
STATUTORY INSTRUMENTS

2020 No. 1463

The Aquatic Animal Health and Alien Species in Aquaculture,
Animals, and Marketing of Seed, Plant and Propagating
Material (Legislative Functions and Miscellaneous
Provisions) (Amendment) (EU Exit) Regulations 2020

PART 4

Functions relating to the marketing of seed, plant and plant propagating material

CHAPTER 3

Retention of functions in [Directive 2008/72/EC](#)

Power to derogate in the event of temporary supply difficulties

18.—(1) The appropriate authority may, by regulations, amend, supplement, revoke or derogate from the provisions of the Marketing of Vegetable Plant Material Regulations 1995⁽¹⁾ in the event of a temporary difficulty affecting the supply of vegetable plant material.

(2) But regulations may only be made under paragraph (1) where—

- (a) the appropriate authority has carried out an assessment that has taken account of available information regarding the temporary difficulty affecting the supply of vegetable plant material and the reasons for that difficulty;
- (b) the assessment has confirmed that—
 - (i) there is a temporary difficulty affecting the supply of vegetable plant material in the United Kingdom; and
 - (ii) the derogations provide safeguards to address any risk to plant health arising from vegetable plant material in relation to which the derogations apply; and
- (c) the assessment has been approved by the Secretary of State, the Welsh Ministers and the Scottish Ministers.

⁽¹⁾ [S.I. 1995/2652](#), amended by [S.I. 2011/1043](#) (in relation to the UK), [2014/487](#) (in relation to England), [2014/519 \(W. 61\)](#) (in relation to Wales) and [S.S.I. 2014/111](#) (in relation to Scotland), and prospectively from IP completion day by [S.I. 2019/131](#) (in relation to England and Wales) and [S.S.I. 2019/59](#) (in relation to Scotland); there are other amendments not relevant to these Regulations.