
STATUTORY INSTRUMENTS

2020 No. 1637

**EXITING THE EUROPEAN UNION
AGRICULTURE
FOOD
INTELLECTUAL PROPERTY
TRIBUNALS AND INQUIRIES**

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

Made - - - - at 1.10 p.m. on 29th
December 2020
Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred:

- (a) in relation to Part 2, and Part 1 so far as it relates to Part 2, by section 2(2) of the European Communities Act 1972(1);
- (b) otherwise, by sections 8(1) and 8C of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(2).

As regards regulation 2, the Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to:

- (a) the common agricultural policy of the European Union(3);
- (b) food and drink intended for sale for human consumption, including the presentation, packaging, labelling, marketing and advertising of such food and drink(4);
- (c) intellectual property (including both registered and unregistered rights)(5).

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- (1) 1972 c. 68 (“the ECA 1972”). Section 2(2) of the ECA 1972 was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c.7). The ECA 1972 is repealed on exit day by the European Union (Withdrawal) Act 2018 (c. 16) (“the EUWA 2018”), but continues to have effect until IP completion day pursuant to section 1A of the EUWA 2018, inserted by section 1 of the European Union (Withdrawal Agreement) Act 2020 (c. 1). For the meaning of “IP completion day” see section 39 of the European Union (Withdrawal Agreement) Act 2020. See Part 3 of Schedule 8 to the EUWA 2018 as regards savings and transitional provisions in respect of the ECA 1972.
 - (2) 2018 c. 16, amended by the European Union (Withdrawal Agreement) Act 2020 (c. 1).
 - (3) S.I. 1972/1811. This instrument is prospectively revoked by S.I. 2018/1011, which comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020.
 - (4) S.I. 2005/2766. This instrument is prospectively revoked by S.I. 2018/1011, which comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020.
 - (5) S.I. 2006/608. This instrument is prospectively revoked by S.I. 2018/1011, which comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020.

In accordance with paragraphs 1(1) and 8F(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.