



European Statutory Instruments Committee

House of Commons SW1A 0AA

Tel 020 7219 7599 Email esic@parliament.uk Website www.parliament.uk/esic

Parliamentary Under Secretary of State for Rural Affairs and Biosecurity
Department for Food, Environment and Rural Affairs
Seacole Building
2 Marsham Street
London SW1P 4DF

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The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

The Committee considered the above instrument on 17 November 2020 and recommended that it be subject to annulment in pursuance of a resolution of either House of Parliament (the negative procedure). We agree with your view—expressed in the accompanying Explanatory Memorandum (EM)—that “the amendments [to be made by the instrument] are predominantly technical in nature and do no more than is strictly necessary to ensure that UK law continues to function effectively [at the end of the transition period]”.

However, the Committee would like to raise two points in connection with this instrument. Firstly, to gently remind you that combining large numbers of disparate amendments in a single instrument increases the risk of a recommendation for the affirmative procedure (which could occur by reference to material not directly related to Brexit).

Secondly, the Committee noted that, in relation to portmanteau instruments generally, it is necessary to strike a balance between serving the convenience of readers and editors of legislation. For example, by avoiding unnecessary multiplication of instruments, cross-references and avoiding the dilution of scrutiny that can occur when disparate matters are combined in a single instrument.

We offer these observations in the spirit of cooperation and the furtherance of efficient law-making.

Andrew Jones MP

Chair