
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material (Legislative Functions and Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2020

PART 4

Functions relating to the marketing of seed, plant and plant propagating material

CHAPTER 2

Retention of functions in [Directive 98/56/EC](#)

Power to set conditions with which ornamental plant material must comply

- 13.—(1) The appropriate authority may, by regulations—
- (a) amend provision in any enactment which gave effect to provisions made by Article 3 of, and the Annex to, [Directive 93/49/EEC](#);
 - (b) make provision requiring (whether by amending an enactment, or otherwise) a reference to Article 3 of, and the Annex to, [Directive 93/49/EEC](#) to be read as a reference to that Article and Annex subject to modifications.
- (2) But the appropriate authority may exercise the power in paragraph (1) only to the extent that the appropriate authority considers it is necessary or appropriate—
- (a) in the light of developments in scientific or technical knowledge, production techniques or agronomic practices;
 - (b) to address concerns relating to the quality of ornamental plant material;
 - (c) due to the economic importance of the ornamental plant material; or
 - (d) for consistency with international standards for pests and diseases affecting the quality of ornamental plant material.

Power to set labelling and document requirements for plant material

- 14.—(1) The appropriate authority may, by regulations, amend provision in any enactment which gave effect to provision made by Article 8(3) of [Directive 98/56/EC](#).
- (2) But the appropriate authority may exercise the power in paragraph (1) only to the extent that the appropriate authority considers it—
- (a) necessary or appropriate to do so in the light of market conditions; or
 - (b) necessary to do so to ensure traceability of ornamental plant material.