
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 361

The Agriculture (Retained EU Law and Data) (Scotland)
Act 2020 (Consequential Modifications) and Agricultural
Products, Aquatic Animal Health and Genetically Modified
Organisms (EU Exit) (Amendment) Regulations 2022

PART 3

Amendment of EU derived domestic legislation

The Hops Certification Regulations 1979

13. In regulation 3(1) (sale, etc. contrary to relevant provisions) of the Hops Certification Regulations 1979(1) omit sub-paragraph (f).

Commencement Information

I1 [Reg. 13](#) in force at 2.2.2023, see [reg. 1](#)

The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002

14.—(1) The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002(2) are amended as follows.

(2) In paragraph 6(4)(a) (step 3: Quality of the data) of schedule 1 (principles for environmental risk assessment) of the Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002—

- (i) in sub-head (i), for “the United Kingdom” substitute “Great Britain”, and
- (ii) in sub-head (ii), after “a member state of the EU” insert “or in Northern Ireland”.

Commencement Information

I2 [Reg. 14](#) in force at 2.2.2023, see [reg. 1](#)

(1) [S.I. 1979/1095](#), relevantly amended by [S.I. 2020/1453](#).

(2) [S.S.I. 2002/541](#), as amended by [S.S.I. 2004/439](#), [S.I. 2005 2759](#), [S.I. 2011/1043](#), [S.S.I. 2015/100](#), [S.S.I. 2019/57](#) and [S.S.I. 2019/86](#).

Changes to legislation: There are currently no known outstanding effects for the The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022, PART 3. (See end of Document for details)

The Eggs and Chicks (Scotland) (No. 2) Regulations 2008

15. In the Eggs and Chicks (Scotland) (No. 2) Regulations 2008(3), in Schedule 2 (retained EU provisions relating to eggs in shell for consumption contravention of which is an offence), in Part 1, in the table, omit the ninth and tenth rows (Articles 75(2) and (3) or Council Regulation 2013).

Commencement Information

I3 Reg. 15 in force at 2.2.2023, see reg. 1

The Aquatic Animal Health (Scotland) Regulations 2009

16.—(1) The Aquatic Animal Health (Scotland) Regulations 2009(4) are amended as follows.

(2) In regulation 3(1) (interpretation), in the definition of “Directive 2006/88/EC”, after “from time to time” insert “(5), but subject to regulations 3(4), 13(7) and (8), 18(7) and 24(4)”.

(3) After regulation 3(3) (interpretation) insert—

“(4) In the definition of “processing establishment” in paragraph (1), the reference to Article 33 of Chapter V of Directive 2006/88/EC is to be read in accordance with paragraph 1A of schedule 1E of these Regulations.”.

(4) In schedule 1E (modifications to Directive 2006/88/EC)—

- (a) in the sub-heading, for “Regulations 13(7) and (8), 18(7) and 24(4)” substitute “Regulations 3(4), 13(7) and (8), 18(7) and 24(4)”, and
- (b) after paragraph 1 (modifications to Article 29)(6) insert—

“Modification to Article 33

1A. Article 33 is to be read as if in paragraph 1 the reference to “the competent authority” were a reference to “the Scottish Ministers”.

Commencement Information

I4 Reg. 16 in force at 2.2.2023, see reg. 1

The Marketing of Horticultural Produce (Scotland) Regulations 2009

17. In regulation 2(1) (interpretation) of the Marketing of Horticultural Produce (Scotland) Regulations 2009(7)—

- (a) in the definition of “marketing rules” omit “, 75”,
- (b) in the definition of “specific marketing standards” omit “provided for under Article 75(1) (b) of Council Regulation 2013”.

(3) S.S.I. 2008/395, relevantly amended by S.I. 2013/3235 and S.S.I. 2019/347.

(4) S.S.I. 2009/85, as amended by S.S.I. 2011/259, S.S.I. 2011/427, S.S.I. 2015/100, S.S.I. 2019/412, S.S.I. 2020/393, and S.I. 2022/835.

(5) The effect of paragraph 2 of schedule 8 of the European Union (Withdrawal) Act 2018 is that references to Directive 2006/88/EC as amended “from time to time” cease to have ambulatory effect on IP completion day and are to be read on and after IP completion day as references to that Directive as it had effect immediately before IP completion day.

(6) Paragraph 1 of schedule 1E was inserted by S.S.I. 2020/393.

(7) S.S.I. 2009/225, relevantly amended by S.S.I. 2011/324, S.I. 2013/3235, S.S.I. 2018/391 and S.I. 2019/169.

Changes to legislation: There are currently no known outstanding effects for the The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022, PART 3. (See end of Document for details)

Commencement Information

I5 [Reg. 17](#) in force at 2.2.2023, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022, PART 3.