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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1134 (W. 259)**

**PLANT HEALTH, WALES**

**The Official Controls (Plant Health and Genetically Modified Organisms) (Wales) (Amendment) Regulations 2020**

<i>Made</i>	- - - -	<i>16 October 2020</i>
<i>Laid before Senedd Cymru</i>		<i>20 October 2020</i>
<i>Coming into force</i>	- -	<i>13 November 2020</i>

The Welsh Ministers are designated for the purposes of section 2(2) of the European Communities Act 1972<sup>(1)</sup> (“the 1972 Act”) in relation to the common agricultural policy<sup>(2)</sup>.

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the 1972 Act and, with the consent of the Treasury, in exercise of the powers conferred by section 56(1) of the Finance Act 1973<sup>(3)</sup> now vested in them<sup>(4)</sup>.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears expedient to the Welsh Ministers for the references to the European Union instruments mentioned in regulation 2(3)(b) to be construed as references to those instruments as amended from time to time.

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- (1) [1972 c. 68](#). The European Communities Act 1972 (“the 1972 Act”) was repealed by section 1 of the European Union (Withdrawal) Act [2018 \(c. 16\)](#) (“the 2018 Act”) with effect from exit day. “Exit day” is defined in section 20 of the 2018 Act as 31 January 2020 at 11pm. Despite that repeal the 1972 Act continues to have effect with modifications until IP completion day, by virtue of section 1A of the 2018 Act. Section 1A was inserted by section 1 of the European Union (Withdrawal Agreement) Act [2020 \(c. 1\)](#) (“the 2020 Act”). “IP completion day” is defined in section 1A as 31 December 2020 at 11pm (the meaning given in section 39 of the 2020 Act). Section 2(2) of the 1972 Act was previously amended by section 27(1) of the Legislative and Regulatory Reform Act [2006 \(c. 51\)](#) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act [2008 \(c. 7\)](#).
- (2) [S.I. 2010/2690](#), which is prospectively revoked by [S.I. 2018/1011](#) from IP completion day.
- (3) [1973 c. 51](#); section 56(1) was amended by [S.I. 2011/1043](#), and is prospectively amended by paragraph 17 of Schedule 8 to the European Union (Withdrawal) Act [2018 \(c. 16\)](#) from a date and time to be appointed.
- (4) By virtue of section 59(5) of the Government of Wales Act [2006 \(c. 32\)](#).