

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin

[<sup>X1</sup>CHAPTER IV

**FINAL PROVISIONS**

[<sup>X1</sup>/<sup>F2</sup>Article 12

**[<sup>F1</sup>Regulations and devolved powers]**

- 1 Any power to make regulations under this Regulation—
  - a) so far as exercisable by a Minister of the Crown, is exercisable by statutory instrument;
  - b) so far as exercisable by the Welsh Ministers, is exercisable by statutory instrument.
- 2 For regulations made under this Regulation by the Scottish Ministers, see also section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 (Scottish statutory instruments).
- 3 Any power to make regulations under this Regulation includes power—
  - a) to make different provision in relation to different cases or classes of case (including different provision for different areas or different classes of business);
  - b) to provide for such exceptions, limitations and conditions, and to make such supplementary, incidental, consequential or transitional provisions, as the appropriate authority considers necessary or expedient.
4. Any statutory instrument or Scottish statutory instrument containing regulations under this Regulation is subject to annulment in pursuance of a resolution—
  - a) in the case of England, of either House of Parliament;
  - b) in the case of Wales, of Senedd Cymru;
  - c) in the case of Scotland, of the Scottish Parliament.
5. In this Regulation, any power—
  - a) of the Secretary of State to make regulations is limited to regulations which apply in relation to England only;
  - b) of the Welsh Ministers to make regulations is limited to regulations which apply in relation to Wales only;
  - c) of the Scottish Ministers to make regulations is limited to regulations which apply in relation to Scotland only.]]

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**Editorial Information**

- X1** Substituted by [Corrigendum to Regulation \(EC\) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin \(Official Journal of the European Union L 139 of 30 April 2004\)](#).

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**Textual Amendments**

- F1** [Art. 12 heading substituted \(31.12.2020\) by The Specific Food Hygiene \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/640\), regs. 1, 13\(a\); 2020 c. 1, Sch. 5 para. 1\(1\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 853/2004 of the European Parliament and of the Council, Article 12. (See end of Document for details)

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**F2** Art. 12 substituted (31.12.2020) by [The Specific Food Hygiene \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/640\)](#), regs. 1, **13(b)** (as amended by [S.I. 2020/1504](#), regs. 1(2), **9(8)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 853/2004 of the European Parliament and of the Council, Article 12.