Draft Regulations laid before Parliament under paragraph 8F(1) of Schedule 7 to the European Union (Withdrawal) Act 2018, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No. XXXX

PLANT HEALTH, NORTHERN IRELAND

SEEDS, NORTHERN IRELAND

The Plant Health, Seeds, Seed Potatoes and Plant Propagating Material (Amendment) (Northern Ireland) Regulations 2026

Made - - - -	***
Coming into force - -	***

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8C(1) and (2) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**).

In accordance with paragraph 8F(1) of Schedule 7 to that Act, a draft of these Regulations was laid before and approved by a resolution of each House of Parliament.

PART 1

Introductory

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Plant Health, Seeds, Seed Potatoes and Plant Propagating Material (Amendment) (Northern Ireland) Regulations 2026.

(2) These Regulations come into force on the 21st day after the day on which they are made.

(3) The Interpretation Act (Northern Ireland) 1954(**b**) applies to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(4) These Regulations extend to Northern Ireland only.

(**a**) 2018 c. 16; section 8C of Schedule 2 was inserted by section 21 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) ("the 2020 Act") and paragraph 21 of Schedule 7 was amended by paragraph 53(2)(b) of Schedule 5 to the 2020 Act. Further to the Joint Declaration No. 1/2023 of the EU and the United Kingdom in the Joint Committee established by the Withdrawal Agreement of 24 March 2023, the Protocol (as amended by Joint Committee Decision No. 1/2023) is now known as the "Windsor Framework".

(**b**) 1954 c. 33 (N.I.).

PART 2

The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995

Amendment of the Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995

2.—(1) The Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995(**a**) are amended as follows.

(2) In regulation 3(2)(a) for "export to countries outside the United Kingdom" substitute "export from Northern Ireland to any country outside the European Union".

(3) In regulation 4A—

(a) for the heading substitute—

"**Plant Material from outside the European Union and Northern Ireland: authorisation**";

(b) in paragraph (1) for "United Kingdom" substitute "European Union and Northern Ireland".

(4) In regulation 5(1)(d)—

(a) in sub-paragraph (i) for "Vegetable Seeds Regulations (Northern Ireland) 1994" substitute "Seed Marketing Regulations (Northern Ireland) 2016(**b**)";

(b) in sub-paragraph (ii) after "member State" insert "and Northern Ireland".

(5) In regulation 8(4) for "Vegetable Seeds Regulations (Northern Ireland) 1994" substitute "Seed Marketing Regulations (Northern Ireland) 2016".

(6) In Schedule 2—

(a) in Part A, for paragraphs 1 to 3 substitute—

"**1.** "EU quality".

2. Indication of EU member State code if applicable.

3. Indication of responsible official body or its distinguishing code.";

(b) in Part B, for paragraph 1 substitute—

"**1.** "EU quality".".

PART 3

The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999

Amendment of the Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999

3.—(1) The Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999(**c**) are amended as follows.

(2) In regulation 2(2)—

(**a**) S.R. 1995 No. 415. Regulation 4A was inserted by S.R. 2019 No. 161; other relevant amending instruments are S.R. 2007 No. 400, S.R. 2019 No. 41, S.I. 2019/211, S.R. 2020 No. 293 and S.R. 2020 No. 359.

(**b**) S.R. 2016 No. 244, as amended by S.I. 2019/211 and S.I. 2019/820.

(**c**) S.R. 1999 No. 502. Relevant amending instruments are S.R. 2019 No. 41, S.R. 2020 No. 293, S.R. 2020 No. 359, S.I. 2019/211 and S.I. 2019/820.

(a) for the definition of "supplier" substitute—

""supplier" means any person professionally engaged in the marketing or in the importation from third countries of propagating material;";

(b) after the definition of "supplier" insert—

""third country" means a country other than a member State and Northern Ireland.".

(3) For regulation 3(2)(a) substitute—

"(a) export from Northern Ireland to any third country, if identified as such and kept sufficiently isolated from plant material not intended for such export;".

(4) In regulation 11(1)(a) omit "national".

