

UK MINISTERS ACTING IN DEVOLVED AREAS

The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2018

Laid in the UK Parliament: 13 November 2018

Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed negative
Date of consideration by the House of Commons European Statutory Instruments Committee	27 November 2018
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	W/C 26 November 2018
Date sifting period ends in UK Parliament	28 November 2018
Written statement under SO 30C:	Paper 26
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	Not known
Procedure	Negative or Affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	Not known

Commentary

These Regulations are proposed to be made by the UK Government pursuant to section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

The Regulations address 9 directly applicable pieces of EU legislation. These relate to the establishment of an EU-wide biosecurity framework for fish and shellfish diseases. They also set out a process for moving aquatic non-native species. They replace references to the EU's Trade Control and Export System (TRACES) with references to the UK's system for import control notifications. References to movements between EU member states are changed to refer to movements between the EU and the UK. A list of diseases subject to EU-wide controls is re-stated. Finally, some deficient cross-references are corrected.

Legal Advisers agree with the statement laid by the Welsh Government dated 19 November 2018 regarding the effect of these Regulations.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.

Legal Advisers have not identified any legal reason to seek a consent motion under Standing Order 30A.10 in relation to these Regulations.