

## UK MINISTERS ACTING IN DEVOLVED AREAS

### **89 - The Contaminants in Food (Amendment) (EU Exit) Regulations 2019** *Laid in the UK Parliament: 31 January 2019*

#### **Sifting**

Subject to sifting in UK Parliament?	No
Procedure:	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	
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 24
SICM under SO 30A (because amends primary legislation)	Not required

#### **Scrutiny procedure**

Outcome of sifting	N/A
Procedure	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	Not known

#### **Commentary**

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

Currently, the contaminants in food legislation is set by the EU and is implemented in the UK by statutory instruments.

These Regulations transfer the European Commission's current legislative power to the Welsh Ministers in relation to Wales, to enable the Welsh Ministers to make regulations setting the maximum tolerances for specific contaminants.

Legal Advisers agree with the statement laid by the Welsh Government dated 4 February 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.