

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by 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 sections 8(2)(c), (d) and (g)) arising from the withdrawal of the United Kingdom from the European Union. They are also made in part to amend legislation that is out of date.

These Regulations make amendments to legislation in the field of marketing of seed and plant propagating material.

Part 2 makes amendments to the Seeds (National Lists of Varieties) Regulations 2001 to amend a definition that is incorrect and to update the list of derogated species pursuant to Commission Implementing Decision (EU) 2017/478 releasing certain Member States from the obligation to apply to certain species Council Directives [66/401/EEC](#), [66/402/EEC](#), [68/193/EEC](#), [1999/105/EC](#), [2002/54/EC](#), [2002/55/EC](#) and [2002/57/EC](#) on the marketing of fodder plant seed, cereal seed, material for the vegetative propagation of the vine, forest reproductive material, beet seed, vegetable seed and seed of oil and fibre plants respectively (OJ No L 73, 18.3.2017, p. 29).

The remainder of the Regulations make amendments resulting from the United Kingdom's withdrawal from the European Union. Part 3 amends subordinate legislation, Part 4 amends retained direct EU legislation and Part 5 contains revocations.

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

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Seeds and Plant Propagating Material (Amendment etc.) (EU Exit) Regulations 2019.