

## **EXPLANATORY MEMORANDUM TO**

### **Vegetable Seeds (Amendment) Regulations (Northern Ireland) 2011**

#### **SR 2011 No. 38**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under powers conferred on it by section 1(1) and (2A) and 2 of the Seeds Act (Northern Ireland) 1965 and is subject to the negative resolution procedure.
- 1.3. The rule is due to come into operation on 11th April 2011.

#### **2. Purpose**

- 2.1. The rule transposes EC Directives. EC 2009/145, Amateur Vegetables Varieties Directive which provides for certain derogations, for acceptance of vegetable landraces and varieties which have been traditionally grown in particular localities and regions and are threatened by genetic erosion and of vegetable varieties with no intrinsic value for commercial crop production but developed for growing under particular conditions and for marketing of seed of those landraces and varieties.

#### **3. Background**

- 3.1. The principal regulations, The Vegetable Seeds Regulations (Northern Ireland) 2009 have been now amended to transpose Directive 2009/145.

#### **4. Matters of Special Interest to the Agriculture and Rural Development Committee**

- 4.1. There is no impact on the rural community as the Amateur Vegetable Varieties Directive does not have any practical application in Northern Ireland.

#### **5. Consultation**

- 5.1. As required by the Seeds Act 1965, the Department has consulted representatives of the seeds trade and others. No comments were received.

#### **6. Position in Great Britain and Ireland**

- 6.1. All UK and RoI authorities are transposing the Amateur Vegetable Varieties Directive.

#### **7. Equality Impact**

- 7.1. The Department has screened out this legislation under the Equality and Human Rights screening procedures.

## **8. Regulatory Impact**

- 8.1. Not necessary for these Regulations as there is no impact on the private and voluntary sectors. The Amateur Vegetable Varieties Directive does not have any practical application in Northern Ireland.

## **9. Financial Implications**

- 9.1. There is no financial impact on the rural community as this Directive does not have any practical application in Northern Ireland.

## **10. Section 24 of the Northern Ireland Act 1998**

- 10.1. These Regulations are compliant with Section 24 of the NI Act 1998.

## **11. EU Implications**

- 11.1. This is a transposition of EU directive 145/2009 namely “the amateur vegetable varieties Directive”.

## **12. Additional Information**

- 12.1. Not applicable.

## **13. Contact**

- 13.1 Brian Ervine with any queries regarding the Regulations. Tel: 02890 9052 5570 or e-mail [brian.ervine@dardni.gov.uk](mailto:brian.ervine@dardni.gov.uk).