

## UK MINISTERS ACTING IN DEVOLVED AREAS

### **The European Structural and Investment Funds Commons Provision (Amendment) (EU Exit) Regulations 2018**

*Laid in the UK Parliament: 29 November 2018*

#### **Sifting**

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed negative
Date of consideration by the House of Commons European Statutory Instruments Committee	11 December 2018
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	w/c 10 December 2018
Date sifting period ends in UK Parliament	18 December 2018
Written statement under SO 30C:	Paper 45
SICM under SO 30A (because amends primary legislation)	Not required

#### **Scrutiny procedure**

Outcome of sifting	Not known
Procedure	Negative or 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 proposed to be made by the UK Government pursuant to section 8 of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

This instrument addresses failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the UK from the EU. It deals with corrections that are technical in nature and do not make any significant policy changes, instead corrections adjust the retained EU Regulations to incorporate new (agreed) terms to ensure the existing EU European Agricultural Fund for Rural Development (EAFRD) and European Maritime and Fisheries Fund (EMFF) programmes will continue to be funded for the remainder of the 2014 to 2020 programme, if there is no deal.

Legal Advisers note that the Welsh Government's statement dated 4 December 2018 does not mention that the instrument also amends provisions allowing programmes currently funded by the European Maritime and Fisheries Fund (EMFF) to continue to receive funding in the event of a no deal.

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.

Legal Advisers have not identified any legal reason to seek a consent motion under Standing Order 30A.10 in relation to these Regulations.