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WELSH STATUTORY INSTRUMENTS

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**2019 No. 379 (W. 94)**

**EXITING THE EUROPEAN UNION, WALES  
ENVIRONMENTAL PROTECTION, WALES**

**The Genetically Modified Organisms (Deliberate  
Release and Transboundary Movement) (Miscellaneous  
Amendments) (Wales) (EU Exit) Regulations 2019**

*Sift requirements satisfied* 18 February 2019  
*Made* - - - - 26 February 2019  
*Laid before the National  
Assembly for Wales* - - 27 February 2019  
*Coming into force in accordance with regulation 1(2)  
and (3)*

The Welsh Ministers are designated <sup>M1</sup> for the purposes of section 2(2) of the European Communities Act 1972 <sup>M2</sup> in relation to measures relating to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms.

The Welsh Ministers make the following Regulations in exercise of the powers conferred by—

- (a) in relation to Part 1, the provisions referred to in paragraphs (b) and (c);
- (b) in relation to Part 2, section 2(2) of the European Communities Act 1972;
- (c) in relation to Part 3, paragraph 1(1) of Schedule 2 and paragraph 21(a) of Schedule 7 to, the European Union (Withdrawal) Act 2018 <sup>M3</sup>.

The requirements of paragraph 4(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 relating to the appropriate National Assembly for Wales scrutiny procedure for these Regulations have been satisfied.

**Marginal Citations**

- M1** [S.I. 2003/2901](#). By virtue of paragraphs 28(1) and 30 of Schedule 11 to the [Government of Wales Act 2006 \(c. 32\)](#), [S.I. 2003/2901](#) has effect as if made under section 59(1) of that Act.
- M2** [1972 c. 68](#). Section 2(2) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#) and section 3 of, and Part 1 of the Schedule to, the [European Union \(Amendment\) Act 2008 \(c. 7\)](#).
- M3** [2018 c.16](#).

## PART 1

### Introduction

#### Title, commencement and application

1.—(1) The title of these Regulations is the Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.

(2) Parts 1 and 2 of these Regulations come into force 21 days after the day on which these Regulations are laid.

(3) Part 3 of these Regulations comes into force on exit day.

(4) These Regulations apply in relation to Wales.

#### Commencement Information

**I1** Reg. 1 in force at 20.3.2019, see [reg. 1\(2\)](#)

## PART 2

### Amendments to out of date references

#### Amendments to the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002

2.—(1) The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002 <sup>M4</sup> are amended as follows.

(2) In regulation 16 omit paragraph (f).

(3) Omit regulations 18 and 18A.

(4) In Schedule 3, paragraph 1 for the words “and any specific identification” substitute “ the unique identifier assigned in accordance with Regulation 65/2004, and any other ”.

#### Commencement Information

**I2** Reg. 2 in force at 20.3.2019, see [reg. 1\(2\)](#)

#### Marginal Citations

**M4** [S.I. 2002/3188](#) (W.304), amended by [S.I. 2005/1913](#) (W.156), 2011/1043, 2013/755 (W.90), 2018/1216 (W.249).

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**Changes to legislation:** There are currently no known outstanding effects for the *The Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019*. (See end of Document for details)

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## <sup>F1</sup>**PART 3**

### Amendments to subordinate legislation relating to withdrawal from the European Union

<p><b>F1</b> Pt. 3 revoked (31.12.2020 immediately before IP completion day) by <a href="#">The Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019</a> (S.I. 2019/1492), regs. 1(2), <b>4(2)</b>; 2020 c. 1, <b>Sch. 5 para. 1(1)</b></p>
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#### **Amendments to the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002**

3. ....

#### **The Genetically Modified Organisms (Transboundary Movements) (Wales) Regulations 2005**

4. ....

*Lesley Griffiths*  
Minister for Environment, Energy and Rural  
Affairs, one of the Welsh Ministers

**Changes to legislation:** *There are currently no known outstanding effects for the The Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019. (See end of Document for details)*

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 (c. 68) and paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies in retained EU law arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation, which applies in relation to Wales, relating to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms.

Part 2 of these Regulations corrects certain out of date references in Welsh subordinate legislation, with effect prior to exit day, in reliance on powers of the Welsh Ministers under section 2(2) of the European Communities Act 1972.

Part 3 of these Regulations makes various amendments to Welsh subordinate legislation in order to correct failures of retained EU law to operate effectively and other deficiencies arising from withdrawal from the European Union.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a Regulatory Impact Assessment as to the likely costs and benefits of complying with these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Genetically Modified Organisms (Deliberate Release and Transboundary Movement) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2019.