

2019 No. 11

AGRICULTURE

FOOD

**The Agriculture (Miscellaneous Amendments) Regulations
(Northern Ireland) 2019**

Made - - - - *6th February 2019*

Coming into operation - *6th March 2019*

The Department of Agriculture, Environment and Rural Affairs(a), being designated(b) for the purpose of section 2(2) of the European Communities Act 1972(c) in relation to the common agricultural policy of the European Union and in relation to matters relating to rural development in exercise of the powers conferred under that section 2(2) of and paragraph 1A of Schedule 2(d) to that Act, makes the following Regulations.

There has been open and transparent public consultation during the preparation of these Regulations as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council(e) 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.

PART 1

Introductory

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Agriculture (Miscellaneous Amendments) Regulations (Northern Ireland) 2019 and shall come into operation on 6th March 2019.

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- (a) Formerly the Department of Agriculture and Rural Development (DARD see Article 3(4) of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)). DARD was renamed the Department of Agriculture, Environment and Rural Affairs by Article 1(2) of the Departments (Northern Ireland) Act 2016 (2016 c.5 (N.I.)).
- (b) S.I. 1972/1811 and S.I. 2000/2812.
- (c) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c.7) and is prospectively repealed by the European Union (Withdrawal) Act 2018 (c.16), section 1 (see section 20 of that Act)
- (d) 1972 c.68; paragraph 1A of Schedule 2 was inserted by the Legislative and Regulatory Reform Act 2006 (c.51), section 28 and was amended by the European Union (Amendment) Act 2008 (c.7), the Schedule, Part 1 and is prospectively repealed by the European Union (Withdrawal) Act 2018 (c.16), section 1 from exit day (see section 20 of that Act).
- (e) O.J. No. L31, 1.2.2002, p.1, as amended by Commission Regulation (EC) No. 202/2008 (O.J. No. L60, 4.3.2008, p.17).

(2) The Interpretation Act (Northern Ireland) 1954^(a) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

PART 2

Amendment of Agriculture (Food) Provisions

The Eggs and Chicks Regulations (Northern Ireland) 2010

2.—(1) The Eggs and Chicks Regulations (Northern Ireland) 2010^(b) are amended as follows.

(2) In regulation 2(1), in the definition of “Regulation (EC) No. 2160/2003” at the end add “as amended by Commission Regulation (EU) No. 517/2011 and as amended from time to time”

(3) In Schedule 2 in Part 2, in the table at column 2, for “Article 2 of Council Regulation (EEC) No. 2092/91” substitute “Article 23(1) of Council Regulation (EC) No. 834/2007”.

Poultrymeat Regulations (Northern Ireland) 2011

3. In the Poultrymeat Regulations (Northern Ireland) 2011^(c) in regulation 2(1), in the definition of “Single CMO Regulation” at the end add “as amended from time to time”.

PART 3

Amendment of Agriculture (Common Agricultural Policy) Provisions

Reporting of Prices of Milk Products Regulations (Northern Ireland) 2008

4.—(1) The Reporting of Prices of Milk Products Regulations (Northern Ireland) 2008^(d) are amended as follows.

(2) In regulation 2(1)—

(a) for the definition of “Commission Regulation”, substitute—

““Commission Implementing Regulation” means Commission Implementing Regulation (EU) 2017/1185 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations, and any reference to Annex I, Annex II and Annex III to the Commission Implementing Regulation means Annex I, Annex II and Annex III to the Commission Implementing Regulation as amended from time to time;”

(b) in the definition of “milk products”, for the words from “Article 2(3)(a)” to “Commission Regulation” substitute “Point 7 of Annex I, Point 4 of Annex II and Point 9 of Annex III to the Commission Implementing Regulation”.

(3) In regulation 3(1), for “Articles 2 and 3 of the Commission Regulation” substitute “Articles 7, 11 and 12 of the Commission Implementing Regulation”.

(a) 1954 c 33 (NI)
(b) S.R. 2010 No.125
(c) S.R. 2011 No.315
(d) S.R. 2008 No.240

The Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2014

5.—(1) The Common Agricultural Policy Direct Payments and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2014^(a) are amended as follows.

(2) In regulation 1(4), for “as amended on the date these Regulations are made” substitute “as amended from time to time”.

(3) In Schedule 1 paragraph 11—

(a) in the definition of “Special Area of Conservation”, at the end insert “as last amended by Council Directive 2013/17/EU of 13 May 2013”^(b);

(b) in the definition of “Special Protection Area”, for “(the codified version of Council Directive 79/409/EEC as amended)” substitute “as last amended by Council Directive 2013/17/EU of 13 May 2013”.

The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015

6.—(1) The Common Agricultural Policy Basic Payment and Support Schemes Regulations (Northern Ireland) 2015^(c) are amended as follows.

(2) In regulation 2, after paragraph (2), insert—

“(3) In these Regulations, any reference to “the European Regulations” is a reference to those Regulations as amended from time to time.”

(3) In regulation 20(2), in the definition of “the Conservation Directives”, after “flora” and “birds”, in each place insert “as amended from time to time”.

PART 4

Amendment of Agriculture (Single Common Market Organisation) Provision

The Single Common Market Organisation (Exceptional Adjustment Aid) Regulations (Northern Ireland) 2017

7. In the Single Common Market Organisation (Exceptional Adjustment Aid) Regulations (Northern Ireland) 2017^(d) in regulation 2(3), for “on the date on which these Regulations are made” substitute “from time to time”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 6th February 2019.

(L.S.)

Colette McMaster
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

(a) S.R. 2014 No.291
(b) O.J. No. L158, 10.6.2013, p 193 to 229.
(c) S.R. 2015 No.191
(d) S.R. 2017 No.13

EXPLANATORY NOTE

(This note is not part of the Order)

These regulations update outdated European Union legislative references.

Part 2 makes necessary amendments to subordinate legislation in relation to eggs and chicks regulations and poultrymeat regulations.

Part 3 makes necessary amendments to the Common Agricultural Policy regulations.

Part 4 makes necessary amendments to the Single Common Market Organisation regulations.

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