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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

The Agricultural Products, Food and Drink  
(Amendment etc.) (EU Exit) Regulations 2020

PART 5

Amendment of retained direct EU legislation

**Commission Implementing Regulation (EU) 2018/274**

**25.**—(1) Commission Implementing Regulation (EU) 2018/274 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks<sup>(1)</sup> is amended as follows.

(2) In Article 1—

- (a) in the words before point (a), for the words from “Regulations” to “respectively,” substitute “Regulation (EU) No 1308/2013”;
- (b) omit points (a), (d), (e) and (f).

(3) After Article 1 insert—

*“Article 1a*

*The competent authorities*

The competent authorities, in relation to the issue of permits under Article 12(3) and the exercise of the functions in Article 13(2)(c) and 20(4), means the persons designated in relation to each of those functions by regulation 4 of the Wine Regulations 2011 as it extends to Great Britain.”.

(4) Omit Chapter 2.

(5) In Article 12—

(a) in paragraph 1—

- (i) omit the second subparagraph;
- (ii) in the last subparagraph—

(aa) at the beginning insert “In relation to wine produced in Great Britain,”;

(bb) for “the Member State in which the wine is produced” substitute “Great Britain”;

(cc) for the words from “different” to “1308/2013” substitute “Great Britain and Northern Ireland”;

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(1) EUR 2018/274. Prospective amendments were included in [S.I. 2019/865](#). They would have come into force on IP completion day. They are omitted by regulation 6 of this instrument and replaced, in relation to Great Britain, on IP completion day with the amendments in regulation 25 of this instrument.

- (dd) for “by any of the Member States concerned” substitute “in either Great Britain or Northern Ireland”;
- (b) in paragraph 2—
  - (i) in the first subparagraph omit “and Chapter VI of this Regulation”;
  - (ii) in the second subparagraph, omit “, save where Member States decide otherwise”;
- (c) in paragraph 3 omit “of the Member States”.
- (6) In Article 13—
  - (a) in paragraph 1, in the second subparagraph, for the words from “one” to “other” substitute “a copy of the”;
  - (b) in paragraph 2—
    - (i) in the first subparagraph—
      - (aa) in point (b) omit the words from “presented” to the end;
      - (bb) in point (c), after “competent authorities” insert “, by administrative decision, following an application made by an operator”;
  - (c) omit the second subparagraph.
- (7) In Article 14—
  - (a) in paragraph 1(a)(iii), for the words from “of the classification” to “1308/2013” substitute “to the wine grape variety (which must be a wine grape variety that complies with point (a) or (b) of Article 81(2) of Regulation (EU) No 1308/2013)”;
  - (b) in paragraph 2, for “Union legislation” substitute “retained EU law”;
  - (c) after paragraph 3 insert—
 

“4. In this Article, ‘retained EU law’ has the same meaning as in section 6(7) of the European Union (Withdrawal) Act 2018 but does not include any legislation so far as it extends to Northern Ireland..”.
- (8) In Article 15—
  - (a) in paragraph 1—
    - (i) in point (a), for “under Union or national” substitute “by”;
    - (ii) in point (d) omit “Union or national”;
    - (iii) in point (e)—
      - (aa) omit “10.”;
      - (bb) omit the words from “, except” to the end;
  - (b) in paragraph 3, in the first subparagraph omit the second sentence.
- (9) In Article 16(1)(b)(v) omit “Union or national”.
- (10) Omit Article 19.
- (11) In Article 20—
  - (a) in paragraph 1—
    - (i) in the words before point (a) for “Articles 15 and 19” substitute “Article 15”;
    - (ii) omit point (b) and the “and” immediately before it;
  - (b) in paragraph 4—
    - (i) in the first subparagraph, for the words from “Member” to “days” substitute “on a case by case basis, the Food Standards Agency, in relation to England and Wales, and Food Standards Scotland, in relation to Scotland, may, on the application of an

operator, authorise longer deadlines not exceeding 30 days where the Food Standards Agency or Food Standards Scotland (as the case may be) considers it appropriate to do so”;

(ii) omit the second subparagraph;

(c) in paragraph 5 omit the words from “as” to the end.

(12) Omit Chapters 5 and 6.

(13) Omit Articles 33 and 34.

(14) In Article 35 omit paragraphs 2 and 4.

(15) After Article 37 omit the words from “This Regulation” to “States.”.

(16) Omit Annexes 1 to 4.