already known to be defective, and the Senedd subsequently approved them knowing that the Minister for Rural Affairs had committed during the debate to making the required corrections during the following year. With this in mind, we believe it is imperative that the Committee – and more importantly the Senedd – is provided with a more definitive timeline of when such an opportunity to amend the Regulations is likely to arise, and a firm deadline for the tabling of amending Regulations. Respectfully, we do not believe that it is satisfactory that defective regulations are left on the statute book until an unascertained point in the future which may or may not arise.



It is also unfortunate to hear that no suitable legislative vehicles are currently available to address reporting point 30 of the Committee's report, in line with the then Minister's commitment to change the scrutiny procedure applicable to the delegated powers in the Regulations. We note that you similarly cannot commit to a timeline to achieve this change. This again is disappointing, given that the Regulations were approved by the Senedd having heard the Minister's commitment. In light of this continued uncertainty, we are conscious that a point may arise where the Welsh Government may need to inform the Senedd that – unfortunately – this commitment will not be met. We would therefore be grateful if you could provide a date by which you will make the Senedd aware of this point having been reached.

We would welcome a response from you by 17 October 2024.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style and is underlined with a single horizontal line.

Mike Hedges

Chair