
WELSH STATUTORY INSTRUMENTS

2019 No. 463 (W. 111)

AGRICULTURE, WALES

LIVESTOCK INDUSTRIES

ANIMALS, WALES

ANIMAL HEALTH

ANIMAL WELFARE

EDUCATION, WALES

ENVIROMENTAL PROTECTION, WALES

FOOD, WALES

PLANT HEALTH, WALES

SEA FISHERIES, WALES

CONSERVATION OF SEA FISH

WATER, WALES

The Rural Affairs, Environment, Fisheries
and Food (Miscellaneous Amendments and
Revocations) (Wales) Regulations 2019

<i>Made</i>	- - - -	<i>5th March 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>6 March 2019</i>
<i>Coming into force</i>	- -	<i>28 March 2019</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred by—

- (a) except so far as relating to the regulations mentioned in paragraph (b), section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972 (“the 1972 Act”)(1); and

(1) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3 of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c.7). Paragraph 1A of Schedule 1 was inserted

- (b) so far as relating to regulations 5, 6, 10 and 11, sections 1, 7(1), 8(1), 10, 14(1) and 23 of the Animal Health Act 1981(2).

The Welsh Ministers are designated (3) for the purposes of section 2(2) of the 1972 Act in relation to—

- (a) measures in the veterinary and phytosanitary field for the protection of human health (4);
- (b) the common agricultural policy(5);
- (c) measures in respect of food (including drink) including the primary production of food and measures relating to feed produced for or fed to food-producing animals(6);
- (d) measures relating to prevention and remedy of environmental damage(7);
- (e) measures relating to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms(8);
- (f) measures relating to the assessment and management of ambient air quality and compliance with air quality limit values, target values and objectives (9);
- (g) materials providing or intended to provide nutrients for plants(10);
- (h) the quality of water intended for domestic purposes or for use in a food production undertaking(11).

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Welsh Ministers that it is expedient for references to EU instruments in regulation 9 to be construed as references to those instruments as amended from time to time.

There has been open and transparent public consultation during the preparation and evaluation of these Regulations as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(12).

by section 28 of the Legislative and Regulatory Reform Act 2006 and was amended by Part 1 of the Schedule to the European Union (Amendment) Act 2008 and S.I. 2007/1388.

- (2) 1981. c.22]. Functions under the Act are exercisable by the Welsh Ministers (in relation to Wales) by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044); and section 162 of, and paragraph 11 to, Schedule 11 of the Government of Wales Act 2006 (c.32).
- (3) By virtue of section 59(2) of the Government of Wales Act 2006, the Welsh Ministers may exercise the power conferred by section 2(2) of the European Communities Act 1972 in relation to any matter, or for any purpose, if they have been designated in relation to that matter or for that purpose.
- (4) S.I. 2008/1792, to which there are amendments not relevant to these Regulations.
- (5) S.I. 2010/2690. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (6) S.I. 2005/1971. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (7) S.I. 2014/1890.
- (8) S.I. 2003/2901, to which there are amendments not relevant to these Regulations. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (9) S.I. 2000/2812. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, this designation has effect as if made under section 59(1) of that Act.
- (10) S.I. 2001/3919.
- (11) S.I. 2004/3328. By virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006, S.I. this designation has effect as if made under section 59(1) of that Act.
- (12) OJ No L 31, 1.2.2002, p. 1, as last amended by Commission Regulation (EU) 2017/228 (OJ No L 35, 10.2.2017, p10).