
STATUTORY INSTRUMENTS

2020 No. 1388

The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

PART 5

Amendments to domestic EU Exit legislation

CHAPTER 2

The Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019

The Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019

21.—(1) The Animal Health, Plant Health, Seeds and Seed Potatoes (Amendment) (EU Exit) Regulations 2019⁽¹⁾ are amended as follows.

- (2) Omit regulation 2.
- (3) Omit regulation 6.
- (4) In regulation 7—
 - (a) for paragraph (2) substitute—

“(2) In regulation 1(3), for “the European Union” substitute “Great Britain”.”;
 - (b) in paragraph (3)—
 - (i) in sub-paragraphs (a), (c)(ii), d(ii), j(ii), k(ii), m(ii), r(ii)—
 - (aa) in the new paragraph (ii) to be inserted by each of those sub-paragraphs, after “Crown Dependency” insert “or a country granted equivalence”;
 - (bb) omit the new paragraph (iii) to be inserted by each of those sub-paragraphs;
 - (ii) in sub-paragraph (b), for “in accordance” substitute “(or, in relation”;
 - (iii) in sub-paragraph (e)—
 - (aa) before the definition of “Crown Dependency” insert—

““country granted equivalence” means a country that has been assessed by the Secretary of State that seed potatoes from that country are produced under conditions equivalent to the requirements of these Regulations.”;
 - (bb) after the definition of “Crown Dependency” insert—

““equivalent grade” means—

- (a) for Northern Ireland, an equivalent Union grade;
- (b) for a Crown Dependency or a country granted equivalence, a grade recognised by the Secretary of State as being equivalent to a GB grade;”;
- (cc) in the new definition of “equivalent Union grade” to be inserted by that paragraph, for “UK”, in each place where it occurs, substitute “GB”;
- (dd) after the definition of “equivalent Union grade” insert—
 - ““GB Variety List” means a list of varieties of potato species prepared and published in accordance with regulation 3 of the National Lists Regulations;”;
- (iv) in sub-paragraph (g), in the new definition of “grade” to be inserted by that sub-paragraph, for “United Kingdom” substitute “GB”;
- (v) for sub-paragraph (i) substitute—
 - “(i) omit the definition of “National List”;”;
- (vi) in sub-paragraph (o), in the new definition of “seed potatoes of a conservation variety” to be inserted by that paragraph, for “National List” substitute “GB Variety List”;
- (vii) in sub-paragraph (p)—
 - (aa) for paragraph (i) and (ii) substitute—
 - “(i) renumber paragraph (u) as paragraph (a);
 - (ii) omit paragraphs (v) and (w);”;
 - (bb) at the end insert—
 - “or
 - (b) seed potatoes produced in a country granted equivalence;”;
- (viii) in sub-paragraph (s), in the new definition of “Union grade”, for “a member State or Switzerland” substitute “Northern Ireland”;
- (ix) in sub-paragraph (t), in the new definition of “United Kingdom grade”—
 - (aa) in the definition title and new paragraph (a), for “United Kingdom”, in each place where it occurs, substitute “GB”;
 - (bb) for “UK”, in each place where it occurs, substitute “GB”;
 - (cc) in new paragraph (b), for “the United Kingdom other than in England” substitute “Scotland or Wales”;
 - (dd) in new paragraph (b), for “the United Kingdom”, in the second place where it occurs, substitute “GB”;
- (x) for sub-paragraph (u) substitute—
 - “(u) omit paragraph (2)”;
- (c) in paragraph 4—
 - (i) in the new paragraph (ii), after “Crown Dependency” insert “or a country granted equivalence”;
 - (ii) omit the new paragraph (iii) to be inserted by that paragraph;
- (d) omit paragraph (5);
- (e) in paragraph (6)—
 - (i) before sub-paragraph (a) insert—

