
STATUTORY INSTRUMENTS

2019 No. 831

The Agriculture (Legislative Functions)
(EU Exit) (No. 2) Regulations 2019

PART 2

Common Market Organisation Amendments

Amendment of Regulation (EU) No 1144/2014

55. For Articles 22 and 23 substitute—

“Article 22

Regulations

1. Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.

2. For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010⁽¹⁾.

3. Any power of the Department of Agriculture, Environment and Rural Affairs to make regulations under this Regulation is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979⁽²⁾.

4. A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

5. A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

6. Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

7. Regulations made by the Department of Agriculture, Environment and Rural Affairs under this Regulation are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.

8. Regulations under this Regulation may—

(1) 2010 asp. 10.

(2) S.I. 1979/1573 (N.I. 12).

- (a) contain consequential, incidental, supplementary, transitional or saving provision (including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018));
- (b) make different provision for different purposes.

9. The relevant authority must review and publish a report on the use of the powers to make regulations under Articles 5(2), 7(2), 13(1) and 15(8) at least every 5 years. Following such a review, the appropriate authority may make regulations revoking all or any of those powers.”