

UK MINISTERS ACTING IN DEVOLVED AREAS

129 - The Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019

Laid in the UK Parliament: 5 April 2019

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	Not known
Date sifting period ends in UK Parliament	N/A
Written statement under SO 30C:	Paper 13
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	N/A
Procedure	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 made by the UK Government pursuant to section 8(1) of the European Union (Withdrawal) Act 2018.

Payments made under the Common Agricultural Policy fall into two strands: Pillar 1 (direct payments to farmers) and Pillar 2 (rural development funding). Policy responsibility in Wales lies with the Welsh Ministers. EU law permitted the Welsh Ministers to make transfers between the two pillars of up to 15% of the funds. Under the current law (EU Regulation No 1307/2013), the ability to do so expired at the end of August 2018. Amendments to this EU Regulation were made by EU Regulation 2019/288. The period is now extended to 31 December 2019.

The Regulations listed in the Welsh Government's statement have already been made to give continuing effect to the Common Agricultural Policy (as retained EU law) after the UK's exit from the European Union.

However, since those Regulations were made, the changes to EU Regulation 1307/2013 described above have also taken effect.

Those changes now also need to be reflected in the UK. This instrument makes the necessary amendments to the relevant legislation. It also removes some minor errors in the existing law.

Legal Advisers agree with the statement laid by the Welsh Government dated 10 April 2019 regarding the effect of these Regulations.

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect. 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.