

EXPLANATORY MEMORANDUM TO

The Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019

SR no. 41

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the the Department of Agriculture, Environment and Rural Affairs to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 2(2) of and paragraph 1A of Schedule 2 to the European Communities Act 1972 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. This Statutory Rule is being made to provide a number of minor, but necessary, amendments and updates to existing Northern Ireland Statutory Rules before the United Kingdom leaves the European Union (EU).

3. Background

- 3.1. The Department has carried out a review of its existing legislation in respect of plant health and seed potatoes in preparation for leaving the EU.
- 3.2. The review has identified a number of amendments that are necessary to update legislation under existing powers in the European Communities Act 1972 prior to exit day.
- 3.3. In this Statutory Rule, the amendments are minor and technical and do not involve implementing any new policy. They merely ensure that references in the legislation are correct and that the amended provisions will operate effectively on exit day.

4. Consultation

- 4.1. As the provisions in the Statutory Rule are minor and technical, do not involve implenting any new policy and there is no statutory requirement to consult, the Department has not consulted on this Rule.

5. Equality Impact

- 5.1. There are no equality issues associated with this Statutory Rule. The amendments are minor and technical and do not have any adverse impact on persons specified in section 75 of the Northern Ireland Act 1998.

6. Regulatory Impact

- 6.1. This Statutory Rule does not have any impact on the business community or the community or voluntary sectors.

7. Financial Implications

- 7.1. There are no financial implications associated with the making of this Statutory Rule.

8. Section 24 of the Northern Ireland Act 1998

8.1. This Statutory Rule complies with the provisions set out in section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. This Statutory Rule contains amendments to Rules made under the European Communities Act 1972. However the amendments do not implement any EU legislation, but rather update references in domestic Northern Ireland subordinate legislation.

10. Parity or Replicatory Measure

10.1. Similar legislation has been made in the rest of the UK to update references.

11. Additional Information

11.1. Not applicable.