Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files

Article 1

Scope

This Regulation lays down rules supplementing Regulation (EU) No 1308/2013 concerning wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files.

Article 2

Wine-growing areas where wines may have a maximum total alcoholic strength of 20 % vol.

The wine-growing areas referred to in the first indent of point (c) of the second paragraph of point (1) of Part II of Annex VII to Regulation (EU) No 1308/2013 shall be zones C I, C II and C III referred to in Appendix 1 to that Annex and the areas of zone B in which white wines with the following protected geographical indications may be produced: 'Vin de pays de Franche-Comté' and 'Vin de pays du Val de Loire'.

Article 3

Authorised oenological practices

1 The authorised oenological practices and restrictions applicable to the production and conservation of grapevine products falling within the scope of Part II of Annex VII to Regulation (EU) No 1308/2013, referred to in Article 80(1) of that Regulation, are laid down in Annex I to this Regulation.

Table 1 of Part A of Annex I lays down the authorised oenological processes and the conditions and limits of their use.

Table 2 of Part A of Annex I lays down the authorised oenological compounds and the conditions and limits of their use.

- 2 The Commission shall publish the files of the OIV Code of Oenological Practices referred to in column 2 of Table 1 and in column 3 of Table 2 of Part A of Annex I to this Regulation in the *Official Journal of the European Union*, C series.
- Part B of Annex I lays down the maximum sulphur dioxide contents of wines.
- 4 Part C of Annex I lays down the maximum volatile acid contents of wines.

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5 Part D of Annex I lays down the rules on sweetening.

Article 4

Experimental use of new oenological practices

- 1 For experimental purposes, referred to in Article 83(3) of Regulation (EU) No 1308/2013, each Member State may authorise the use of certain oenological practices or processes not provided for in that Regulation or in this Regulation, for a maximum of five years, on condition that:
 - a the practices and processes concerned meet the requirements of the third subparagraph of Article 80(1) and Article 80(3)(b) to (e) of Regulation (EU) No 1308/2013;
 - b such practices and processes are applied to quantities not exceeding 50 000 hectolitres per year for any one experiment;
 - c the Member State concerned informs the Commission and the other Member States at the beginning of the experiment of the terms of each authorisation;
 - d the processes shall be entered on the accompanying document referred to in Article 147(1) and in the register referred to in Article 147(2) of Regulation (EU) No 1308/2013.
- 'Experiment' means an operation or operations carried out in the context of a well-defined research project with a single experimental protocol.
- The products obtained by the experimental use of such oenological practices and processes may be placed on the market of a Member State other than the Member State concerned provided the Member State authorising the experiment gives prior notification to the competent authorities of the Member State of destination of the terms of the authorisation and the quantities involved.
- Within a period of three months following the end of the period referred to in paragraph 1, the Member State concerned shall forward to the Commission a report on the authorised experiment and the results thereof. The Commission shall notify the other Member States of those results.
- Depending on these results, the Member State concerned may apply to the Commission for authorisation to continue the experiment, possibly with a larger quantity of products than in the original experiment, for a further maximum period of three years. The Member State concerned shall submit an appropriate file in support of its application. The Commission shall adopt a decision on the application in accordance with the procedure referred to in Article 229(2) of Regulation (EU) No 1308/2013.
- 5 The notification of information or documents to the Commission provided for in point (c) of paragraph 1 and in paragraphs 3 and 4 shall be made in accordance with Commission Delegated Regulation (EU) 2017/1183⁽¹⁾.

Article 5

Oenological practices applicable to categories of sparkling wines

In addition to the oenological practices and restrictions of general application laid down in Regulation (EU) No 1308/2013 and in Annex I to this Regulation, the authorised specific oenological practices and restrictions, including enrichment, acidification and de-acidification, concerning sparkling wines, quality sparkling wines and quality

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aromatic sparkling wines, referred to in points (4), (5) and (6) of Part II of Annex VII to Regulation (EU) No 1308/2013 are listed in Annex II to this Regulation.

Article 6

Oenological practices applicable to liqueur wines

In addition to the oenological practices and restrictions of general application laid down in Regulation (EU) No 1308/2013 and in Annex I to this Regulation, the authorised specific oenological practices and restrictions concerning liqueur wines referred to in point (3) of Part II of Annex VII to Regulation (EU) No 1308/2013 are listed in Annex III to this Regulation.

