

EXPLANATORY MEMORANDUM TO

The Plant Protection Products Regulations (Northern Ireland) 2011

SR 2011 No 295

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture and Rural Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under powers conferred on it by section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.
- 1.3. The rule is due to come into operation on 4 October 2011.

2. Purpose

- 2.1. The rule transposes EC Regulation EC 1107/2009, concerning the placing of plant protection products on the market. It updates the existing regime by increasing the level of protection for people and the environment, speeding up decision making and by providing clearer rules.

3. Background

- 3.1. The Statutory Rule will transpose the mandatory Regulation (EC) No 1107/2009, concerning the placing of plant protection products on the market. This Regulation is essentially a recasting of Directive 91/414/EEC but with some new elements. It lays down rules for the authorisation of plant protection products in commercial form and for placing on the market, use and control within the European Union.

4. Matters of Special Interest to the Agriculture and Rural Development Committee

- 4.1. N/A

5. Consultation

- 5.1. A consultation was published by DEFRA on behalf of the rest of the UK. No responses were received from NI stakeholders.

6. Position in Great Britain and Ireland

- 6.1. All UK and RoI authorities are transposing the EC Regulation 1107/2009.

7. Equality Impact

- 7.1. In accordance with DARD's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications of the proposed Regulations have been assessed. No adverse equality impacts have been identified under the Equality and Human Rights screening procedures. The Department considers the regulations will not result in any equality differentials amongst Section 75 groups.

8. Regulatory Impact

- 8.1. Following consultation, it was agreed that a minimal burden approach is adopted to implement this legislation throughout the UK. This meets with DARD's commitment to better regulation and to the Public Service Agreement (PSA) target to reduce the administrative burden on the agri-food sector. Therefore, it is not necessary for a regulatory impact assessment to be carried out for these regulations.

9. Financial Implications

- 9.1. None

10. Section 24 of the Northern Ireland Act 1998

- 10.1. These Regulations are compliant with Section 24 of the NI Act 1998.

11. EU Implications

- 11.1. This is an obligatory transposition of EC regulation 1107/2009

12. Additional Information

- 12.1. Not applicable

13. Contact

- 13.1. Brian Ervine with any queries regarding the Regulations. Tel:02890 525570 or e-mail brian.ervine@dardni.gov.uk