

---

DRAFT STATUTORY INSTRUMENTS

---

**2019 No.**

**The General Food Hygiene (Amendment)  
(EU Exit) Regulations 2019**

**PART 2**

Amendment of retained direct EU legislation

**Amendment of Regulation (EC) 852/2004**

**13.** In Article 14—

- (a) for the heading, substitute “Regulations and devolved powers”;
- (b) for the Article, substitute—

“**1.** Any power to make regulations under this Regulation—

- (a) so far as exercisable by a Minister of the Crown, is exercisable by statutory instrument;
- (b) so far as exercisable by the Welsh Ministers, is exercisable by statutory instrument;
- (c) so far as exercisable by the Northern Ireland devolved authority is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (SI 1979/1573 (NI 12)) (and not by statutory instrument).

**2.** For regulations made under this Regulation by the Scottish Ministers, see also section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010<sup>(1)</sup> (Scottish statutory instruments).

**3.** Any power to make regulations under this Regulation includes power—

- (a) to make different provision in relation to different cases or classes of case (including different provision for different areas or different classes of business);
- (b) to provide for such exceptions, limitations and conditions, and to make such supplementary, incidental, consequential or transitional provisions, as the appropriate authority considers necessary or expedient.

**4.** Any statutory instrument, Scottish statutory instrument or statutory rule containing regulations under this Regulation is subject to annulment in pursuance of a resolution—

- (a) in the case of England, of either House of Parliament;
- (b) in the case of Wales, of the National Assembly for Wales;
- (c) in the case of Scotland, of the Scottish Parliament;
- (d) in the case of Northern Ireland, being a negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954<sup>(2)</sup>.

---

(1) 2010 asp 10.  
(2) 1945 c.33.

5. In this Regulation, any power—
- (a) of the Secretary of State to make regulations is limited to regulations which apply in relation to England only;
  - (b) of the Welsh Ministers to make regulations is limited to regulations which apply in relation to Wales only;
  - (c) of the Scottish Ministers to make regulations is limited to regulations which apply in relation to Scotland only;
  - (d) of the Northern Ireland devolved authority to make regulations is limited to regulations which apply in relation to Northern Ireland only.”.