(5) For regulation 12 substitute—

"Propagating material produced in third countries

12.—(1) A supplier shall not import propagating material from a third country unless he has ensured prior to import that the material to be imported is of equivalent standard to propagating material produced in accordance with Directive 98/56/EC(**a**).

(2) A supplier shall notify the Department in writing of the importation of a consignment of propagating material from a third country within one month of its importation.

(3) A supplier shall be deemed to have complied with paragraph (2) in relation to a consignment, if the supplier delivers to the Department a phytosanitary certificate for export or a phytosanitary certificate for re-export in accordance with relevant legislation.

(4) A supplier shall retain documentary evidence of every contract relating to the import of propagating material from a third country during the subsistence of the contract and for at least 12 months after its termination.".

(6) In the Schedule—

(a) for paragraphs 1 to 3 substitute—

"**1.** Indication that the material is of "EU quality".

2. Indication of EU member State code if applicable.

3. Indication of responsible official body or its distinguishing code.";

(b) for paragraph 10 substitute—

"**10.** In the case of propagating material imported from a third country the name of the country of production.".

PART 4

The Forest Reproductive Material Regulations (Northern Ireland) 2002

Amendment of the Forest Reproductive Material Regulations (Northern Ireland) 2002

4.—(1) The Forest Reproductive Material Regulations (Northern Ireland) 2002(**b**) are amended as follows.

(2) In regulation 2—

(a) in paragraph (2)—

(i) omit the definitions of "approved non-EU third countries", "the Commissioners" and "the GB Regulations";

(**a**) O.J. No. L 226, 13.8.98, pp. 16-23.
(**b**) S.R. 2002 No. 404, as amended by S.I. 2019/211 and S.I. 2019/820.

(ii) at the appropriate places insert the following definitions—

""Council Decision 2008/971/EC" means Council Decision 2008/971/EC(**a**) on the equivalence of forest reproductive material produced in third countries, as amended from time to time;

"EC classification" refers, in respect of *Populus* spp., to the classification EC 1, EC 2, N1, N2, S1 or S2, each of which has the meaning given it in Schedule 9;

"EU-approved third countries" means Canada, Great Britain, Norway, Serbia, Switzerland, Turkey and the United States of America;

"the Mediterranean climatic region" means Greece, Italy, Portugal, Spain and the following regions of France: Aquitaine, Languedoc-Roussillon, Midi-Pyrénées and Provence-Alpes-Côte d'Azur;

"permitted third country" means a country listed in Annex 1 to Council Decision 2008/971/EC;

"plant passport" has the meaning given in the EU Plant Health Regulation(**b**);

"Windsor Framework" means the part of the Withdrawal Agreement known as the Windsor Framework by virtue of Joint Declaration No. 1/2023 made between the EU and the United Kingdom in the Joint Committee established by the Withdrawal Agreement(**c**).";

(iii) in the definition of "Master Certificate"—

(aa) omit paragraph (b);

(bb) in paragraph (c) for "another member State" substitute "a member State";

(cc) for paragraphs (d) and (e) substitute—

"(d) in the case of forest reproductive material produced in an EU-approved third country, a Master Certificate issued by the Department in accordance with regulation 25(5) or a Master Certificate issued by a relevant official body in accordance with Article 4 of Council Decision 2008/971/EC;

(e) in the case of forest reproductive material produced in a permitted third country, a Master Certificate issued by the Department in accordance with regulation 25(5), a Master Certificate issued in relation to the material by an official body of a member State or an OECD Certificate of Provenance within the meaning of paragraph 2 of Schedule 13;";

(iv) for the definition of "official body" substitute—

""official body"—

(a) in relation to a member State, has the meaning given in Article 2(k) of the Directive;

(b) in relation to an EU-approved third country, means the competent authority for the relevant country, as listed in Annex 1 to Council Decision 2008/971/EC;

(c) in relation to a permitted third country, means the authority or body which is officially responsible in that country for the approval and control of forest reproductive material produced in the country;";