Article 7

Definition of coupage

- 1 'Coupage' referred to in point (h) of Article 75(3) and Section C of Part II of Annex VIII to Regulation (EU) No 1308/2013 means the mixing of wines or musts of different origins, different vine varieties, different harvest years or different categories of wine or of must.
- 2 The following shall be regarded as different categories of wine or must:
 - a red wine, white wine and the musts or wines suitable for yielding one of these categories of wine;
 - b wines without a protected designation of origin and wines without protected geographical indication, wines with a protected designation of origin (PDO) and wines with a protected geographical indication (PGI) as well as musts or wines suitable for yielding one of these categories of wine.

For the purposes of this paragraph, rosé wine shall be regarded as red wine.

- The following processes shall not be regarded as coupage:
 - a enrichment by the addition of concentrated grape must or rectified concentrated grape must;
 - b sweetening.

Article 8

General rules on blending and coupage

A wine may be obtained by blending or coupage only where the constituents of that blending or coupage possess the required characteristics for obtaining wine and comply with Regulation (EU) No 1308/2013 and this Regulation.

Coupage of a non-PDO/PGI white wine with a non-PDO/PGI red wine cannot produce a rosé wine.

However, the second subparagraph does not exclude coupage of the type referred to therein where the final product is intended for the preparation of a cuvée as defined in point 12 of Part IV of Annex II to Regulation (EU) No 1308/2013 or intended for the production of semi-sparkling wines.

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2 Coupage of a grape must or a wine which has undergone the oenological practice referred to in point 11.1 of Table 2 of Part A of Annex I to this Regulation with a grape must or a wine which has not undergone that practice shall be prohibited.

Article 9

The purity and identification specifications of substances used in oenological practices

- Where they are not laid down by Commission Regulation (EU) No 231/2012⁽²⁾, the purity and identification specifications of substances used in the oenological practices referred to in Article 75(3)(f) of Regulation (EU) No 1308/2013 shall be those referred to in column 4 of Table 2 of Part A of Annex I to this Regulation.
- The enzymes and enzymatic preparations used in the authorised oenological practices and processes listed in Part A of Annex I shall meet the requirements of Regulation (EC) No 1332/2008 of the European Parliament and of the Council⁽³⁾.

Article 10

Conditions governing the holding, circulation and use of products not complying with Article 80 of Regulation (EU) No 1308/2013 or this Regulation

- 1 Products referred to in the first subparagraph of Article 80(2) of Regulation (EU) No 1308/2013 shall not be marketed and shall be destroyed. However, Member States may authorise under certain conditions the use of certain of such products, the characteristics of which they shall determine, by distilleries or vinegar factories or for industrial purposes.
- 2 Such products may not be held without legitimate cause by producers or traders and they may be moved only to distilleries, vinegar factories, or establishments using them for industrial purposes or products or to elimination plants.
- Member States may have denaturing agents or indicators added to wines referred to in paragraph 1 in order to make them more easily identifiable. Where justified, they may also prohibit the uses provided for in paragraph 1 and have the products destroyed.
- Wine produced before 1 August 2009 may be offered or supplied for direct human consumption provided that it complies with the Union or national rules in force prior to that date.

Article 11

General rules applicable to the enrichment, acidification and deacidification of products other than wine

The authorised processes referred to in point 1 of Section D of Part I of Annex VIII to Regulation (EU) No 1308/2013 must be carried out in a single operation. However, Member States may permit some of these processes to be carried out in more than one operation where this improves the vinification of the products concerned. In such cases, the limits laid down in Annex VIII to Regulation (EU) No 1308/2013 shall apply to the whole operation concerned.

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Article 12

Pouring of wine or grape must onto lees or grape marc or pressed 'aszú'/'výber' pulp

The pouring of wine or grape must onto lees or grape marc or pressed 'aszú'/'výber' pulp, provided for in point 2 of Section D of Part II of Annex VIII to Regulation (EU) No 1308/2013, shall be carried out as follows, in accordance with the national provisions in force on 1 May 2004:

- (a) 'Tokaji fordítás' or 'Tokajský forditáš' shall be prepared by pouring must or wine on pressed 'aszú'/'výber' pulp;
- (b) 'Tokaji máslás' or 'Tokajský mášláš' shall be prepared by pouring must or wine on the lees of 'szamorodni'/'samorodné' or 'aszú'/'výber'.

The products concerned must be from the same harvest year.

