

SCHEDULE

Regulation 4

The Food (Amendment) (EU Exit) Regulations 2019, Schedule 2, Part 1: substituted Part

“PART 1

Article 2(2), new points: points (v) to (z1)

- “(v) ‘the appropriate authority’ means:
- (i) as regards type B regulations, the Secretary of State;
 - (ii) in all other cases:
 - (aa) in relation to England, the Secretary of State;
 - (bb) in relation to Scotland, the Scottish Ministers;
 - (cc) in relation to Wales, the Welsh Ministers;
- (w) ‘enactment’ includes enactments of the type specified in paragraphs (a) to (d) of the definition of ‘enactment’ in section 20(1) of the European Union (Withdrawal) Act 2018 but not enactments of the type specified in paragraphs (e) to (h);
- (x) ‘EU-derived domestic legislation’ has the meaning given in section 1B(7) of the European Union (Withdrawal) Act 2018 but does not include:
- (i) any legislation that only extends to Northern Ireland;
 - (ii) any other legislation in so far as it extends to Northern Ireland;
- (y) ‘retained direct EU legislation’ has the meaning given in section 20(1) of the European Union (Withdrawal) Act 2018 but does not include retained direct EU legislation insofar as it extends to Northern Ireland;
- (z) ‘type A regulations’, in any provision of this Regulation, means:
- (i) in relation to England, any regulations made by the Secretary of State under the Food Safety Act 1990⁽¹⁾ using a power in that Act that enables the Secretary of State to make regulations relating to the matter specified in the provision in question;
 - (ii) in relation to Scotland, any regulations made by the Scottish Ministers under the Food Safety Act 1990 using a power in that Act that enables them to make regulations relating to the matter specified in the provision in question;
 - (iii) in relation to Wales, any regulations made by the Welsh Ministers under the Food Safety Act 1990 using a power in that Act that enables them to make regulations relating to the matter specified in the provision in question;
- (z1) ‘type B regulations’, in any provision of this Regulation, means regulations made by the Secretary of State under the Weights and Measures Act 1985⁽²⁾ using a power in that Act that enables the Secretary of State to make regulations relating to the matter specified in the provision in question.””

(1) 1990 c.16.

(2) 1985 c.72.