(v) for the definition of "region of provenance" substitute—

""region of provenance" means, in respect of a species or sub-species, an area demarcated pursuant to regulation 5 by the Department or in accordance with Article 9 of the Directive by another official body, in which stands or seed sources showing

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(**a**) O.J. No. L 345, 23.12.2008, pp. 83-87, as last amended by Decision (EU) 2024/3244 (O.J. No. L 2024/3244, 23.12.2024).
(**b**) O.J. No. L 317, 23.11.2016, pp. 4-104, as last amended by Regulation (EU) 2024/3115 of the European Parliament and of the Council (O.J. No. 2024/3115, 16.12.2024).
(**c**) See also S.I. 2024/164.

similar phenotypic or genetic character are found, or a group of such areas subject to uniform or similar ecological conditions;";

(vi) for the definition of "third country" substitute—

""third country" means a country other than a member State;";

(b) after paragraph (4) insert—

"(4B) Other terms in these Regulations that appear in the Directive or Council Decision 2008/971/EC have the same meaning in these Regulations as they have in the Directive or that Decision.

(4C) A reference to a member State is to be read as if Northern Ireland were a member State of the European Union.

(4D) References to the Department's prescribed fees are to those fees payable to the Department in respect of its functions under these Regulations under relevant legislation.".

(3) In regulation 4(1) before sub-paragraph (b) insert—

"(aa) "source-identified" material shall be so categorised if the basic material from which it is derived meets the requirements of Schedule 2;".

(4) In regulation 7(4) before sub-paragraph (c) insert—

"(bb) the basic material has been authorised in accordance with Council Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC(**a**), or in the case of material authorised prior to 17th October 2002, in accordance with Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms(**b**).".

(5) In regulation 13 after paragraph (8) insert—

"(8A) But for the purposes of paragraph (8) the form of the document set out in—

(a) Schedule 6 is the form that document would take if regulation 33 of the Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019(**c**) had not been made;

(b) Schedule 7 is the form that document would take if regulation 34 of the Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 had not been made; and

(c) Schedule 8 is the form that document would take if regulation 35 of the Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 had not been made.".

(6) In regulation 14(4)—

(a) for sub-paragraphs (a)(ii) and (iii) substitute—

"(ii) in the case of basic material approved by any other official body of a member State, the reference number given to the material in the register drawn up and maintained by the official body in accordance with Article 10 of the Directive;

(iii) in the case of approved basic material from which reproductive material produced in an EU-approved third country or a permitted third country has been derived, the reference number given to the material in the national register of basic material approved for forest reproductive material drawn up and maintained by the official body of that country;";

(b) for sub-paragraph (b)(i) substitute—

"(i) in the case of forest reproductive material derived from basic material approved by an appropriate authority, has the meaning given in regulation 7;";

(**a**) O.J. No. L 106, 17.4.2001, pp. 1-39, as last amended by Regulation (EU) 2019/1381 (O.J. No. L 231, 6.9.2019, pp. 1-28).
(**b**) O.J. No. L 117, 8.5.1990, pp. 15-27.
(**c**) S.I. 2019/211.

(c) omit sub-paragraph (b)(ia).

(7) In regulation 17—

(a) for paragraphs (1)(b) to (ee) substitute—

"(b) in the case of forest reproductive material produced in a member State, it was accompanied on its entry into Northern Ireland by the supplier's label or document required by Article 14 of the Directive;

(c) in the case of forest reproductive material produced in an EU-approved third country and imported from a third country into Northern Ireland, a Master Certificate has been issued by the Department in relation to the material in accordance with regulation 25(5);

(d) in the case of any other forest reproductive material produced in an EU-approved third country—

(i) a Master Certificate has been issued in relation to the material in accordance with Article 4 of Decision 2008/971/EC; and

(ii) the forest reproductive material was accompanied on its entry into Northern Ireland by the supplier's label or document required by Article 14 of the Directive;

(e) in the case of forest reproductive material produced in a permitted third country and imported into Northern Ireland, it has met the requirements as to entry into Northern Ireland set out in regulation 25;

(f) in the case of any other forest reproductive material produced in a permitted third country—

(i) a Master Certificate has been issued in relation to the material by an official body of a member State; and

(ii) the forest reproductive material was accompanied on its entry into Northern Ireland by the supplier's label or document required by Article 14 of the Directive;";

(b) after paragraph (11) insert—

"(12A) Forest reproductive material in the form of planting stock which is intended to be marketed to the Mediterranean climatic region shall comply with the requirements of Schedule 10A.".

