



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019**

DATE **30 July 2019**

BY **Rebecca Evans AM, Minister for Finance and Trefnydd**

The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (“the 2019 Regulations”)

The Law which is being amended

- The Rural Development (Amendment) (EU Exit) Regulations 2019
Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019
Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019
- The Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019
- The Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019
- The Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019

The purpose of the amendments

The 2019 Regulations amend the above Regulations as they contain a small number of minor errors which require correction in order to remove inconsistencies and ambiguities, ensuring that they are able to function as intended after EU Exit in a ‘no deal’ scenario. These corrections will clarify the measures they set out and ensure consistency with amendments made by other EU Exit SIs, and remove ambiguities where other retained EU CAP regulations and schemes are referenced. These amendments are wholly technical in nature and make no policy changes.

The corrections also address a technical deficiency in transitional arrangements, contained

within these Regulations, which will apply when the UK leaves the EU in a 'no deal' scenario. The period for which these arrangements have effect was defined by a specified end date, based on the UK withdrawing from the EU on 29 March 2019. This has been corrected so that these arrangements will apply for a set period of time calculated from EU 'exit day'. This means the agreed transitional arrangements can be realised regardless of the actual date of EU Exit.

The 2019 Regulations and accompanying Explanatory Memorandum, setting out the effect of amendments are available here: <https://beta.parliament.uk/work-packages/b9A1XpJf>

The amends to each Regulation is set out below:

- *Rural Development (Amendment) (EU Exit) Regulations 2019*. Amendments to this regulation correct drafting inconsistencies in previous EU Exit SIs and ensure operability. It also transfers administrative functions to the Welsh Ministers.
- *The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019*. This instrument makes a number of minor technical corrections to this regulation in order to remove ambiguity and inconsistencies and ensure operability.
- *The Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019*. Amendments to this regulation correct a minor error referencing a footnote in the retained EU Regulation introduced by a previous EU Exit SI to ensure operability.
- *The Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019*. Amendments to this regulation makes corrections to ensure that agreed transitional arrangements will function as intended regardless of the date of EU exit. It further makes two minor corrections: correcting a reference to an Annex and substituting one instance of "relevant" for "appropriate".
- *Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019*. Amendments to this regulation makes corrections to ensure that agreed transitional arrangements will function as intended regardless of the date of EU exit.
- *Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019*. Amendments to this regulation makes corrections to ensure that agreed transitional arrangements will function as intended regardless of the date of EU exit.

Any impact the SI may have on the Welsh Ministers' executive competence

The 2019 Regulations transfer administrative functions so that they are exercisable by the Welsh Ministers without encumbrance. They do not transfer legislative functions.

Any impact the SI may have on the legislative competence of the National Assembly for Wales

The 2019 Regulations have no impact on the National Assembly for Wales' legislative competence.

Why consent was given

As set out above, the 2019 Regulations correct a small number of minor errors which require correction in order to remove inconsistencies and ambiguities, ensuring that they are able to function as intended after EU Exit in a 'no deal' scenario.