

Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (Text with EEA relevance)

CHAPTER IV

PROCEDURAL PROVISIONS

F1 Article 16A

Regulations

1. Any power to make regulations under this Regulation may be exercised by the Secretary of State for the whole or part of Great Britain if consent is given by—
 - a for regulations applying in relation to Scotland, the Scottish Ministers;
 - b for regulations applying in relation to Wales, the Welsh Ministers;
2. Regulations made under this Regulation may—
 - a contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments);
 - b make different provision for different purposes.
3. In this Regulation—

“appropriate authority” means:

 - (a) for regulations applying in relation to England, the Secretary of State;
 - (b) for regulations applying in relation to Scotland, the Scottish Ministers;
 - (c) for regulations applying in relation to Wales, the Welsh Ministers;

“enactment” includes any enactment of the types specified in the definition of ‘enactment’ in section 20(1) of the European Union (Withdrawal) Act 2018.

Textual Amendments

- F1** Arts. 16A-16D inserted (E.W.S.) (31.12.2020) by [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/651), regs. 1(1), **19(15)** (as amended by S.I. 2020/1476, regs. 1(2), **5(4)(b)(d)**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 609/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 16B

Regulations: Secretary of State

1. Any power of the Secretary of State to make regulations under this Regulation is exercisable by statutory instrument.
2. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Arts. 16A-16D inserted (E.W.S.) (31.12.2020) by [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(15)** (as amended by [S.I. 2020/1476](#), regs. 1(2), **5(4)(b)(d)**); 2020 c. 1, Sch. 5 para. 1(1)

Article 16C

Regulations: The Scottish Ministers

1. For regulations made by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010.
2. Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

Textual Amendments

- F1** Arts. 16A-16D inserted (E.W.S.) (31.12.2020) by [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(15)** (as amended by [S.I. 2020/1476](#), regs. 1(2), **5(4)(b)(d)**); 2020 c. 1, Sch. 5 para. 1(1)

Article 16D

Regulations: The Welsh Ministers

1. Any power of the Welsh Ministers to make regulations under this Regulation is exercisable by statutory instrument.
2. A statutory instrument containing regulations made under this Regulation by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.]

Textual Amendments

- F1** Arts. 16A-16D inserted (E.W.S.) (31.12.2020) by [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(15)** (as amended by [S.I. 2020/1476](#), regs. 1(2), **5(4)(b)(d)**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 609/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F2 Article 17

Committee procedure

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Textual Amendments

F2 [Arts. 17-20 omitted \(E.W.S.\) \(31.12.2020\)](#) by virtue of [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(16)**; 2020 c. 1, Sch. 5 para. 1(1)

F2 Article 18

Exercise of the delegation

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Textual Amendments

F2 [Arts. 17-20 omitted \(E.W.S.\) \(31.12.2020\)](#) by virtue of [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(16)**; 2020 c. 1, Sch. 5 para. 1(1)

F2 Article 19

Urgency procedure

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Textual Amendments

F2 [Arts. 17-20 omitted \(E.W.S.\) \(31.12.2020\)](#) by virtue of [The Nutrition \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/651\)](#), regs. 1(1), **19(16)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 609/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 16E omitted in earlier amending provision S.I. 2019/651, reg. 19(15) by [S.I. 2020/1476 reg. 5\(4\)\(d\)\(ii\)](#)