
WELSH STATUTORY INSTRUMENTS

2022 No. 1348

The Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022

PART 4

Legislative and other functions

Provisions containing legislative and other functions

5.—(1) The Schedule contains a list of provisions of EU Directives that confer functions on the appropriate authority, together with any provisions that are to be retained because they are either to be read with a listed provision and are relevant to the exercise of that function, or are connected to the purpose of that function, for the purposes of paragraphs (2) and (3) of this regulation.

(2) The functions conferred by the provisions listed in the Schedule, together with any other provisions listed in the Schedule that may be relevant or connected to the exercise of a listed function, as modified by Part 5 of these Regulations and so far as they relate to consignments to which these Regulations apply—

- (a) are exercisable in relation to Wales by the Welsh Ministers in so far as the functions are within devolved competence;
- (b) are exercisable as if those provisions formed part of the law of England and Wales; and
- (c) are to be treated as a function conferred by these Regulations.

(3) A function is within devolved competence for the purposes of paragraph (2)(a) if it would be within the legislative competence of Senedd Cymru to confer such a function in an Act of Senedd Cymru (assuming, in the case of provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975⁽¹⁾, that such consent was given).

Regulation-making procedure

6.—(1) Regulations made by the Welsh Ministers under any of the functions listed in the Schedule are to be made by statutory instrument.

(2) A statutory instrument containing regulations made by the Welsh Ministers under any of the functions listed in the Schedule is subject to annulment in pursuance of a resolution of Senedd Cymru.

(3) Regulations made under any of the functions listed in the Schedule may—

- (a) contain consequential, incidental, supplementary, transitional or saving provision, including provision amending, repealing or revoking any enactment;
- (b) make different provision for different purposes.

(1) 1975 c. 26.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(4) Before making any regulations under any of the functions listed in the Schedule, the Welsh Ministers must consult—

- (a) such bodies or persons as appear to them to be representative of the interests likely to be substantially affected by the regulations;
- (b) such other bodies or persons as they consider appropriate.