(8) For regulation 18(3)(c) substitute—

"(c) in exercise of a derogation permitted by the Directive.".

(9) In regulation 19—

(a) after paragraph (1)(g) insert—

"(hh) in the case of parts of plants of *Populus* spp., the EC classification described in Schedule 9, paragraphs 1(b) and 2(b).";

(b) in paragraph (3) for "approved non-EU third country" substitute "EU-approved third country".

(10) For the heading to Part 6 substitute—

"MOVEMENT OF FOREST REPRODUCTIVE MATERIAL".

(11) Omit regulations 21 and 23.

(12) Before regulation 25 insert—

"**Movement of forest reproductive material to a member State**

22A.—(1) A person, other than a registered supplier, shall not despatch forest reproductive material to a destination in a member State.

(2) A registered supplier shall not despatch forest reproductive material to a destination in a member State unless that material—

(a) would comply with the requirements of regulation 17 as if the forest reproductive material were to be marketed within Northern Ireland; and

(b) is accompanied by a supplier's label or document.

(3) A registered supplier who despatches forest reproductive material to a destination in a member State shall inform the Department in writing no later than 14 days from the date on which the material has left Northern Ireland providing the following information—

(a) the Master Certificate number;

(b) date of despatch or intended date of despatch of the forest reproductive material;

(c) address to which the forest reproductive material has been or is to be despatched;

(d) the botanical name, and (if different from that stated in the Master Certificate), the nature and quantity of the forest reproductive material; and

(e) the supplier's label or document.

Imports into Northern Ireland from a member State

24A. A person acting in the course of a business or trade whether or not for profit shall not import from a member State forest reproductive material into Northern Ireland for the purposes of marketing that material unless it is accompanied by the supplier's label or document required by Article 14 of the Directive.".

(13) In regulation 25—

(a) for paragraph (1)(a) substitute—

"(a) it has been produced in an EU-approved third country or a permitted third country; ";

(b) in paragraph (2) omit "a member State, or";

(c) in paragraph (6) for "a member State, or an approved non-EU third country" substitute "an EU-approved third country".

(14) In regulation 26(3)(a)(vii) omit "UK".

(15) In regulation 27 for paragraph (2) substitute—

"(2) An authorised officer entering and inspecting premises in exercise of his powers under paragraph (1) may take with him such other persons and such equipment or vehicles as he considers necessary for the purposes of entering and inspecting the premises, or for facilitating the checks required under Article 16(6) of the Directive.".

(16) In regulation 31(5) for "another member State" substitute "a member State outside Northern Ireland".

(17) In regulation 33(2) for "United Kingdom" substitute "European Union".

(18) In the shoulder note to Schedule 2 for "Regulation 4(1)(a) substitute "Regulation 4(1)(aa)".

(19) In Schedule 9—

(a) in paragraph 1(b) after "Class", in each place where it occurs, insert "EC";

(b) for the table in paragraph 2(b) substitute—

"*Class*	*Minimum diameter (mm) at mid-length*	*Minimum height (m)*
Non-Mediterranean regions		
N1	6	1.5
N2	15	3.00
Mediterranean regions		
S1	25	3.00

S2	30	4.00".

(20) After Schedule 9 insert—

"SCHEDULE 10A

Regulation 17(12A)

REQUIREMENTS WHICH MUST BE MET BY PLANTING STOCK WHICH IS TO BE MARKETED TO THE END-USER IN THE MEDITERRANEAN CLIMATIC REGION

1. Planting stock shall not be marketed unless 95% of each lot is of fair marketable quality and the requirements and specifications of paragraphs 2 to 4 are met.

