

UK MINISTERS ACTING IN DEVOLVED AREAS

192 – The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2020

Laid in the UK Parliament: 19 October 2020

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Draft affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	NA
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	NA
Date sifting period ends in UK Parliament	NA
Written statement under SO 30C:	Paper 24
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	NA
Procedure	Draft affirmative
Date of consideration by the Joint Committee on Statutory Instruments	4 November 2020
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	3 November 2020

Background

These Regulations are proposed to be made by the UK Government pursuant to sections 8 and 8C of, and paragraph 21 of Schedule 7 of the European Union (Withdrawal) Act 2018.

Summary

These 2020 Regulations amend the following legislation which applies to Wales:

European Directly Applicable legislation (relating to the Common Organisation of Agricultural Markets (“CMO”))

- Commission Regulation (EC) No 1760/2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products
- Commission Regulation (EC) No 1850/2006 laying down detailed rules for the certification of hops and hop products
- Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products

Domestic Regulations (which implements EU legislation in respect of the CMO and also amends EU Retained legislation - CMO)

- The Hops Certification Regulations 1979
- The Common Organisation of the Markets in Agricultural Products Framework (Miscellaneous Amendments, etc.) (EU Exit) Regulations 2019
- The Market Measures (Marketing Standards) (Amendment) (EU Exit) Regulations 2019
- The Market Measures (Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2019
- The Agriculture (Legislative Functions) (EU Exit) (No. 2) Regulations 2019
- The Common Agricultural Policy and Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 2019
- The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019

These Regulations makes operability changes to the instruments referred to above. In particular, to ensure the implementation of the Northern Ireland Protocol and to remove ambiguities, inconsistencies and typographical mistakes so that the instruments are able to function as intended following IP completion day. Amendments are also made to the transitional provisions concerning the import of hops and hops products, notification requirements for imports of beef and veal from third countries and marking requirements for hatching eggs and chicks imported from the EU.

Statement by Welsh Government

Legal Advisers agree with the statement laid by the Welsh Government dated 21 October 2020 regarding the effect of these Regulations.

Intergovernmental Agreement on the European Union (Withdrawal) Bill

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.

Legal Advisers do not consider that any significant issues arise under paragraph 8 of the Memorandum on the European Union (Withdrawal) Bill and the Establishment of Common Frameworks in relation to these Regulations.