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## EXPLANATORY NOTE

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

These Regulations amend the Official Controls (Plant Health and Genetically Modified Organisms) (England) Regulations 2019 ([S.I. 2019/1517](#)) (“the 2019 Regulations”). Those Regulations give effect to—

- (a) Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants (OJ No. L 317, 23.11.2016, p.4) (“the EU Plant Health Regulation”); and
- (b) Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, in so far as it applies to the rules referred to in Article 1(2)(g) (OJ No. L 95, 7.4.2017, p.1) (“the Official Controls Regulation”).

These Regulations make provision for civil sanctions in respect of offences set out in Part 11 of the 2019 Regulations. The suite of sanctions available to the appropriate authority (as designated under regulations 6(1) and 6(2) of those Regulations) consists of compliance, restoration and stop notices, fixed and variable monetary penalties, as well as the ability to accept third party undertakings and enforcement undertakings.

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