2. Planting stock shall not be considered to be of fair marketable quality if any of the following defects exist—

(a) injuries other than pruning cuts or injuries due to damage when lifting;

(b) lack of buds with the potential to form a leading shoot;

(c) multiple stems;

(d) deformed root system;

(e) signs of desiccation, overheating, mould, decay or other harmful organisms;

(f) the plants are not well balanced.

3. Size of the plants—

Species	*Maximum age (years)*	*Minimum height (cm)*	*Maximum height (cm)*	*Minimum root collar diameter (mm)*
Pinus halepensis	1	8	25	2
	2	12	40	3
Pinus leucodermis	1	8	25	2
	2	10	35	3
Pinus nigra	1	8	15	2
	2	10	20	3
Pinus pinaster	1	7	30	2
	2	15	45	3
Pinus pinea	1	10	30	3
	2	15	40	4
Quercus ilex	1	8	30	2
	2	15	50	3
Quercus suber	1	13	60	3

4. Size of the container, where used—

Species	*Minimum volume of the container (cm³)*
Pinus pinaster	120
Other species	200".

(21) In Schedule 13 in Part 1—

(a) for paragraph 1 substitute—

"**1.** This Schedule applies to consignments of forest reproductive material produced in an EU-approved third country.";

(b) in paragraph 2—

(i) omit the definition of "OECD Certificate of Identity";

(ii) in the definition of "permitted material"—

(aa) omit paragraph (za),

(bb) in paragraph (a) for "approved non-EU" substitute "EU-approved".

(22) In Schedule 13 omit Part 1A and Part 1B.

PART 5

The Seed Potatoes Regulations (Northern Ireland) 2016

Amendment of the Seed Potatoes Regulations (Northern Ireland) 2016

5.—(1) The Seed Potatoes Regulations (Northern Ireland) 2016(**a**) are amended as follows.

(2) For regulation 1(2) substitute—

"(2) These Regulations do not apply to seed potatoes intended for export to any country outside the European Union and Switzerland.".

(3) In regulation 2—

(a) before paragraph (1) insert—

"(A1) In these Regulations, any reference to a member State (except in the definition of "seed potatoes produced outside Northern Ireland" in paragraph (1)) is to be read as if Northern Ireland were a member State of the European Union.";

(b) in paragraph (1)—

(i) in the definition of "basic seed potatoes", for sub-paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, seed potatoes imported into Northern Ireland in a package or container to which has been affixed an official label in accordance with Article 13(1)(a) of Council Directive 2002/56/EC(**b**), which states that the seed potatoes have been certified as basic seed potatoes;";

(ii) for the definition of "category" substitute—

""category" means the category of pre-basic seed potatoes or basic seed potatoes (or, in relation to seed potatoes produced in Switzerland, the categories having equivalent effect under the legislation of the Swiss Confederation in accordance with the Swiss trade agreement);";

(iii) in the definition of "certification" for sub-paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, certification by the certification authority in accordance with Council Directive 2002/56/EC; and "certified" is to be construed accordingly;";

(iv) for the definition of "certification authority" substitute—

""certification authority" means the authority concerned with the certification of seed potatoes for the purposes of Council Directive 2002/56/EC in the country or territory where the seed potatoes are produced;";

(**a**) S.R. 2016 No. 190, as amended by S.I. 2019/962 and S.R. 2020 No. 359; there are other amending instruments but none is relevant.

(**b**) O.J. No. L 193, 20.7.2002. pp. 60-73, as last amended by Commission Implementing Decision (EU) 2024/202 (O.J. L 2024/202, 9.1.2024).

