
STATUTORY INSTRUMENTS

2019 No. 641

**The General Food Law (Amendment
etc.) (EU Exit) Regulations 2019**

PART 3

Amendment of retained direct EU legislation

Amendment of Regulation 178/2002

19. In Article 18—

- (a) in paragraph 4, for “Community”, substitute “United Kingdom”;
- (b) for paragraph 5, substitute—

“5. The Secretary of State may by regulations make provision for the purpose of applying the requirements of this Article in respect of specific sectors in England.”;

(c) at the end, insert the following additional paragraphs—

“6. The power of the Secretary of State to make regulations under this Article—

- (a) is exercisable by statutory instrument;
- (b) includes power—
 - (i) to make different provision in relation to different cases or classes of case (including different provision for different areas or different classes of business);
 - (ii) to provide for such exceptions, limitations and conditions, and to make such supplementary, incidental, consequential or transitional provisions, as the Secretary of State considers necessary or expedient.

7. Any statutory instrument containing regulations made the Secretary of State under this Article is subject to annulment in pursuance of a resolution of either House of Parliament.

8. The Welsh Ministers may by regulations make provision for the purpose of applying the requirements of this Article in respect of specific sectors in Wales.

9. The power of the Welsh Ministers to make regulations under this Article—

- (a) is exercisable by statutory instrument;
- (b) includes power—
 - (i) to make different provision in relation to different cases or classes of case (including different provision for different areas or different classes of business);
 - (ii) to provide for such exceptions, limitations and conditions, and to make such supplementary, incidental, consequential or transitional provisions, as the Welsh Ministers consider necessary or expedient.

10. Any statutory instrument containing regulations made the Welsh Ministers under this Article is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

11. The Scottish Ministers may by regulations make provision for the purpose of applying the requirements of this Article in respect of specific sectors in Scotland.

12. The power of the Scottish Ministers to make regulations under this Article—

(a) is exercisable by Scottish statutory instrument within the meaning of section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010⁽¹⁾;

(b) includes power—

(i) to make different provision in relation to different cases or classes of case (including different provision for different areas or different classes of business);

(ii) to provide for such exceptions, limitations and conditions, and to make such supplementary, incidental, consequential or transitional provisions, as the Scottish Ministers consider necessary or expedient.

13. Any Scottish statutory instrument containing regulations made the Scottish Ministers under this Article is subject to annulment in pursuance of a resolution of the Scottish Parliament.

14. The Northern Ireland devolved authority may by regulations make provision for the purpose of applying the requirements of this Article in respect of specific sectors in Northern Ireland.

15. The power of the Northern Ireland devolved authority to make regulations under this Article—

(a) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12));

(b) includes power—

(i) to make different provision in relation to different cases or classes of case (including different provision for different areas or different classes of business);

(ii) to provide for such exceptions, limitations and conditions, and to make such supplementary, incidental, consequential or transitional provisions, as the Northern Ireland devolved authority considers necessary or expedient.

16. Any statutory rule containing regulations made by the Northern Ireland devolved authority under this Article is subject to annulment in pursuance of a negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954⁽²⁾.”.

(1) 2010 asp 10.

(2) 1954 c. 33.