

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are principally made in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(d) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation in the field of the common agricultural policy, including in relation to the marketing of horticultural produce.

Part 2 (regulation 2), made in exercise of powers under the European Communities Act 1972 (c.68), updates references in relation to secondary legislation.

Part 3 (regulations 3 and 4) makes amendments to secondary legislation consequential on the withdrawal of the United Kingdom from the European Union.

Part 4 (regulations 5 and 6) makes revocations. Regulation 5 revokes regulation 7(4) of the Common Agricultural Policy (EU Exit) (Scotland) (Amendment) Regulations 2019 in consequence of the amendment to regulation 16(1)(d) of the Rural Development (Scotland) Regulations 2015 made by regulation 4 of this instrument. Regulation 6 revokes regulation 3(13) of the Marketing of Horticultural Produce and Bananas (EU Exit) (Scotland) (Amendment) Regulations 2019 in consequence of the amendment to the Marketing of Horticultural Produce (Scotland) Regulations 2009 made by regulation 3 of this instrument.

No Business and Regulatory Impact Assessment has been prepared in relation to these Regulations, as no, or no significant, impact upon business, charities or voluntary bodies is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The Common Agricultural Policy (EU Exit) (Scotland) (Amendment) (No. 2) Regulations 2019.