(v) for the definition of "grade" substitute—

""grade" includes the Union grade;";

(vi) in the definition of "official document", for sub-paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, a document issued or approved by the certification authority in the country or territory where the seed potatoes were produced which meets the requirements of Article 13(1)(b) of Council Directive 2002/56/EC;";

(vii) in the definition of "official label", for sub-paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, a label issued or approved by the certification authority in the country or territory where the seed potatoes were produced which meets, as appropriate to the seed potatoes to which the label relates, the requirements of Article 13(1)(a) or Article 18(f) of Council Directive 2002/56/EC or Article 9 of Commission Decision 2004/842/EC(**a**);";

(viii) in the definition of "pre-basic seed potatoes", for sub-paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, seed potatoes imported into Northern Ireland in a package or container to which has been affixed an official label in accordance with Article 18(f) of Council Directive 2002/56/EC; ";

(ix) in the definition of "seed potatoes produced outside Northern Ireland", for sub-paragraph (a) substitute—

"(a) in Great Britain, the Channel Islands or the Isle of Man;";

(x) in the definition of "test and trial seed potatoes", for paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, seed potatoes imported into Northern Ireland in a closed package or container which bears an official label in accordance with Article 9 of Commission Decision 2004/842/EC;" ;

(xi) for the definition of "Union grade" substitute—

""Union grade" means—

(a) in relation to seed potatoes produced in Northern Ireland, the Union grade determined under regulation 10(5), this being—

(i) in the case of pre-basic seed potatoes, either "Union grade PBTC" or "Union grade PB";

(ii) in the case of basic seed potatoes, "Union grade S", "Union grade SE" or "Union grade E";

(b) in relation to seed potatoes produced outside Northern Ireland, the Union grade certified in respect of those seed potatoes, this being—

(i) in the case of pre-basic seed potatoes, either "Union grade PBTC" or "Union grade PB", the minimum conditions for which are set out in Articles 2 and 3 of, and the Annex to, Directive 2014/21/EU(**b**); or

(ii) in the case of basic seed potatoes, either "Union grade S", "Union grade SE" or Union grade E", the minimum conditions for which are set out in Article 1 of, and Annex 1 to, Directive 2014/20/EU(**c**).";

(xii) omit the definitions of "Crown Dependency", "the relevant seed potatoes regulations" and "UK grade";

(**a**) O.J. No. L 362, 9.12.2004, pp. 21-27, as last amended by Commission Implementing Decision (EU) 2016/320 (O.J. No. L 60, 5.3.2016, pp. 88-89).

(**b**) O.J. No. L 38, 7.2.2014, pp. 39-42, as last amended by Commission Implementing Directive (EU) 2020/177 (O.J. No. L 41, 13.2.2020, p. 1).

(**c**) O.J. No. L 38, 7.2.2014, pp. 32-38.

(c) after paragraph (2) insert—

"(3A) In relation to seed potatoes produced in Switzerland, any reference in these Regulations to Council Directive 2002/56/EC or Commission Decision 2004/842/EC or any provision of that Directive or Decision is to be construed as a reference to the legislation of the Swiss Confederation having equivalent effect in accordance with the Swiss trade agreement.

(3B) In this regulation, "Swiss trade agreement" means the agreement between the European Community and the Swiss Confederation on trade in agricultural products(**a**).".

(4) In regulation 4—

(a) omit paragraph (1)(b)(iii) and (1)(c)(iv);

(b) in paragraph (3) in the definition of "scientific purposes and selection work seed potatoes" for paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, seed potatoes which have been authorised by the certification authority in the country or territory where the seed potatoes were produced for marketing in accordance with Article 6(1)(a) of Council Directive 2002/56/EC.".

(5) Omit regulation 4A.

(6) In regulation 5—

(a) in paragraph (1)(b), for "the United Kingdom" substitute "Northern Ireland";

(b) for paragraph (3) substitute—

"(3) For the purposes of Articles 14 and 15(2) of Commission Directive 2008/62/EC(**b**), the Department may specify the maximum amount of seed potatoes of a conservation variety that may be marketed in any given production season and may also specify different maxima for different persons or classes of persons.";

(c) omit paragraph (6).

(7) For regulation 6(2) substitute—

"(2) The Department shall not authorise marketing of seed potatoes which contain any genetically modified material unless an authorisation is in force under Regulation (EC) No. 1829/2003(**c**) or Directive 2001/18/EC(**d**).".