Article 13

Fixing a minimum percentage of alcohol for by-products

- Subject to point 1 of Section D of Part II of Annex VIII to Regulation (EU) No 1308/2013, Member States shall fix a minimum percentage for the volume of alcohol that must be contained in the by-product, after its separation from wines, in relation to that contained in the wine produced. Member States may modulate that minimum percentage on the basis of objective and non-discriminatory criteria.
- Where the relevant percentage fixed by Member States pursuant to paragraph 1 is not reached, the operator concerned shall deliver a quantity of wine from his own production that corresponds to the quantity needed to reach the minimum percentage.
- For the purpose of determining the volume of alcohol contained in the by-products in relation to that contained in the wine produced, the standard wine natural alcoholic strengths by volume to be applied in the different wine-growing zones shall be:
 - a 8,0 % for zone A;
 - b 8,5 % for zone B;
 - c 9.0 % for zone C I;
 - d 9,5 % for zone C II;
 - e 10,0 % for zone C III.

Article 14

Disposal of by-products

Producers shall withdraw the by-products of winemaking or of any other processing of grapes under supervision by the competent authorities of the Member States, subject to the requirements on delivery and registration laid down in Article 9(1)(b) of Commission Delegated Regulation (EU) 2018/273⁽⁴⁾ and Article 14(1)(b)(vii) and Article 18 of Commission Implementing Regulation (EU) 2018/274⁽⁵⁾, respectively.

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- Withdrawal shall be carried out without delay and no later than at the end of the wine year in which the by-products were obtained, in compliance with applicable Union legislation, in particular as regards environmental protection.
- 3 Member States may decide that producers who, during the wine year in question, do not produce more than 50 hectolitres of wine or must themselves on their own premises are not required to withdraw their by-products.
- 4 Producers may fulfil the obligation of disposing of all or a part of the by-products of winemaking or any other processing of grapes by delivering the by-products to distillation. Such disposal of the by-products shall be certified by the competent authority of the Member State concerned.
- 5 Member States may decide that the delivery to distillation of all or a part of the byproducts of winemaking or of any other processing of grapes is made compulsory for all or certain producers on their territory on the basis of objective and non-discriminatory criteria.

I^{F1}Article 15

Transitional arrangements

Stocks of grapevine products produced before the date of application of this Regulation in accordance with the rules in force before that date may be released for human consumption.]

Textual Amendments

F1 Substituted by Commission Delegated Regulation (EU) 2020/565 of 13 February 2020 correcting Delegated Regulation (EU) 2019/934 as regards transitional arrangements for the marketing of stocks of grapevine products.

Article 16

Repeal

Regulation (EC) No 606/2009 is repealed.

Article 17

Entry into force

- 1 This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.
- 2 It shall apply from 7 December 2019.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

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- (1) Commission Delegated Regulation (EU) 2017/1183 of 20 April 2017 on supplementing Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and the Council with regard to the notifications to the Commission of information and documents (OJ L 171, 4.7.2017, p. 100).
- (2) Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and the Council (OJ L 83, 22.3.2012, p. 1).
- (3) Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (OJ L 354, 31.12.2008, p. 7).
- (4) Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560 (OJ L 58, 28.2.2018, p. 1).
- (5) Commission Implementing Regulation (EU) 2018/274 of 11 December 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and repealing Commission Implementing Regulation (EU) 2015/561 (OJ L 58, 28.2.2018, p. 60).

Changes to legislation:

