

Proposed Negative Statutory Instruments with Clear Reports

14 January 2019

Pn(5)004 – The Equality Act 2010 (Statutory Duties) (Wales) (Amendment) (EU Exit) Regulations 2019

Procedure: Negative

These Regulations amend regulation 18 of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 by removing a reference to the ‘Public Sector Directive’ as that reference will be deficient after exit day.

The instrument provides that the terms which are currently defined by reference to the Public Sector Directive will instead be defined by reference to the Public Contracts Regulations 2015, as of exit day.

These Regulations were laid for the purposes of sifting under the EU (Withdrawal) Act 2018 in accordance with Standing Order 27.9A.

Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: Yes

We agree that the appropriate procedure for these Regulations is the negative resolution procedure.

Pn(5)005 – The Livestock (Records, Identification and Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

Procedure: Negative

These Regulations are made in exercise of the powers conferred by paragraph 1(1) of Schedule 2 to the European Union (Withdrawal) Act 2018



(c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation, which apply in relation to Wales, in the fields of the recording, identification and movement of livestock.

The Explanatory Memorandum to these Regulations states that the “purpose of the instrument is solely to enable the current legislative and policy framework to remain unchanged by the withdrawal of the United Kingdom from the European Union”.

These Regulations were laid for the purposes of sifting under the EU (Withdrawal) Act 2018 in accordance with Standing Order 27.9A

Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: Yes

We agree that the appropriate procedure for these Regulations is the negative resolution procedure.

Pn(5)006 – The Radioactive Contaminated Land (Modification of Enactments) (Wales) (Amendment) (EU Exit) Regulations 2019

Procedure: Negative

These Regulations correct minor, technical deficiencies within The Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006 as amended. The purpose of the corrections is to ensure that the legislative framework governing radioactive contaminated land is operable post EU-exit.

These Regulations were laid for the purposes of sifting under the EU (Withdrawal) Act 2018 in accordance with Standing Order 27.9A



Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: Yes

We agree that the appropriate procedure for these Regulations is the negative resolution procedure.

Pn(5)007 – The Animal By-Products and Transmissible Spongiform Encephalopathies (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019

Procedure: Negative

The Explanatory Memorandum to these Regulations states:

- The instrument will address deficiencies in domestic legislation arising from the withdrawal of the UK from the EU, and ensures that controls on Animal By-Products and Transmissible Spongiform Encephalopathies continue to operate on EU exit to protect animal and public health.
- EU rules for the control of TSEs and ABPs are at least equivalent to, and in some cases higher than, the international standards set by the World Organisation for Animal Health (Office International des Epizooties – OIE). Whilst the UK will be under no legal obligation to adhere to EU rules for TSE and ABP controls following EU Exit, due to the history of the BSE epidemic in Europe (particularly within the UK in the 1980/90s), third countries will expect the UK to at least mirror the key EU controls, even though these exceed OIE safeguard standards.

These Regulations were laid for the purposes of sifting under the EU (Withdrawal) Act 2018 in accordance with Standing Order 27.9A

Parent Act: European Union (Withdrawal) Act 2018

Sift requirements satisfied: Yes



We agree that the appropriate procedure for these Regulations is the negative resolution procedure.

