

2020 No. 268

EXITING THE EUROPEAN UNION

ENVIRONMENTAL PROTECTION

WILDLIFE

The Pesticides and Invasive Alien Species (Enforcement and Permitting)(Amendment)(EU Exit) Regulations (Northern Ireland) 2020

Made - - - - *19th November 2020*

Coming into operation in accordance with Regulation 1(2)

The Department of Agriculture, Environment and Rural Affairs(**a**) makes these Regulations in exercise of powers conferred by section 11 of, and Part 1C of Schedule 2 to, the European Union (Withdrawal) Act 2018(**b**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Pesticides and Invasive Alien Species (Enforcement and Permitting)(Amendment)(EU Exit) Regulations (Northern Ireland) 2020.

(2) These Regulations come into operation immediately before IP completion day, except regulation 2 which comes into operation on IP completion day.

(3) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Plant Protection Products Regulations (Northern Ireland) 2011

2. The Plant Protection Products Regulations (Northern Ireland) 2011(**d**) are amended as follows—

- (a) in regulation 2, in the definition of “treated seeds”, at the end, insert “or Northern Ireland”;
- (b) in regulation 9(1), after “Member State”, insert “or Northern Ireland”.

(**a**) Formerly the Department of Agriculture and Rural Development (DARD see section 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 (DAERA) by Article 1(2) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.)).

(**b**) 2018(c.16); Part 1C of Schedule 2 was inserted by section 22 of the European Union (Withdrawal Agreement) Act 2020 (c.1) (the 2020 Act). Paragraph 21(b) of Schedule 7 was amended by paragraph 53(2)(b) of Schedule 5 to the 2020 Act.

(**c**) 1954 c.33 (N.I.)

(**d**) S.R. 2011 No. 295, as amended by S.R. 2012 No. 12, S.I. 2012/1657 and S.R. 2018 No. 188

Revocation

3. The Pesticides (Amendment) (Northern Ireland) (EU Exit) Regulations 2019(a) are revoked.

Amendment of the Agriculture, Environment and Rural Affairs (Amendment) (Northern Ireland) (EU Exit) (No. 2) Regulations 2019

4. In the Agriculture, Environment and Rural Affairs (Amendment) (Northern Ireland)(EU Exit)(No.2) Regulations 2019(b), omit regulation 9.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on 19th November 2020.



Dave Foster
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations are made in the exercise of powers in section 11 of, and Part 1C of Schedule 2 to, the European Union (Withdrawal) Act 2018. They ensure that Northern Ireland legislation relating to Invasive Alien Species and Pesticides can continue to operate effectively after the EU exit transition period and remain aligned with the EU law in accordance with the Protocol on Ireland/Northern Ireland. In relation to Invasive Alien Species, omitting regulation 9 of S.I. 2019 No. 1313 effectively restores the definition of “Union List” in S.R. 2019 No. 159.

These Regulations also revoke certain provisions contained in EU Exit Statutory Instruments that are no longer relevant.

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

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(a) S.R. 2019 No. 188
(b) S.I. 2019 No 1313

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