
DRAFT STATUTORY INSTRUMENTS

2020 No.

**The Agricultural Products, Food and Drink
(Amendment etc.) (EU Exit) Regulations 2020**

PART 4

Amendment of subordinate legislation: amendments
coming into force on IP completion day

CHAPTER 2

Amendment of subordinate legislation so far as it extends to Great Britain

The Spirit Drinks Regulations 2008

10.—(1) The Spirit Drinks Regulations 2008 are amended as follows.

(2) In regulation 1—

- (a) in the heading, for “and commencement” substitute “, commencement and extent”;
- (b) number the existing paragraph as paragraph (1);
- (c) after paragraph (1) (as numbered by sub-paragraph (b)), insert—
“(2) They extend to Great Britain.”.

(3) In regulation 3(1)—

- (a) in the definition of “food authority” omit sub-paragraph (b);
- (b) in the definition of “registered geographical indication”, for the words from “Annex” to “any” substitute “the”;
- (c) in the definition of “relevant court”, for sub-paragraphs (c) and (d) substitute—
 - “(a) in relation to England and Wales, a magistrates’ court;
 - (b) in relation to Scotland, a sheriff.”.

(4) In regulation 5—

- (a) in paragraph (1)—
 - (i) after “responsible” insert “in Great Britain”;
 - (ii) after “market”, in both places it occurs, insert “in Great Britain”;
 - (iii) for “technical file (if any)” substitute “GB product specification”.

(5) In regulation 6—

- (a) in paragraph (1) omit “Article 24(1) of”;
- (b) in paragraph (2)—
 - (i) omit “Article 24(1) of”;
 - (ii) for the words from “being” to the end substitute—

“being—

- (a) imported into, or exported from, Great Britain;
- (b) moved into Great Britain from Northern Ireland;
- (c) moved from Great Britain into Northern Ireland”;

(c) in paragraph (4), for the words from “being” to the end substitute—

“being—

- (a) imported into, or exported from, Great Britain;
- (b) moved into Great Britain from Northern Ireland;
- (c) moved from Great Britain into Northern Ireland”.

(6) In regulation 7(2), for the words from “being” to the end substitute—

“being—

- (a) imported into, or exported from Great Britain;
- (b) moved into Great Britain from Northern Ireland;
- (c) moved from Great Britain into Northern Ireland”.

(7) In regulation 10—

(a) for paragraph (2) substitute—

“(2) The authorised officer may take with them such other person as they consider necessary.”;

(b) omit paragraph (14);

(c) for paragraph (15) substitute—

“(15) In this regulation, a reference to a justice of the peace includes, in Scotland, a reference to the sheriff.”.

(8) For regulation 12(16) substitute—

“(16) The procedure in a magistrates’ court under this regulation is by way of complaint, and, in England and Wales, the Magistrates’ Courts Act 1980 applies to the proceedings.”.

(9) For regulation 14(2) substitute—

“(2) The procedure on an appeal to a magistrates’ court under paragraph (1) is by way of complaint, and in England and Wales, the Magistrates’ Courts Act 1980 applies to the proceedings.”.