
EXPLANATORY NOTE

(This note is not part of the Order)

In England, Wales and Northern Ireland, only “designated” Ministers and departments can exercise the powers in section 2(2) of the European Communities Act 1972 (c. 68) to make orders, rules, regulations and schemes. This is one of a series of Orders by which Ministers and departments are designated for the purposes of section 2(2) in relation to different subject areas.

Article 2 designates the Secretary of State, any Northern Ireland department and the Welsh Ministers in relation to mediation.

Article 3 designates the Welsh Ministers in relation to the common agricultural policy of the European Union subject to certain restrictions related to animal feed containing medicinal products (or medicinal products that are to be included in animal feed) and pesticides and other plant protection products. Read with article 5, it replaces the Welsh Ministers’ common agricultural policy designation in the European Communities (Designation) (No.3) Order 2005 (S.I. 2005/2766) to take into account the new Welsh zone – an area of sea whose boundaries are set out in the Welsh Zone (Boundaries and Transfer of Functions) Order 2010 (S.I. 2010/760). The designation now enables legislation to be made in relation to Wales, the Welsh zone or any part of Wales or the Welsh zone.

Article 4 designates any Northern Ireland department in relation to private international law.

Article 5 provides for territorial restrictions for the Northern Ireland departments’ and Welsh Ministers’ designations.

Article 6 provides that the new designations do not restrict the scope of designations in other Orders and allows Ministers and departments designated in relation to the same matters to legislate jointly as well as individually.

Article 7 revokes those parts of the European Communities (Designation) (No.3) Order 2005 and the European Communities (Designation) (Amendment) Order 2006 (S.I. 2006/3329) which relate to the Welsh Ministers’ common agricultural policy designation that is superseded by this Order.

A full Impact Assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

Textual Amendments

- F1** Order revoked (31.12.2020) by [The European Communities \(Designation Orders\) \(Revocation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1011\)](#), reg. 1, **Sch.**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The European Communities (Designation) (No. 5) Order 2010 (revoked).