

UK MINISTERS ACTING IN DEVOLVED AREAS

156 - Agricultural Products, Food and Drink (Amendment etc.) (EU Exit) Regulations 2019

Laid in the UK Parliament: 14 October 2019

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Made 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
Written statement under SO 30C:	Paper 18
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	N/A
Procedure	Made 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, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

These Regulations amend retained EU food and drink legislation. The provisions in these Regulations largely amend rules on wine and spirit drinks, with most of them concerning geographical indication (“GI”) schemes. The amendments generally replace the current EU GI schemes with UK GI schemes. There are also a small number of EU Exit amendments to EU law on food and agricultural GI schemes.

The changes being made by these Regulations are minor changes to statutory instruments which have already been consented to by Welsh Ministers but which relate to an area of competence which is in dispute, as set out in the statement laid by the Welsh Government dated 16 October 2019.

Legal Advisers agree with the statement laid by the Welsh Government dated 16 October 2019 regarding the effect of these Regulations.

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect. We are satisfied that the Regulations are only making corrections to the current legislative framework to ensure that it remains operable, rather than enacting new policy in devolved areas.

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.