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WELSH STATUTORY INSTRUMENTS

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**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<sup>(1)</sup>, that such consent was given).