

Proposed amendments to the Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010 (as amended), the Marketing of Bananas Regulations (Northern Ireland) 2019 and the Agriculture, Food and Horse (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019.

Amendment of the Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010

1.—(1) The Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010⁽¹⁾ are amended as follows.

(2) In regulation 2(1) for “Community marketing rules”, in each place it occurs, substitute “marketing rules”.

(3) In regulation 3(2)—

- (a) omit “Community”;
- (b) omit “or the European Commission”.

(4) In regulation 5 omit “Community”, in both places it occurs.

(5) In regulation 6(1) omit “Community”.

(6) In regulation 7 omit “Community”, in each place it occurs.

(7) In regulation 8 omit “Community”, in each place it occurs.

(8) In regulation 9 omit “Community”, in each place it occurs.

(9) In regulation 10(2)(e) omit “Community”.

(10) In regulation 13 omit “Community”, in both places it occurs.

(11) In regulation 15—

- (a) omit “Community”, in each place it occurs (including in the heading);
- (b) in paragraph (8), for “European Union” substitute “United Kingdom”.

(12) in regulation 18 omit “Community”, in both places it occurs.

(13) After regulation 24 insert—

“Transitional provisions: withdrawal from the EU

25.—(1) Regulation 17 does not apply in relation to a failure to comply with Article 7 of Commission Implementing Regulation 543/2011 if the matter constituting the alleged contravention—

- (a) relates to a product that was placed on the market on or before 31 December 2020, and
- (a) would not have constituted a contravention of that Regulation as it applied immediately before exit day.

(2) An authorised officer must not exercise the powers under regulation 6 in relation to a failure to comply with Article 7 of Commission Implementing Regulation 543/2011 if the matter constituting the alleged contravention—

- (a) relates to a product that was placed on the market on or before 31 December 2020, and
- (a) would not have constituted a contravention of that Regulation as it applied immediately before exit day.”.

(14) In Schedule 1 in Part 1, omit “Community”.

(1) S.R. 2010 No.198.

Amendment of the Marketing of Bananas Regulations (Northern Ireland) 2019

2.—(1) The Marketing of Bananas Regulations (Northern Ireland) 2019⁽²⁾ are amended as follows.

(2) In regulation 3(2)—

- (a) in sub-paragraph (a), from “in other member States” to the end, substitute “in England, Scotland and Wales.”;
- (b) omit sub-paragraph (b).

(3) In regulation 4(6), for “European Union” substitute “United Kingdom”.

Amendment of the Agriculture, Food and Horse (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019

3. In the Agriculture, Food and Horse (Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019⁽³⁾, in regulation 6(4)(a), for “United Kingdom” substitute “United Kingdom, the Channel Islands and the Isle of Man”.

(2) S.R. 2019 No.66.

(3) S.I. 2019/347