

## UK MINISTERS ACTING IN DEVOLVED AREAS

### **157 - The Common Agricultural Policy (Market Measures, Notifications and Direct Payments) (Miscellaneous Amendments) (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 20
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 were made by the UK Government pursuant to section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

The instrument amends provisions of European Union legislation relating to the EU Common Agricultural Policy ("CAP"). The instrument amends four European directly applicable instruments concerning producer groups, producer organisations and notifications in the fruit and vegetables and processed fruit and vegetables sectors. The EU legislation which these Regulations amend will be retained should the UK leave the EU in a 'no deal' scenario. These Regulations make amendments to ensure that the provisions remain operable after the UK's withdrawal from the EU.

These Regulations also amend one domestic EU exit instrument, the Agriculture (Legislative Functions) (EU Exit) Regulations 2019, relating to the financial discipline mechanism.

These Regulations were made by the UK Government on 14 October 2019 and are subject to the urgent 'made affirmative'. UK Government considers it important to urgently have these Regulations in place before exit day so as to provide confidence and certainty to the public and business and to ensure the effective functioning of the statute book after EU Exit.

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.