



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE	The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2022
DATE	20 October 2022
BY	Lesley Griffiths AS/MS Y Gweinidog Materion Gwledig a Gogledd Cymru, a'r Trefnydd Minister for Rural Affairs and North Wales, and Trefnydd

Members of the Senedd will wish to be aware 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 Victoria Prentis MP, Minister for State for Farming, Fisheries and Food to make a Statutory Instrument (SI) titled The Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2022 to apply in relation to Great Britain.

The regulations were laid before Parliament on 19 October by the Secretary of State in exercise of powers conferred by the European Union (Withdrawal) Act 2018.

The Statutory Instrument (SI) amends the retained Regulation (EU) 2019/1021 of the European Parliament and of the Council on Persistent Organic Pollutants ("the retained POPs Regulations"). It makes minor technical corrections replacing two European Commission functions in Annex I of the retained POPs Regulations with functions on the appropriate authority in line with corrections previously made elsewhere in the Annex. The amendments also reinstate a derogation omitted in error. The SI also makes a correction to the regulation in the Persistent Organic Pollutants (Amendment) (EU Exit) Regulations 2020 where provisions have no legal effect in relation to the retained POPs regulation for perfluorooctane sulfonic acid (PFOS).

The Welsh Government's general principle is the law relating to devolved matters should be made and amended in Wales. However, on this occasion, it is considered appropriate for the substance of the amendments to apply to Wales as there is no policy divergence between the Welsh and UK Government in this matter. This ensures a coherent and consistent statute book, with the regulations being accessible in a single instrument. I consider legislating

separately for Wales would be neither the most appropriate way to give effect to the necessary changes, nor a prudent use of Welsh Government resources given other important priorities. Additionally, these regulations make changes which are minor and technical in nature.