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## EXPLANATORY NOTE

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

These Regulations are principally made in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular, those mentioned in section 8(2)(a), (c), (d) and (g) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

Part 2 (regulations 2 to 8), made in exercise of powers under the European Communities Act 1972 (c.68), make amendments to secondary legislation concerning the marketing of agricultural seed and fruit and vegetative plant propagating material:

- To update references to a number of EU instruments referred to therein.
- To include references to EEA states and Switzerland.
- To make provision for the certification of seed intended for export and the labelling requirements in relation to imports and exports of seed.
- To make provision for the labelling of seed potatoes produced outside Scotland (regulation 7).
- To update a number of definitions.

Part 3 (regulations 9 to 18) makes amendments to secondary legislation concerning the marketing of agricultural seed and fruit and vegetative plant propagating material, consequential on the United Kingdom's withdrawal from the European Union.

A business and regulatory impact assessment has not been produced for this instrument as no, or no significant, impact upon business, charities or voluntary bodies is foreseen.