

EXPLANATORY MEMORANDUM TO

The Forest Reproductive Material (Amendment) Regulations (Northern Ireland) 2019

SR 2019 No. 50

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under sections 1 and 2, of the Seeds Act (Northern Ireland) 1965 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. This instrument amends the The Forest Reproductive Material Regulations (Northern Ireland) 2002 (S.R. 2002 No. 404) which make provisions for the approval of basic material for use in the production of forest reproductive material which may be marketed in Northern Ireland.

3. Background

- 3.1. This instrument (the Principal Order) implements in Northern Ireland Council Directive 1999/105/EC of 22nd December 1999 on the marketing of forest reproductive material and Council Directive 71/161/EEC on external quality standards for forest reproductive material marketed within the Community.
- 3.2. The Forest Reproductive Material Regulations (and therefore the Principal Order) are updated to take account of new or revised approvals of basic material and other developments.
- 3.3. The EU instrument listed below have been adopted and modify The Forest Reproductive Material Regulations as a result of technical changes in the marketing of forest reproductive material . The measures are implemented through this instrument. The changes are described in paragraphs 3.4 to 3.5
- 3.4. Implement in relation to Northern Ireland Council Decision 2008/971/EC on the equivalence of forest reproductive material produced in third countries (OJ No L 345, 23.12.2008, p83), as amended by Decision No. 1104/2012/EU of the European Parliament and of the Council (OJ No L 328, 28.11.2012, p1).1.1.
- 3.5. The changes amend the identification and separation of forest reproductive material during production, amends forest reproductive material which may be marketed in N Ireland, amends labelling and packaging of lots for marketing, amends prohibition against imports of forest reproductive material from third countries and inserts an additional schedule which applies to consignments of forest reproductive material produced in an EU-approved third country or a permitted third country.

4. Consultation

- 4.1. These issues are mainly technical updates and have limited impact on Northern Ireland business. No consultation is required as no businesses are directly impacted by the changes.

5. Equality Impact

- 5.1. Not applicable. This Order has been screened out for equality impacts. No impact on any Section 75 group is anticipated.

6. Regulatory Impact

- 6.1. There is no impact on business, charities or voluntary bodies. The requirements apply mainly in countries exporting to the EU.
- 6.2. There is no impact on the public sector.
- 6.3. A Regulatory Impact Assessment has not been prepared for this Statutory Rule.

7. Financial Implications

- 7.1. The Order has no financial implications for business.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. This Statutory Rule does not have any human rights implications nor is it incompatible with EU law. The Order is therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. This legislation includes implementation of Commission Implementing Directive (EU) 2008/971/EC.

10. Parity or Replicatory Measure

- 10.1. Similar but separate legislation to the Principal Order operates in England, Scotland and Wales.

11. Additional Information

- 11.1. No additional information.