
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to subordinate legislation in the field of pesticides and, in particular, amend legislation relating to plant protection products, the maximum residue levels of pesticides, the sustainable use of pesticides, and associated legislation relating to fees and charges. These Regulations also makes amendments to subordinate legislation in the field of fertilisers that is out of date.

Part 2 amends the Ammonium Nitrate Materials (High Nitrogen Content) Safety Regulations 2003 (S.I. 2003/1082) to remove various out of date and spent references.

Part 3 makes amendments to subordinate legislation to transfer the following functions from the Secretary of State to the Welsh Ministers in relation to Wales—

- (a) the function of competent authority under Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ No L 309, 24.11.2009, p 1);
- (b) the function of designated national authority, and the functions of the member State, under Regulation (EC) No 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin (OJ No L 70, 16.3.2005, p 1);
- (c) the functions of a United Kingdom competent authority in relation to Directive 2009/128/EC of the European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides (OJ No L 309, 24.11.2009, p 71), under the Plant Protection Products (Sustainable Use) Regulations 2012 (S.I. 2012/1657).

Part 4 is made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (d) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

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 Pesticides and Fertilisers (Miscellaneous Amendments) (EU Exit) Regulations 2019.