
STATUTORY INSTRUMENTS

2020 No. 1388

The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

PART 3

Amendment of retained direct EU law

CHAPTER 1

Seeds

Council Decision 2005/834/EC

3.—(1) Council Decision [2005/834/EEC](#) on the equivalence of checks on practices for the maintenance of varieties carried out in certain third countries is amended as follows.

(2) In Article 1—

- (a) omit “third”;
- (b) for “by the Member States” substitute—

“:

- (a) in relation to [Directive 66/401/EEC](#), in the United Kingdom;
- (b) in relation to the other Directives, in Great Britain”.

(3) Omit Articles 2, 3 and 6.

Commission Implementing Decision (EU) 2020/1106

4.—(1) Commission Implementing Decision (EU) 2020/1106 on the organisation of a temporary experiment under Council Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#) and [2002/57/EC](#) as regards the official checking rate for field inspection under official supervision for basic seed, bred seed of generations prior to basic seed and certified seed is amended as follows.

(2) Before Article 1 insert—

“Article 1

Definitions

1. For the purposes of this Decision, the following definitions apply:
 - (a) the “appropriate authority” means:
 - (i) in relation to England, the Secretary of State;
 - (ii) in relation to Wales, the Welsh Ministers;

- (iii) in relation to Scotland, the Scottish Ministers;
- (b) the “Seeds Marketing Regulations” means:
 - (i) in relation to England, the Seed Marketing Regulations 2011(1);
 - (ii) in relation to Wales, the Seed Marketing (Wales) Regulations 2012(2);
 - (iii) in relation to Scotland—
 - (aa) the Oil and Fibre Plant Seed (Scotland) Regulations 2004(3),
 - (bb) the Cereal Seed (Scotland) Regulations 2005(4),
 - (cc) the Fodder Plant Seed (Scotland) Regulations 2005(5), and
 - (dd) the Beet Seed (Scotland) (No 2) Regulations 2010(6).”.
- (3) In Article 1—
 - (a) in paragraph 1, in the words before point (a)—
 - (i) for “at Union level” substitute “in Great Britain”;
 - (ii) for the words from “, listed in” to the end substitute “of the Seeds Marketing Regulations”;
 - (b) omit paragraph 2.
- (4) In Articles 2, 3, 4 and 5, and in the heading to Article 2, for “Member States”, in each place where it occurs, substitute “appropriate authorities”;
- (5) In Article 2—
 - (a) omit the first subparagraph;
 - (b) in the second subparagraph, omit “the Commission and”;
 - (c) in the third subparagraph, for “Commission” substitute “other appropriate authorities”.
- (6) In Article 3(2), for the words from “Directives” to the end substitute “the Seeds Marketing Regulations”.
- (7) In Article 4—
 - (a) in the heading, for the words from “Directives” to the end substitute “the Seeds Marketing Regulations”;
 - (b) in the paragraph—
 - (i) for “Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#) and [2002/57/EC](#)” substitute “the Seed Marketing Regulations”;
 - (ii) omit the words from “, laid down” to the end.
- (8) In Article 5—
 - (a) in paragraph 1, omit “to the Commission and”;
 - (b) in paragraph 2, in the first subparagraph, omit “the Commission and”.
- (9) Omit Article 7.

(1) S.I. 2011/463, amended by S.I. 2011/2992, 2012/3035, 2014/487, 2016/613, 2017/288, 2019/131, 472, 2020/579, 682. It is prospectively amended by S.I. 2019/809.

(2) S.I. 2012/245 (W. 39), amended by S.I. 2013/889 (W. 101), 2014/519 (W. 61), 2016/1242 (W. 294), 2017/1095 (W. 276), 2019/368 (W. 90), 737 (W. 140), 2020/601 (W. 138), 833 (W. 182).

(3) S.S.I. 2004/317, amended by S.S.I. 2007/224, 536, 2009/223, 2010/219, 2016/68, 434, 2019/59, 2020/165.

(4) S.S.I. 2005/328, amended by S.S.I. 2006/448, 2007/224, 536, 2009/223, 2010/219, 2011/1043, 2016/68, 434, 2019/59, 2020/165. It is prospectively amended by S.S.I. 2019/190.

(5) S.S.I. 2005/329, amended by S.S.I. 2006/448, 2007/224, 536, 2009/223, 330, 2010/219, 2011/1043, 2012/5, 2013/326, 2016/68, 434, 2017/384, 2019/59, 2020/165.

(6) S.S.I. 2010/148, amended by S.S.I. 2016/68, 434, 2011/1043, 2019/59.

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