There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2019/934. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to:
      Annex 1 Pt. A words inserted by S.S.I. 2024/11 reg. 3(4)
      Annex 1 Pt. A words inserted by S.I. 2024/115 reg. 3(4)
      Annex 1 Pt. A words inserted by S.I. 2024/83 reg. 3(4)
      Annex 1 Pt. C point 3 words omitted by S.I. 2021/632 reg. 10(7)(b)(ii)
      Annex 1 Pt. C point 2(a) words substituted by S.I. 2021/632 reg. 10(7)(a)(i)
      Annex 1 Pt. C point 2(b) words substituted by S.I. 2021/632 reg. 10(7)(a)(ii)
      Annex 1 Pt. C point 3 words substituted by S.I. 2021/632 reg. 10(7)(b)(i)
      Annex 1 Pt. D point 2 words substituted by S.I. 2021/632 reg. 10(8)(a)
      Annex 1 Pt. D point 3 words substituted by S.I. 2021/632 reg. 10(8)(b)
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      Annex 1 Pt. A Table 1 words inserted by S.S.I. 2024/11 reg. 3(5)(b)
      Annex 1 Pt. A Table 1 words inserted by S.S.I. 2024/11 reg. 3(5)(c)
      Annex 1 Pt. A Table 1 words inserted by S.S.I. 2024/11 reg. 3(5)(d)
      Annex 1 Pt. A Table 1 words inserted by S.S.I. 2024/11 reg. 3(5)(e)
      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 reg. 3(6)(a)
      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 sch. Pt. 1
      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 sch. Pt. 2
      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 sch. Pt. 3
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      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 sch. Pt. 6
      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 reg. 3(6)(f)(iii)
      Annex 1 Pt. A Table 2 words inserted by S.S.I. 2024/11 sch. Pt. 7
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Annex 1 Pt. A Table 2 words omitted by S.I. 2023/1362 Sch. 2 para. 6(6)(b)
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Annex 1 Pt. A Table 2 words revoked by S.I. 2023/1362 Sch. 1
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Annex 2 Appendix revoked by S.I. 2023/1362 Sch. 1
Art. 1 words omitted by S.I. 2020/1637 reg. 29(2)
Art. 2 omitted by S.I. 2020/1637 reg. 29(4)
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Art. 4(1) words substituted by S.I. 2020/1637 reg. 29(5)(a)(i)
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Art. 7(1) words omitted by S.I. 2022/1215 reg. 7(3)
Art. 8(1) words revoked by S.I. 2023/1362 Sch. 1
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Art. 13 omitted by S.I. 2023/1362 Sch. 2 para. 6(4)
Art. 13(1) words substituted by S.I. 2020/1637 reg. 29(9)(a)(i)
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- Art. 13(1) words substituted by S.I. 2020/1637 reg. 29(9)(a)(ii)
- Art. 13(2) words substituted by S.I. 2020/1637 reg. 29(9)(b)
- Art. 13(3) word substituted by S.I. 2020/1637 reg. 29(9)(c)(i)
- Art. 13(3) words substituted by S.I. 2020/1637 reg. 29(9)(c)(ii)
- Art. 14 omitted by S.I. 2023/1362 Sch. 2 para. 6(5)
- Art. 14(1) words substituted by S.I. 2020/1637 reg. 29(10)(a)
- Art. 14(2) words substituted by S.I. 2020/1637 reg. 29(10)(b)
- Art. 14(3) words substituted by S.I. 2020/1637 reg. 29(10)(c)
- Art. 14(4) words substituted by S.I. 2020/1637 reg. 29(10)(d)
- Art. 14(5) word omitted by S.I. 2020/1637 reg. 29(10)(e)(ii)
- Art. 14(5) words substituted by S.I. 2020/1637 reg. 29(10)(e)(i)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2020/1637 reg. 29(11)
- Annex 1 Pt. A Appendix 1 point 1 omitted by S.I. 2021/632 reg. 10(5)(c)
- Annex 1 Pt. A Appendix 2 omitted by S.I. 2021/632 reg. 10(5)(d)
- Annex 1 Pt. A Appendix 3 words omitted by S.I. 2021/632 reg. 10(5)(e)(i)
- Annex 1 Pt. A Appendix 4 words omitted by S.I. 2021/632 reg. 10(5)(f)(ii)
- Annex 1 Pt. A Appendix 3 words substituted by S.I. 2021/632 reg. 10(5)(e)(ii)
- Annex 1 Pt. A Appendix 4 words substituted by S.I. 2021/632 reg. 10(5)(f)(i)(aa)
- Annex 1 Pt. A Appendix 4 words substituted by S.I. 2021/632 reg. 10(5)(f)(i)(bb)
- Annex 1 Pt. A Appendix 8 point 7 words substituted by S.I. 2021/632 reg. 10(5)(g)
- Annex 1 Pt. B Appendix 8s. A point 3 omitted by S.I. 2021/632 reg. 10(6)(a)(ii)
- Annex 1 Pt. B Appendix 8s. A point 2(c) substituted for Pt. B s. A(2)(c)-(e) by S.I. 2021/632 reg. 10(6)(a)(i)
- Annex 1 Pt. B Appendix 8s. A point 5 word substituted by S.I. 2021/632 reg. 10(6)
 (a)(iv)(bb)
- Annex 1 Pt. B Appendix 8s. A point 4 words substituted by S.I. 2021/632 reg. 10(6) (a)(iii)(aa)
- Annex 1 Pt. B Appendix 8s. A point 4 words substituted by S.I. 2021/632 reg. 10(6)
- Annex 1 Pt. B Appendix 8s. A point 4 words substituted by S.I. 2021/632 reg. 10(6)
 (a)(iii)(cc)
- Annex 1 Pt. B Appendix 8s. A point 5 words substituted by S.I. 2021/632 reg. 10(6)
 (a)(iv)(aa)
- Annex 1 Pt. B Appendix 8s. C point 2 words substituted by S.I. 2021/632 reg. 10(6)
 (b)(i)
- Annex 1 Pt. B Appendix 8s. C point 2 words substituted by S.I. 2021/632 reg. 10(6)
 (b)(ii)
- Annex 1 Pt. D para. 2 revoked by S.I. 2023/1362 Sch. 1
- Annex 3 s. A point 2(b) omitted by S.I. 2021/632 reg. 10(14)(b)
- Annex 3 s. A point 4(c) omitted by S.I. 2021/632 reg. 10(14)(d)(ii)
- Annex 3 s.B omitted by S.I. 2021/632 reg. 10(15)
- Annex 3 Appendix 1-3 omitted by S.I. 2021/632 reg. 10(15)
- Annex 3 s. A point 2(a) word omitted by S.I. 2021/632 reg. 10(14)(a)
- Annex 3 s. A point 4(a) words omitted by S.I. 2021/632 reg. 10(14)(d)(i)
- Annex 3 s. A point 3 words substituted by S.I. 2021/632 reg. 10(14)(c)
- Annex 2 s. C point 2 omitted by S.I. 2021/632 reg. 10(12)(b)
- Annex 2 s. B point 4(a) revoked by S.I. 2023/1362 Sch. 1
- Annex 2 s. C point 9(a) revoked by S.I. 2023/1362 Sch. 1
- Annex 2 s. A point 4(d) substituted by S.I. 2021/632 reg. 10(10)(b)
- Annex 2 s. A point 4 word inserted by S.I. 2021/632 reg. 10(10)(a)(ii)
- Annex 2 s. B point 2 word substituted by S.I. 2021/632 reg. 10(11)(a)(ii)
- Annex 2 s. B point 4(a) words omitted by S.I. 2021/632 reg. 10(11)(b)
- Annex 2 s. C point 1 words omitted by S.I. 2021/632 reg. 10(12)(a)(i)

