

This Statutory Instrument has been made to correct errors in SI 2011/2154, 2018/352, 2018/706, 2018/731 and 2018/1051 and is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2019 No. 526

AGRICULTURE, ENGLAND
ANIMALS
ANIMAL HEALTH
COUNTRYSIDE, ENGLAND
ENVIRONMENTAL PROTECTION
FISH FARMING
FOOD, ENGLAND
PLANT HEALTH, ENGLAND
PUBLIC HEALTH, ENGLAND
PUBLIC SECTOR INFORMATION
SEA FISHERIES
CONSERVATION OF SEA FISH
SEA FISH INDUSTRY
WATER, ENGLAND AND WALES
WATER RESOURCES, ENGLAND AND WALES

The Environment, Food and Rural Affairs
(Miscellaneous Amendments etc.) Regulations 2019

<i>Made</i>	- - - -	<i>7th March 2019</i>
<i>Laid before Parliament</i>		<i>8th March 2019</i>
<i>Coming into force</i>	- -	<i>29th March 2019</i>

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

- (a) except so far as relating to regulations 7 and 14, section 2(2) of the European Communities Act 1972(1) (“the 1972 Act”);
- (b) so far as relating to regulation 7, section 2(2) of, and paragraph 1A of Schedule 2 to, the 1972 Act(2);
- (c) so far as relating to regulation 14, sections 1 and 8(1) of the Animal Health Act 1981(3).

The Secretary of State is a Minister designated for the purposes of section 2(2) of the 1972 Act in relation to—

- (a) the environment(4);
- (b) measures relating to the common agricultural policy of the Economic Community(5);
- (c) measures relating to the prevention reduction and elimination of pollution caused by waste(6);
- (d) measures relating to promotion of rural development(7);
- (e) measures in the veterinary and phytosanitary fields for the protection of public health(8);
- (f) measures relating to the operation of the Structural Funds(9);
- (g) measures relating to food (including drink) including the primary production of food(10);
- (h) food and drink intended for sale for human consumption, including the presentation, packaging, labelling, marketing and advertising of such food and drink(11).

-
- (1) 1972 c. 68; section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7). It is prospectively repealed by the European Union (Withdrawal) Act 2018 (c. 16), section 1 from exit day (see section 20 of that Act). The function of the former Minister of Agriculture, Fisheries and Food of making regulations under section 2(2) was transferred to the Secretary of State by S.I. 2002/794. 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.
 - (2) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51), and amended by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).
 - (3) 1981 c. 22. Functions of “the Ministers” are now exercisable by the Secretary of State in relation to England. Such functions were transferred, so far as exercisable by the Secretaries of State for Scotland and Wales, to the Minister of Agriculture, Fisheries and Food by S.I. 1999/3141. The function of the former Minister of Agriculture, Fisheries and Food of making regulations under the Act was then transferred to the Secretary of State by S.I. 2002/794. The powers in sections 1 and 8(1) to make orders by statutory instrument are exercisable as powers to make regulations by statutory instrument, by virtue of section 105(1) of the Deregulation Act 2015 (c. 20).
 - (4) S.I. 2008/301.
 - (5) S.I. 1972/1811. The designation in relation to the common agricultural policy extends to the common fisheries policy under Article 38(1) of the Treaty on the Functioning of the European Union (OJ C 326, 26.10.2012, p.62.)
 - (6) S.I. 1992/2870.
 - (7) S.I. 1994/1887.
 - (8) S.I. 1999/2027.
 - (9) S.I. 1999/2788.
 - (10) S.I. 2003/2901.
 - (11) S.I. 2005/2766.