
STATUTORY INSTRUMENTS

2019 No. 1405

**EXITING THE EUROPEAN UNION
AGRICULTURE
FOOD**

**The Common Agricultural Policy and Common
Organisation of the Markets in Agricultural Products
(Miscellaneous Amendments) (EU Exit) Regulations 2019**

*Made - - - - 28th October 2019
Coming into force in accordance with regulation 1(2)
and (3)*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 ^{M1}.

There has been consultation, as required by Article 9 of Regulation (EC) No 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ^{M2}, during the preparation of these Regulations so far as they relate to food.

In accordance with paragraph 1(3) of Schedule 7 to the European Union (Withdrawal) Act 2018, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Marginal Citations

M1 2018 c. 16.

M2 OJ No L 31, 1.2.2002, p.1, as last amended by Commission Regulation (EU) 2017/228 (OJ No L 35, 10.2.2017, p. 10).

Citation and commencement

1.—(1) These Regulations may be cited as the Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019.

(2) Regulations 2, 3 and 5 to 7 come into force immediately before exit day.

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019. (See end of Document for details)

(3) Regulations 1 and 4 come into force immediately before the commencement of the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019^{M3}.

Commencement Information

I1 Reg. 1 in force at 31.12.2020 immediately before the commencement of the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019, see reg. 1(3)

Marginal Citations

M3 S.I. 2019/812.

Amendment of the Rural Development (Amendment) (EU Exit) Regulations 2019

2.—(1) The Rural Development (Amendment) (EU Exit) Regulations 2019^{M4} are amended as follows.

- (2) Omit regulation 4(6).
- (3) In regulation 8—
 - (a) after paragraph (7) insert—
 - “(7A) In Article 76—
 - (a) in paragraph 2, for “Member States” substitute “ The relevant authority ”;
 - (b) in paragraph 3, for the words from “Member States” to “Commission” substitute “ relevant authority ”.”;
 - (b) in paragraph (8), for “76” substitute “ 77 ”;
 - (c) for paragraph (11) substitute—
 - “(11) Omit Article 85.”.

Commencement Information

I2 Reg. 2 in force at 31.12.2020 immediately before IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

Marginal Citations

M4 S.I. 2019/764.

Amendment of the Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019

3.—(1) The Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019^{M5} are amended as follows.

- (2) In regulation 2—
 - (a) for paragraph (4)(a) substitute—
 - “(a) omit paragraph 3;”;
 - (b) after paragraph (6) insert—

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Changes to legislation: There are currently no known outstanding effects for the The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019. (See end of Document for details)

- “(6A) In Annex 4, for “Article 7 of the Regulation (EU) No 1308/2013” substitute “Article 1a of Regulation (EU) No 1370/2013 ”.”;
- (c) after paragraph (8)(a)(i)(aa) insert—
“(aaa) for “Article 7 of Regulation (EU) No 1308/2013” substitute “Article 1a of Regulation (EU) No 1370/2013 ”.”;
- (d) for paragraph (8)(a)(iii) substitute—
“(iii) in the third subparagraph—
(aa) for “the EAGF”, in both places it occurs, substitute “ direct payments and CMO support ”;
(bb) for “Article 7 of Regulation (EU) No 1308/2013” substitute “ Article 1a of Regulation (EU) No 1370/2013 ”.”;
- (e) for paragraph (9)(b) substitute—
“(b) in paragraph 2—
(i) in point (a), for “Article 7 of Regulation (EU) No 1308/2013” substitute “Article 1a of Regulation (EU) No 1370/2013 ”;
(ii) in points (b) and (d), omit “of the Commission”.”.
- (3) For regulation 4(10) substitute—
“(10) Omit Article 16(1)(b).”.
- (4) In regulation 5—
^{F1}(a)
(b) after paragraph (42)(b) insert—
“(c) in paragraph 6, for “Article 38(1)(b)” substitute “ Article 38(1) ”.”;
- (c) for paragraph (45) substitute—
“(45) In Article 51—
(a) in paragraph 1, for “an EAFRD” substitute “ rural development ”;
(b) in paragraph 5, for “Article 38(1)(b)” substitute “ Article 38(1) ”.”.
- ^{F2}(5)

Textual Amendments

- F1** Reg. 3(4)(a) omitted (31.12.2020) by virtue of [The Agriculture \(Payments\) \(Amendment, etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1445\)](#), regs. 1(2)(a), **18**
- F2** Reg. 3(5) omitted (31.12.2020) by virtue of [The Agriculture \(Payments\) \(Amendment, etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1445\)](#), regs. 1(2)(a), **18**

Commencement Information

- I3** Reg. 3 in force at 31.12.2020 immediately before IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

- M5** [S.I. 2019/765](#).