- Annex 2 s. C point 1 words omitted by S.I. 2021/632 reg. 10(12)(a)(ii)
- Annex 2 s. C point 9(a) words omitted by S.I. 2021/632 reg. 10(12)(c)
- Annex 2 s. A point 4 words substituted by S.I. 2021/632 reg. 10(10)(a)(i)
- Annex 2 s. B point 2 words substituted by S.I. 2021/632 reg. 10(11)(a)(i)
- Art. 1a inserted by S.I. 2020/1637 reg. 29(3)
- Art. 1a(1) Art. 1a renumbered as Art. 1a(1) by S.S.I. 2024/11 reg. 3(2)(a)
- Art. 1a(1) Art. 1a renumbered as Art. 1a(1) by S.I. 2024/115 reg. 3(2)(a)
- Art. 1a(1) Art. 1a renumbered as Art. 1a(1) by S.I. 2024/83 reg. 3(2)(a)
- Art. 1a(2) inserted by S.S.I. 2024/11 reg. 3(2)(b)
- Art. 1a(2) inserted by S.I. 2024/115 reg. 3(2)(b)
- Art. 1a(2) inserted by S.I. 2024/83 reg. 3(2)(b)
- Art. 4(1)(a) words inserted by S.S.I. 2022/361 reg. 11(2)(b)
- Art. 4(1)(a) words omitted by S.S.I. 2022/361 reg. 11(2)(a)
- Art. 4(1)(a) words omitted by S.I. 2022/1150 reg. 10(2)
- Art. 4(1)(a) words omitted by S.I. 2022/1215 reg. 7(2)
- Art. 4(1)(c) words substituted by S.I. 2020/1637 reg. 29(5)(a)(ii)(aa)
- Art. 4(1)(c) words substituted by S.I. 2020/1637 reg. 29(5)(a)(ii)(bb)
- Art. 14(6) inserted by S.I. 2020/1637 reg. 29(10)(f)