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STATUTORY INSTRUMENTS

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**2019 No. 306**

**EXITING THE EUROPEAN UNION  
AGRICULTURE, ENGLAND AND WALES  
FEES AND CHARGES  
HEALTH AND SAFETY  
PESTICIDES**

**The Pesticides and Fertilisers (Miscellaneous  
Amendments) (EU Exit) Regulations 2019**

*Sift requirements satisfied*                      8th January 2019  
*Made*                      -                      -                      -                      -                      13th February 2019  
*Laid before Parliament*                      19th February 2019  
*Coming into force in accordance with regulation 1(2)  
to (4)*

The Secretary of State makes these Regulations in exercise of the powers conferred by—

- (a) in relation to Part 1, the powers mentioned in paragraphs (b) to (d);
- (b) in relation to Part 2, section 15(1) and (2) and (4)(b) of, and paragraph 2(1) of Schedule 3 to, the Health and Safety at Work etc. Act 1974(1);
- (c) in relation to Part 3, section 2(2) of the European Communities Act 1972(2) and section 56(1) of the Finance Act 1973(3);
- (d) in relation to Part 4, section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(4).

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(1) 1974 c. 37. Section 15(1) was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 6 and S.I. 2002/794. Section 15(2) was amended by the Energy Act 2013 (c. 32), Schedule 12, Part 1, paragraph 5(3).

(2) 1972 c. 68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and the European Union (Amendment) Act 2008 (c. 7), the Schedule, Part 1. It is prospectively repealed by the European Union (Withdrawal) Act 2018 (c. 16), section 1 from exit day (see section 20 of that Act). Under section 57(1) of the Scotland Act 1998 (c. 46), despite the transfer to Scottish Ministers of functions in relation to implementing obligations under EU law in relation to devolved matters, the Secretary of State retains power to exercise such functions as regards Scotland. Under paragraph 5 of Schedule 3 to the Government of Wales Act 2006 (c. 32), despite the transfer to the Welsh Ministers of functions in relation to implementing obligations under EU law in relation to devolved matters, the Secretary of State retains power to exercise such functions as regards Wales.

(3) 1973 c.51. Section 56(1) was amended by S.I. 2011/1043, and is prospectively amended by paragraph 17 of Part 2 of Schedule 8 to the European Union (Withdrawal) Act 2018 from a date to be appointed.

(4) 2018 c. 16.

The Secretary of State is designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the common agricultural policy of the European Union<sup>(5)</sup>, measures in the veterinary and phytosanitary fields for the protection of public health<sup>(6)</sup>, and in relation to the environment<sup>(7)</sup>.

In accordance with section 56(1) of the Finance Act 1973 the Treasury consents to the making of these Regulations.

In relation to Part 2, the Secretary of State has consulted in accordance with section 50(1AA) of the Health and Safety at Work etc. Act 1974<sup>(8)</sup>.

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these regulations) have been satisfied.

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- (5) [S.I. 1972/1811](#), which is prospectively revoked by [S.I. 2018/1011](#) from exit day (see section 20 of the European Union (Withdrawal) Act 2018). Functions exercisable by the former Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly were transferred to the Secretary of State by [S.I. 2002/794](#).
- (6) [S.I. 1999/2027](#), which is prospectively revoked by [S.I. 2018/1011](#) from exit day (see section 20 of the European Union (Withdrawal) Act 2018). Functions exercisable by the former Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly were transferred to the Secretary of State by [S.I. 2002/794](#).
- (7) [S.I. 2008/301](#), which is prospectively revoked by [S.I. 2018/1011](#) from exit day (see section 20 of the European Union (Withdrawal) Act 2018).
- (8) Section 50(1AA) was inserted by [S.I. 2008/960](#).