



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **The Trade and Official Controls (Transitional Arrangements for Prior Notifications) (Amendment) Regulations 2021**

**DATE**            **06 April 2021**

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

**SI laid in Parliament, which amends secondary legislation in a devolved area**

**The Trade and Official Controls (Transitional Arrangements for Prior Notifications) (Amendment) Regulations 2021**

The 2021 Regulations amend following legislation:

- The Trade in Animals and Related Products Regulations 2011;
- The Trade in Animals and Related Products (Scotland) Regulations 2012;
- The Plant Health (Amendment etc.) (EU Exit) Regulations 2020; and
- Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.

**Any impact the SI may have on the Senedd's legislative competence and/or the Welsh Ministers' executive competence**

The 2021 Regulations do not impact on the Senedd's legislative competence or the Welsh Ministers' executive competence.

**The purpose of the amendments**

The 2021 Regulations make operability changes to ensure effective controls continue to operate within Great Britain and between Great Britain and the European Union following the end of the Transition Period.

The 2021 Regulations change the date from which transitional prior notification requirements for certain products of animal origin and prescribed types of plant and plant products apply from 1 April 2021 to 31 July 2021. They also extend the duration of a

transitional provision relating to imports of plants, plant products and other objects into GB from EU Member States, from 31 March 2021 to 31 December 2021.

The 2021 Regulations are required as, without their amendments, from 1 April 2021 the law will require importers to comply with further control measures when importing certain animal and plant products. The 2021 Regulations are being made in Parliament under the made affirmative procedure to enable them to come into force on 31 March. The amendments will allow businesses and authorities, already affected by the Covid-19 pandemic, to familiarise themselves with the new compliance requirements and IT systems, and enable workable migration from current systems. In addition, local border authorities do not currently have the capacity and capability to perform border checks as originally intended.

The 2021 Regulations and accompanying Explanatory Memorandum, setting out the detail of the provenance, purpose and effect of the amendments is available here:

<https://www.legislation.gov.uk/ukxi/2021/429/contents/made>

### **Why consent was given**

Consent has been given for the UK Government to make this correction in relation to Wales for reasons of efficiency, expediency and due to the technical nature of the amendment. The amendment has been considered fully and there is no divergence in policy. This is in line with the principles for correcting agreed by the Cabinet Sub-Committee on European Transition in May.