



HOUSE OF LORDS
Secondary Legislation Scrutiny Committee

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21 January 2019

Mick Antoniw AM
Chair
Constitutional and Legislative Affairs Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Dear Mr Antoniw,

Plant Breeders' Rights (Amendment etc.) (EU Exit) Regulations 2018

Thank you for your letter of 14 January and for bringing your concerns about the effect of the above Regulations on the legislative competency of the National Assembly for Wales to the attention of the Secondary Legislation Scrutiny Committee.

The Committee considered the draft Regulations at its meeting on 17 December 2018. At that time, the Regulations had been laid before the UK Parliament as a proposed negative instrument under the European Union (Withdrawal) Act 2018. The Committee cleared the instrument from scrutiny and agreed that it should be subject to the negative procedure.

We will consider the Regulations a second time, when they are laid before Parliament as a regular statutory instrument under the negative procedure. Your letter will inform the Committee's second consideration of the instrument, and we will seek a response from the Department for Environment, Food and Rural Affairs to your concerns about the restrictions on the legislative competency of the National Assembly that are an effect of the Regulations. I will write to you again and share the Department's response once the Committee has had the opportunity to consider the instrument.

Yours sincerely
David Trefgarne

Rt Hon. Lord Trefgarne PC
Chairman of the Secondary Legislation Scrutiny Committee

It was good to meet you last week!