

2003 No. 2901

EUROPEAN COMMUNITIES

**The European Communities (Designation) (No. 4)
Order 2003**

Made - - - - - 13th November 2003

Laid before Parliament 17th November 2003

Coming into force - - 8th December 2003

At the Court at Buckingham Palace, the 13th day of November 2003

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 2(2) of the European Communities Act 1972(a), and section 29(1) of the Government of Wales Act 1998(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the European Communities (Designation) (No. 4) Order 2003 and shall come into force on 8th December 2003.

(2) In this Order—

“the Act” means the European Communities Act 1972;

“Minister or government department” means a Minister of the Crown or government department, but does not include a Northern Ireland Minister or Northern Ireland Department; and

“regulations” means regulations made pursuant to section 2(2) of the Act.

Designation of Ministers or Departments

2.—(1) For the purposes of section 2(2) of the Act, the Ministers specified in column (1) of Schedule 1 to this Order are designated in relation to the matters specified in column (2) of that Schedule.

(2) Where a Minister is designated by this Order in relation to any matter, for which any other Minister or government department has been designated by this or any other Order for the purposes of section 2(2) of the Act, any of them may make regulations and, if regulations are made by more than one, they may do so jointly.

(a) 1972 c. 68.

(b) 1998 c. 38.

Designation of the National Assembly for Wales

3.—(1) For the purposes of section 2(2) of the Act, the National Assembly for Wales is designated in relation to the matters specified in Schedule 2 to this Order.

(2) Regulations made by the National Assembly for Wales pursuant to this Order shall apply in relation to Wales only, save that regulations made in relation to measures relating to water resources may apply as set out in Schedule 2.

(3) Where the National Assembly for Wales is designated by this Order in relation to any matter, for which any Minister or government department is designated by this or any other Order for the purposes of section 2(2) of the Act, any of them may make regulations and, if regulations are made by more than one, they may do so jointly.

Designation of Northern Ireland Departments

4.—(1) For the purposes of section 2(2) of the Act, any Northern Ireland department is designated in relation to the matters specified in Schedule 3 to this Order.

(2) Regulations made by any Northern Ireland department pursuant to this Order shall form part of the law of Northern Ireland only.

(3) Where any Northern Ireland department is designated by this Order in relation to any matter, for which any Minister or government department is designated by this or any other Order for the purposes of section 2(2) of the Act, any of them may make regulations and, if regulations are made by more than one, they may do so jointly.

Revocation of Designations

5. The Orders specified in column (1) of Schedule 4 to this Order are revoked in so far as they relate to the Ministers, or Northern Ireland departments or the National Assembly for Wales, specified in column (2) and the designation specified in respect of them in column (3).

A. K. Galloway
Clerk of the Privy Council

DESIGNATION OF MINISTERS

<i>(1)</i> <i>Minister designated</i>	<i>(2)</i> <i>Matter in relation to which Minister is designated</i>
The Secretary of State	Measures relating to water resources.
The Secretary of State	Measures relating to food (including drink) including the primary production of food; and measures relating to feed produced for or fed to food-producing animals.
The Secretary of State	Measures relating to European public limited-liability companies (<i>Societas Europaea</i>).
The Secretary of State	Measures in relation to freedom of access to, and dissemination of, information on the environment held by or for public authorities or other bodies.
The Secretary of State	Measures in respect of navigation on inland waterways.
The Secretary of State	Measures relating to access to, training for, the pursuit of, and the award of qualifications in relation to, the profession of social worker.

SCHEDULE 2

MATTERS IN RELATION TO WHICH THE NATIONAL ASSEMBLY FOR WALES IS DESIGNATED

Measures relating to water resources. Regulations made by the National Assembly for Wales relating to this matter may apply in relation to or identify river basin districts which lie wholly in Wales or partly in England and partly in Wales. Where regulations are made pursuant to this Order in relation to or identifying river basin districts which lie partly in England and partly in Wales, they shall be made jointly by the National Assembly for Wales with the Secretary of State. (In this paragraph “Wales” has the meaning given by section 155 of the Government of Wales Act 1998.)

Measures relating to food (including drink) including the primary production of food; and measures relating to feed produced for or fed to food-producing animals, except measures concerning feed containing medicinal products (including growth regulators) or medicinal products when destined for use in feed.

Measures relating to the control and regulation of the deliberate release, placing on the market and transboundary movements of genetically modified organisms.

SCHEDULE 3

MATTERS IN RELATION TO WHICH NORTHERN IRELAND DEPARTMENTS ARE DESIGNATED

Measures relating to water resources in Northern Ireland. “Northern Ireland” has the meaning given by section 98 of the Northern Ireland Act 1998(a).

The restriction of the use of hazardous substances in the manufacture of electrical and electronic equipment.

Measures relating to food (including drink) including the primary production of food; and measures relating to feed produced for or fed to food-producing animals.

Measures relating to European public limited-liability companies (*Societas Europaea*).

Measures relating to the assessment, management and control of environmental noise.

(a) 1998 c. 47.

SCHEDULE 4
REVOCATIONS

Article 5

<i>(1)</i> <i>Order</i>	<i>(2)</i> <i>Minister or Departments</i> <i>designated</i>	<i>(3)</i> <i>Designation</i>
The European Communities (Designation) (No. 2) Order 1981(a)	The Secretary of State; Northern Ireland Departments.	The presentation and packaging of food intended for sale for human consumption.
The European Communities (Designation) (No. 3) Order 1982(b)	The Secretary of State; Northern Ireland Departments.	The presentation, packaging, labelling, marking and advertising of food intended for sale for human consumption.
The European Communities (Designation) Order 1989(c)	The Secretary of State; Northern Ireland Departments.	Measures relating to quick-frozen food intended for human consumption.
The European Communities (Designation) (No. 2) Order 1989(d)	The Secretary of State; Northern Ireland Departments.	Measures relating to the prevention, reduction and elimination of pollution of water.
The European Communities (Designation) (No. 2) Order 1992(e)	The Secretary of State; Northern Ireland Departments.	Measures in relation to freedom of access to, and dissemination of, information on the environment held by public authorities or bodies with public responsibilities for the environment and which are under the control of a public authority.
The European Communities (Designation) (No. 3) Order 2001(f)	National Assembly for Wales.	The control and regulation of the deliberate release of genetically modified organisms, in so far as concerns human health or environmental protection.

(a) S.I. 1981/833, amended by S.I. 2002/794.

(b) S.I. 1982/1675, amended by S.I. 2002/794.

(c) S.I. 1989/1327, amended by S.I. 2002/794.

(d) S.I. 1989/2393, amended by S.I. 2002/794.

(e) S.I. 1992/1711.

(f) S.I. 2001/3495.

EXPLANATORY NOTE

(This note is not part of the Order)

This is a further Order in the series designating authorities which may exercise the power to make regulations conferred by section 2(2) of the European Communities Act 1972 and specifying the matters in relation to which that power may be exercised. The Order also revokes a number of designations which are superseded.

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