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019. (See end of Document for details)

Amendment of the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019

4. In regulation 5(4) of the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019, for “16 and 17,” substitute “ 19 and 20, ”.

Commencement Information

I4 Reg. 4 in force at 31.12.2020 immediately before the commencement of the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019, see reg. 1(3)

Amendment of the Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019

5.—(1) The Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019 ^{M6} are amended as follows.

(2) In regulation 4(b), in the inserted text, in point (c)(ii)(aa), for “Annex X” substitute “ Annexes 4 and 10 ”.

^{F3}(3)

(4) In regulation 46, in the words before point (a), for “Article 119(1)” substitute “ Article 119 ”.

^{F4}(5)

(6) In regulation 80—

(a) in sub-paragraphs (b)(ii), (b)(iii)(bb) and (c)(ii), in the substituted text, for “ relevant ” substitute “appropriate”;

(b) for sub-paragraph (d)(ii) substitute—

“(ii) in part 4 (Presentation), in the second paragraph—

(aa) for “Member States are authorised to” substitute “ The appropriate authority may ”;

(bb) for “refeence” substitute “ reference ”;”.

Textual Amendments

F3 Reg. 5(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **13(2)**

F4 Reg. 5(5) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **13(2)**

Commencement Information

I5 Reg. 5 in force at 31.12.2020 immediately before IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1(2)

Marginal Citations

M6 [S.I. 2019/821](#), amended by [S.I. 2019/812](#).

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019. (See end of Document for details)

Amendment of the Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019

6.—(1) The Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019^{M7} are amended as follows.

^{F5}(2)

(3) In regulation 8—

^{F6}(a)

(b) in paragraph (42)—

(i) in sub-paragraphs (a)(i) and (b), in the substituted text, for “31 December 2020” substitute “ the end of the period of 21 months beginning on the day on which [^{F7}IP completion day] falls ”;

(ii) in sub-paragraph (c), for “provision” substitute “ provisions ”.

Textual Amendments

F5 Reg. 6(2) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **13(3)(a)**

F6 Reg. 6(3)(a) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **13(3)(b)(i)**

F7 Words in reg. 6(3)(b) substituted (31.12.2020 immediately before IP completion day) by [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **13(3)(b)(ii)**

Commencement Information

I6 Reg. 6 in force at 31.12.2020 immediately before IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Marginal Citations

M7 [S.I. 2019/822](#), amended by [S.I. 2019/812](#).

PROSPECTIVE

Amendment of the Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019

^{F8}7.

Textual Amendments

F8 Reg. 7 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **13(4)**

Status: *This version of this Instrument contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the The Common
Agricultural Policy and Common Organisation of the Markets in Agricultural Products
(Miscellaneous Amendments) (EU Exit) Regulations 2019. (See end of Document for details)*

Department for Environment, Food and Rural
Affairs

George Eustice
Minister of State

Status: *This version of this Instrument contains provisions that are prospective.*

Changes to legislation: *There are currently no known outstanding effects for the The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019. (See end of Document for details)*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b), (d) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend transitional provisions contained in the Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019 (S.I. 2019/821), the Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/822) and the Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/824) to take account of subsequent amendments to the definition of “exit day” in the European Union (Withdrawal) Act 2018 (c. 16). These Regulations also make minor amendments to correct errors in the Rural Development (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/764), the Common Agricultural Policy (Financing, Management and Monitoring Supplementary Provisions) (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/765), the Common Agricultural Policy and Market Measures (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/812) and the Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019.

The statutory instruments amended by these Regulations amend retained EU law in relation to the Common Agricultural Policy and agricultural market measures.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019.