- “(za) in paragraph (1)(a), for “National List” substitute “GB Variety List”;
- (ii) in sub-paragraph (b), in the new paragraph 3A, for “the United Kingdom”, in each place where it occurs, substitute “Great Britain”;
- (f) in paragraph (7)—
 - (i) for sub-paragraph (b) substitute—
 - “(b) in sub-paragraph (b)—
 - (i) in paragraph (i)—
 - (aa) after “grade S” insert “, for Northern Ireland,”;
 - (bb) omit “or”;
 - (ii) in paragraph (ii), after “grade SE” insert “, Northern Ireland,”;
 - (ii) in sub-paragraph (c), for the new paragraph (iii) to be inserted by that sub-paragraph, substitute—
 - “(iii) “GB grade S” or “GB grade SE” as set out in—
 - (aa) for England, Part 2 of Schedule 4;
 - (bb) for elsewhere in Great Britain, the relevant seed potatoes regulations; or
 - (cc) for a Crown Dependency or a country granted equivalence, legislation recognised by the Secretary of State as having equivalent effect to Part 2 of Schedule 4.”;
 - (iii) for sub-paragraph (d) substitute—
 - “(d) in sub-paragraph (c)—
 - (i) in paragraph (i), after “grade S” insert “, for Northern Ireland,”;
 - (ii) in paragraph (ii), after “grade SE” insert “, for Northern Ireland,”;
 - (iii) in paragraph (iii), after “grade E” insert “, for Northern Ireland,”;
 - (iv) in sub-paragraph (e), for the new paragraph (iv) to be inserted by that sub-paragraph, substitute—
 - “(iv) “GB grade S”, “GB grade SE” or “GB grade E” as set out in—
 - (aa) for England, Part 2 of Schedule 4;
 - (bb) for elsewhere in Great Britain, the relevant seed potatoes regulations; or
 - (cc) for a Crown Dependency or a country granted equivalence, legislation recognised by the Secretary of State as having equivalent effect to Part 2 of Schedule 4.”;
 - (v) omit sub-paragraph (f);
 - (g) in paragraph (8), in the new sub-paragraph (c) to be inserted by that paragraph, for “exit day” substitute “IP completion day”;
 - (h) in paragraph (9)—
 - (i) in sub-paragraph (a)—
 - (aa) in paragraph (i), for “the United Kingdom” substitute “Great Britain”;
 - (bb) in paragraph (ii), in the new sub-paragraph (iii) to be inserted by that paragraph, for “exit day” substitute “IP completion day”;

- (ii) for sub-paragraph (b) substitute—
 - “(b) in paragraph (6)(b), for “National List or the Common Catalogue” substitute “GB Variety List”;;
- (i) in paragraphs (10) and (11)—
 - (i) in the new paragraph (ii) to be inserted by those paragraphs, after “Crown Dependency” insert “or a country granted equivalence”;
 - (ii) omit the new paragraph (iii) to be inserted by those paragraphs;
- (j) for paragraph (12) substitute—
 - “(12) In regulation 16 and in the heading, for “European Union” substitute “British Islands”.”;
- (k) in paragraph (13), in the new regulation 23A to be inserted by that paragraph, for “exit day”, in each place where it occurs, substitute “IP completion day”;
- (l) in paragraph (15)—
 - (i) for sub-paragraph (a) substitute—
 - “(a) in paragraph 3(a), for “National List or the Common Catalogue” substitute “GB Variety List”;;
 - (ii) in sub-paragraph (b), for “UK” substitute “GB”;
- (m) in paragraph (16)—
 - (i) in sub-paragraph (b)(i), for “UK” substitute “GB”;
 - (ii) for sub-paragraph (c) substitute—
 - “(c) in paragraph 8(b)—
 - (i) in paragraph (i), for “member State” substitute “country”;
 - (ii) in paragraph (vi), for “a National List” substitute “a GB Variety List”;;
 - (iii) in paragraphs(d)(ii) and (e), for “UK” substitute “GB”;
- (n) in paragraphs (17)(a) and (b), for “UK” substitute “GB”;
- (o) in paragraphs (19), (20) and (21)—
 - (i) in sub-paragraph (a), for “United Kingdom” substitute “GB”;
 - (ii) in sub-paragraph (b)—
 - (aa) for “UK”, in both places where it occurs, substitute “GB”;
 - (bb) in paragraph (ii), for “equivalent Union grade” substitute “equivalent grade”.