
STATUTORY INSTRUMENTS

2019 No. 1101

**EXITING THE EUROPEAN
UNION, NORTHERN IRELAND
AGRICULTURE, NORTHERN IRELAND
ANIMALS, NORTHERN IRELAND
AQUACULTURE, NORTHERN IRELAND
ENVIRONMENTAL PROTECTION,
NORTHERN IRELAND
FOOD, NORTHERN IRELAND
HORTICULTURE, NORTHERN IRELAND**

The Agriculture, Environment and Rural Affairs
(Amendment) (Northern Ireland) (EU Exit) Regulations 2019

Sift requirements satisfied 18th June 2019

Made - - - - 9th July 2019

Laid before Parliament 10th July 2019

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 ^{M1}, makes the following Regulations.

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure) have been satisfied.

There has been open and transparent public consultation during the preparation of these Regulations as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council ^{M2} laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

Marginal Citations

M1 2018 c.16.

M2 O.J. No. L31, 1.2.2002, p.1, as amended by Commission Regulation (EC) No. 202/2008 (O.J. No. L60, 4.3.2008, p.17).

PART 1

Introductory

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Agriculture, Environment and Rural Affairs (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.

(2) They come into force as follows—

- (a) as regards this Part and regulations 3, 6, 8 and 9, 21 days after the day on which these Regulations are laid;
- (b) as regards all other regulations, on exit day.

(3) These Regulations extend to Northern Ireland only.

Commencement Information

I1 Reg. 1 in force at 31.7.2019, see reg. 1(2)(a)

PART 2

Amendments of Animals Provisions

Amendment of the Cattle Passport Regulations (Northern Ireland) 1999

2. In the Cattle Passport Regulations (Northern Ireland) 1999 ^{M3}, in regulation 4(1), for “, a Minister of the Crown or a competent authority of a member State” substitute “ or a Minister of the Crown ”.

Commencement Information

I2 Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)(b)

Marginal Citations

M3 S.R. 1999 No.324, to which there are amendments not relevant to these Regulations.

PART 3

Amendments of Aquaculture Provisions

Amendment of the Aquatic Animal Health and Alien Species in Aquaculture (Amendment) (Northern Ireland) (EU Exit) Regulations 2019

3.—(1) The Aquatic Animal Health and Alien Species in Aquaculture (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 ^{M4} are amended as follows.

(2) For regulation 2(2) substitute—

“(2) In regulation 2(2), in the definition of “listed disease”, in paragraph (a), for “Part II of Annex IV to Directive 2006/88” substitute “Annex 1A to Regulation 1251/2008 ^{M5}.”.

(3) In regulation 2(11)—

(a) in the inserted paragraph (7), for “regulations 19(3)(c) and 21(1)” substitute “regulation 19(3)(c)”;

(b) after the inserted paragraph (7)(a)(ii) insert—

“(iii) paragraph 3 were omitted; and”;

(c) in the inserted paragraph (9), for “paragraph (9)(b)” substitute “paragraph (8)(b)”.

Commencement Information

I3 Reg. 3 in force at 31.7.2019, see reg. 1(2)(a)

Marginal Citations

M4 [S.I. 2019/581](#).

M5 A new Annex 1A to Regulation (EC) No. 1251/2008 is inserted by the Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 [S.I. 2019/451](#).

PART 4

Amendments of Environmental Protection Provisions

Amendment of the Environmental Noise Regulations (Northern Ireland) 2006

4. In regulation 4 of the Environmental Noise Regulations (Northern Ireland) 2006 ^{M6} for “(6)”, substitute “(5)”.

Commencement Information

I4 Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)\(b\)](#)

Marginal Citations

M6 [S.R. 2006 No.387](#) as amended by [S.R. 2018 No.190](#) regulation 2(3) and [S.I. 2019/584](#) regulation 32.

Amendment of the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009

5. In regulation 2(4) of the Environmental Liability (Prevention and Remediation) Regulations (Northern Ireland) 2009 ^{M7}, for “as amended from time to time”, substitute “ as it had effect immediately before exit day ”.

Commencement Information

I5 Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)\(b\)](#)

Marginal Citations

M7 S.R. [2009 No.252](#) as amended by S.R. [2018 No.200](#) Schedule 1, paragraph 23.

