

UK MINISTERS ACTING IN DEVOLVED AREAS

209 - The Fertilisers and Ammonium Nitrate Material (Amendment) (EU Exit) Regulations 2021

Laid in the UK Parliament: 9 December 2020

Sifting

Subject to sifting in UK Parliament?	No
Procedure:	Affirmative
Date of consideration by the House of Commons European Statutory Instruments Committee	N/A
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	N/A
Date sifting period ends in UK Parliament	N/A
SICM under SO 30A (because amends primary legislation)	Not required

Scrutiny procedure

Outcome of sifting	N/A
Procedure	Affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
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	Not known

Background

These Regulations are proposed to be made by the UK Government pursuant to section 8C(1) of the European Union (Withdrawal) Act 2018.

Summary

These Regulations amend the Fertilisers and Ammonium Nitrate Material (EU Exit) Regulations 2019 in light of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement ("the Protocol") to reflect the continued application of the EU law version of Regulation (EC) No 2003/2003 on fertilisers in Northern Ireland.

These Regulations also apply the provisions of the retained EU law version of Regulation (EC) No 2003/2003, as it applies in England and Wales and Scotland, to Northern Ireland (subject to modifications). This will enable the marketing of "UK fertilisers" in Northern Ireland.

Regulation (EC) No 2003/2003 as it has effect in EU law will continue to apply in Northern Ireland by virtue of the Protocol.

Statement by Welsh Government

Legal Advisers agree with the statement laid by the Welsh Government dated 14 December 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.