(8) In regulation 7—

(a) for paragraph (3)(a) substitute—

"(a) of a quantity of seed potatoes in excess of that permitted by Article 7 of Commission Decision 2004/842/EC;";

(b) for paragraph (6)(b) substitute—

"(b) the variety of potato to which the authorisation relates is entered in the NI Variety List or the Common Catalogue.";

(c) in paragraph (8)(b) for "countries" substitute "member States".

(9) In regulation 8(1) omit "UK grade PBTC or".

(10) in regulation 9(3)—

(a) in sub-paragraph (a)(i) omit "UK grade PBTC or";

(b) for sub-paragraph (b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, the lot is sufficiently homogenous in accordance with the standards imposed by the

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(**a**) https://eur-lex.europa.eu/legal-content/EN/TXT/HTML (CELEX 22002A0430(04)
(**b**) O.J. No. L 162, 21.6.2008, pp. 13-19.
(**c**) O.J. No. L 268, 18.10.2003, pp. 1-23, as last amended by Regulation (EU) 2019/1381 (O.J. No. L 231, 6.9.2019, pp. 1-28).
(**d**) O.J. No. L 106, 17.4.2001, pp. 1-39, as last amended by Regulation (EU) 2019/1381 (O.J. No. L 231, 6.9.2019, pp. 1-28).

certification authority pursuant to Council Directive 2002/56/EC in respect of the marketing of those seed potatoes.".

(11) In regulation 10—

(a) in paragraph (5) for "UK", in each place it occurs, substitute "Union";

(b) in paragraph (7)—

(i) for "report" substitute "reports";

(ii) for "UK" substitute "Union".

(12) In regulation 11—

(a) in paragraph (5)(e) for "UK" substitute "Union";

(b) in paragraph (6)(b)(i) to (iii) for "UK", in each place it occurs, substitute "Union".

(13) For regulation 12(1)(b) substitute—

"(b) in relation to seed potatoes produced outside Northern Ireland, the package or container has been sealed in accordance with Article 12(1) of Council Directive 2002/56/EC.".

(14) For regulation 14 substitute—

"Seed potatoes imported from outside the European Union: information

14. A person who imports a quantity of seed potatoes exceeding 2 kilograms from outside the European Union shall provide the Department, in writing and within one month of the first marketing of the seed potatoes, with the following particulars in respect of the seed potatoes—

(a) the species;

(b) the variety;

(c) the category;

(d) the country of production and certification authority;

(e) the country of despatch;

(f) the importer; and

(g) the quantity of seed potatoes.".

(15) In regulation 21—

(a) for the heading substitute—

"Enforcement: power to withdraw official labels, official documents, certificates and growing crop reports and to determine a lower Union grade";

(b) in paragraph (5) for "UK", in each place it occurs, substitute "Union".

(16) Omit regulation 24A.

(17) In Schedule 1—

(a) in paragraph 1(b) omit paragraph (i);

(b) in paragraph 1(b)(ii) for "UK" substitute "Union";

(c) in paragraph 2(c) for "UK" substitute "Union";

(d) for paragraph 3(a) substitute—

"(a) the seed potatoes are of a variety of potato species listed in the NI Variety List or the Common Catalogue;".

(18) In Schedule 2—

(a) in paragraph 1—

(i) for sub-paragraph (3)(a) substitute—

"(a) state the words "EU rules and Standards"; and";

(ii) in sub-paragraph (3)(b) for "country", in the first place it occurs, substitute "member State";

(iii) in sub-paragraph (4) for "country" substitute "member State";

(iv) in sub-paragraph (5)(b) for "country" substitute "member State";

(b) for paragraph 2 substitute—

"**2.** In the case of seed potatoes of a conservation variety, in addition to the requirements of paragraph 1, an official label shall include the words and particulars required by Article 18 of Commission Directive 2008/62/EC.".