Amendment of the Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019

6. Omit regulation 38 of the Environment (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 ^{M8}.

Commencement Information

I6 Reg. 6 in force at 31.7.2019, see [reg. 1\(2\)\(a\)](#)

Marginal Citations

M8 [S.I. 2019/584](#).

PART 5

Amendments of Food Provisions

Amendment of the Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018

7. In regulation 8 of the Carcase Classification and Price Reporting Regulations (Northern Ireland) 2018 ^{M9}, for “European”, substitute “ retained EU ”.

Commencement Information

I7 Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)\(b\)](#)

Marginal Citations

M9 S.R. [2019 No.216](#).

Amendment of the Agriculture, Food and Horse (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019

^{F1}8.

F1 Reg. 8 revoked (31.12.2020 immediately before IP completion day) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), reg. 1(2), **Sch.**

Amendment of the Animal Health, Seed Potatoes and Food (Amendment) (Northern Ireland) (EU Exit) Regulations 2019

^{F2}9.

F2 Reg. 9 revoked (31.12.2020 immediately before IP completion day) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), reg. 1(2), **Sch.**

PART 6

Amendment of Horticulture Provisions

Amendment of the Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010

10.—(1) The Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010^{M10} are amended as follows.

(2) In regulation 2(1) for “Community marketing rules”, in each place it occurs, substitute “marketing rules”.

(3) In regulation 3(2)—

(a) omit “Community”;

(b) omit “or the European Commission”.

(4) In regulation 5 omit “Community”, in both places it occurs.

(5) In regulation 6(1) omit “Community”.

(6) In regulation 7 omit “Community”, in each place it occurs.

(7) In regulation 8 omit “Community”, in each place it occurs.

(8) In regulation 9 omit “Community”, in each place it occurs.

(9) In regulation 10(2)(e) omit “Community”.

(10) In regulation 13 omit “Community”, in both places it occurs.

(11) In regulation 15—

(a) in the heading, for “Community marketing rules offences”, substitute “Marketing rules offences”;

(b) omit “Community”, in each place it occurs;

^{F3}(c)

(12) in regulation 18 omit “Community”, in both places it occurs.

Changes to legislation: There are currently no known outstanding effects for the The Agriculture, Environment and Rural Affairs (Amendment) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

^{F4}(13)

(14) In Schedule 1 in Part 1, omit “Community”.

- F3** Reg. 10(11)(c) revoked (31.12.2020 immediately before IP completion day) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), reg. 1(2), **Sch.**
- F4** Reg. 10(13) revoked (31.12.2020 immediately before IP completion day) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), reg. 1(2), **Sch.**

Commencement Information

- I8** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)\(b\)](#)

Marginal Citations

- M10** [S.R. 2010 No.198](#) as amended by [S.R.2012 No.299](#) regulation 3(a)(ii) and [S.R. 2014 No.92](#) regulation 7(2)(a)(i).

Amendment of the Marketing of Bananas Regulations (Northern Ireland) 2019

11.—(1) The Marketing of Bananas Regulations (Northern Ireland) 2019 ^{M11} are amended as follows.

(2) In regulation 3(2)—

- (a) in sub-paragraph (a), omit “in other member States and”;
- (b) omit sub-paragraph (b) and the preceding “or”.

^{F5}(3)

- F5** Reg. 11(3) revoked (31.12.2020 immediately before IP completion day) by [The Agriculture, Animals and Aquaculture \(Health, Identification, Welfare, Trade etc.\) \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/324\)](#), reg. 1(2), **Sch.**

Commencement Information

- I9** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)\(b\)](#)

Marginal Citations

- M11** [S.R. 2019 No.66](#).

Department for Environment, Food and Rural Affairs

David Rutley
Parliamentary Under Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Part 2 makes necessary amendments to subordinate legislation in relation to animals provisions.

Part 3 makes necessary amendments to subordinate legislation in relation to aquaculture provisions.

Part 4 makes necessary amendments to subordinate legislation in relation to environmental protection provisions.

Part 5 makes necessary amendments to subordinate legislation in relation to food provisions.

Part 6 makes necessary amendments to subordinate legislation in relation to horticulture provisions.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Agriculture, Environment and Rural Affairs (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.