

**2005 No. 450**

**AGRICULTURE**

**The Beef Labelling (Enforcement) (Amendment)  
Regulations (Northern Ireland) 2005**

*Made* - - - - - *13th October 2005*

*Coming into operation* *14th November 2005*

The Department of Agriculture and Rural Development(a), being a Department designated(b) for the purposes of section 2(2) of the European Communities Act 1972(c) in relation to measures relating to food (including drink) including the primary production of food and the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, and after consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety(d), hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Beef Labelling (Enforcement) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 14th November 2005.

**Interpretation**

2. The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to an Act of the Assembly.

**Amendments to the Beef Labelling (Enforcement) Regulations (Northern Ireland) 2001**

3.—(1) The Beef Labelling (Enforcement) Regulations (Northern Ireland) 2001(f) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 5, after paragraph (2) there shall be inserted the following paragraph—

“(2A) A notice served pursuant to paragraph (2) shall state the right of appeal to a magistrates’ court under regulation 12A and the period within which an appeal may be brought.”.

(3) After regulation 12 (Penalties) there shall be inserted the following regulation—

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(a) Formerly the Department of Agriculture for Northern Ireland: *see* S.I. 1999/283 (N.I. 1), Article 3(4)  
(b) S.I. 2003/2901 and S.I. 2000/2812  
(c) 1972 c. 68  
(d) O.J. No. L31, 1.2.2002, p. 1  
(e) 1954 c. 33 (NI)  
(f) S.R. 2001 No. 271

**“Appeals against notices**

**12A.**—(1) A person who is aggrieved by a decision of an authorised officer to serve a notice pursuant to regulation 5(2) may appeal to a court of summary jurisdiction at any time before the expiration of one month beginning with the date on which the notice of the decision was served on the aggrieved person, and Part VII of the Magistrates’ Courts (Northern Ireland) Order 1981(a) shall apply accordingly.

(2) On appeal against a notice served pursuant to regulation 5(2), the court may either cancel or affirm the notice and, if the court affirms the notice, it may do so either in its original form or with such modifications as the court may, in the circumstances, think fit.”.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 13th October 2005.

(L.S.)

*David Small*

Senior Officer of the Department of Agriculture and Rural Development

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(a) S.I. 1981/1675 (N.I. 26)

## **EXPLANATORY NOTE**

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

These Regulations amend The Beef Labelling (Enforcement) Regulations (Northern Ireland) 2001 (S.R. 2001 No. 271).

The amendments provide for an appeal to a magistrates' court if a person is aggrieved by a decision of an authorised officer to serve a notice pursuant to regulation 5(2). On appeal against a notice the court may cancel the notice or affirm it with or without modifications.