



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE **The Movement of Goods (Northern Ireland to Great Britain) (Animals, Feed and Food, Plant Health etc.) (Transitory Provision and Miscellaneous Amendments) Regulations 2024**

DATE **28 October 2024**

BY **Huw Irranca-Davies MS/AS, Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs**

Members of the Senedd will wish to be aware that we are giving consent to the Secretary of State exercising a subordinate legislation-making power in a devolved area in relation to Wales.

Agreement was sought by The Rt Hon Lord Benyon, the then Minister for Biosecurity, Marine and Rural Affairs to make a Statutory Instrument (SI) titled the Movement of Goods (Northern Ireland to Great Britain) (Animals, Feed and Food, Plant Health etc.) (Transitory Provision and Miscellaneous Amendments) Regulations 2024 (“the 2024 Regulations”) to apply in relation to the United Kingdom.

The above titled SI was made by the Minister of State, in exercise of the powers conferred under section 8C(1) of, and paragraph 21(a) of Schedule 7 to, the European Union (Withdrawal) Act 2018.

Consent has been given for the UK Government to make this instrument as a result of the agreement on the Border Target Operating Model between the three governments in Great Britain to introduce a coherent and consistent sanitary and phytosanitary regime for goods imported into Great Britain to protect biosecurity and ensure food safety standards are maintained.

The purpose of this instrument is to preserve and sharpen the benefits of unfettered market access for qualifying Northern Ireland goods by applying the regime of sanitary and phytosanitary (“SPS”) controls to non-qualifying goods entering Great Britain (“GB”) from Northern Ireland (“NI”), as applied to European Union (“EU”) / European Economic Area (“EEA”) goods under the Transitional Staging Period. The 2024 Regulations make consequential amendments to the qualifying Northern Ireland goods definition referenced in existing legislation. The Regulations and accompanying

Explanatory Memorandum, setting out the purpose, and effect of the 2024 Regulations are available here:

[published SI linked here.](#)

The three governments in Great Britain have begun to phase in SPS controls for EU goods and non-qualifying goods arriving in GB from the island of Ireland. Since 31 January 2024, non-qualifying goods arriving into GB from Ireland have been required to provide prenotification and the relevant health and phytosanitary certification. The 2024 Regulations introduces equivalent SPS requirements for non-qualifying goods entering GB from NI, ensuring an aligned approach to SPS controls. Qualifying Northern Ireland goods will continue to benefit from unfettered access and will continue to be exempt from these SPS controls. The 2024 Regulations are subject to the affirmative procedure.

The 2024 Regulations do not commit Welsh Ministers to adopting any future UK Government position on biosecurity. The 2024 Regulations do not diminish or undermine the powers of Welsh Ministers in any way.

I would like to reassure the Senedd it is normally the policy of the Welsh Government to legislate for Wales in matters of devolved competence. However, in certain circumstances there are benefits in working collaboratively with the UK Government where there is a clear rationale for doing so. On this occasion, I have given my consent to these Regulations for reasons of efficiency and expediency in future policy change and adherence to international obligations, cross-UK coordination, and consistency.

The UK Government have stated that the purpose of the 2024 Regulations is to preserve the benefits of unfettered market access for qualifying Northern Ireland goods. The UK Government made a commitment in the Border Target Operating Model, published in August 2023, and the Safeguarding the Union Command Paper, published in January 2024, that non-qualifying goods will be subject to the UK's full SPS regime.