(19) In Schedule 4—

(a) in the heading for "UK" substitute "Union";

(b) in paragraph 1, in sub-paragraphs (a) and (b) for "UK", in each place it occurs, substitute "Union";

(c) in Table 1—

(i) in the table heading for "UK" substitute "Union";

(ii) in the heading in column 1 for "UK" substitute "Union";

(iii) in the entry for PBTC, in paragraph (a) of column 3 for "UK" substitute "Union";

(d) in Table 2—

(i) in the table heading for "UK" substitute "Union";

(ii) in the heading in column 1 for "UK" substitute "Union";

(iii) in the entry for S, in paragraphs (a) and (b) of column 2 for "UK" substitute "Union";

(iv) in the entry for SE, in paragraph (a) of column 2 omit "UK grade PBTC or";

(v) in the entry for SE, in paragraph (b) of column 2 omit "UK grade S or";

(vi) in the entry for E, in paragraph (a) of column 2 omit "UK grade PBTC or";

(vii) in the entry for E, in paragraph (b) of column 2 omit "UK grade S, UK grade SE or".

(20) In Schedule 5, in paragraph 3(e) for "UK" substitute "Union".

PART 6

The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

Amendment of the Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017

6.—(1) The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017(**a**) are amended as follows.

(2) In regulation 2 before paragraph (1) insert—

"(A1) In these Regulations, (except in the definition of "outside Northern Ireland" in paragraph (1)), any reference to a member State is to be read as if Northern Ireland were a member State of the European Union.".

(3) In regulation 2(1)—

(a) in the definition of "basic material", for sub-paragraph (b) substitute—

(**a**) S.R. 2017 No. 119, as amended by S.I. 2019/211 and S.I. 2019/820; there are other amending instruments but none is relevant.

"(b) in relation to propagating material produced outside Northern Ireland, certified as basic material by a responsible authority in accordance with Article 15 of Directive 2014/98/EU(**a**);";

(b) in the definition of "CAC material"—

(i) for sub-paragraph (b)(ii) substitute—

"(ii) plant material produced outside Northern Ireland, meet the requirements for CAC material in Article 23 of Directive 2014/98/EU;";

(ii) omit paragraphs (iii) and (iv);

(c) in the definition of "certified"—

(i) for sub-paragraphs (a) and (b) substitute—

"(a) in relation to plant material produced in Northern Ireland, officially certified by the Department, as the responsible authority in Northern Ireland, in accordance with regulation 9;

(b) in relation to plant material produced outside Northern Ireland, officially certified for the purposes of Article 3 of the Directive by the responsible authority in the country or territory concerned;";

(ii) omit sub-paragraph (c);

(d) in the definition of "certified material"—

(i) for sub-paragraph (b) substitute—

"(b) in relation to propagating material and fruit plants produced outside Northern Ireland, certified as certified material by a responsible authority for the country or territory concerned in accordance with Article 20 of Directive 2014/98/EU;";

(ii) omit sub-paragraphs (c) and (d);

(e) in the definition of "official label", for sub-paragraph (b) substitute—

"(b) in relation to certified plant material produced outside Northern Ireland, a label issued or approved by the responsible authority in the country or territory where the plant material was produced and which meets, as appropriate to the plant material to which the label relates, the requirements of Article 2 of Directive 2014/96/EU(**b**);";

(f) for the definition of "plant variety rights" substitute—

""plant variety rights" means rights granted under Part 1 of the Plant Varieties Act 1997(**c**);";

(g) in the definition of "pre-basic material", for sub-paragraph (b) substitute—

"(b) in relation to propagating material produced outside Northern Ireland, certified as pre-basic material by the responsible authority in the country or territory concerned in accordance with Article 3 or 4 of Directive 2014/98/EU;";

(h) in the definition of "registered as a variety", for sub-paragraph (b), substitute—

"(b) registration outside Northern Ireland as a variety by the responsible authority in the country or territory concerned;";

(i) omit the definitions of "Crown Dependency" and "the fruit marketing regulations".

(4) For regulation 4(2) substitute—

(**a**) O.J. No. L 298, 16.10.2014, pp. 22-61, as last amended by Commission Implementing Directive (EU) 2025/145 (O.J. No. L 2025/145, 30.1.2025).

(**b**) O.J. No. L 298, 16.10.2014, pp. 12-15, as last amended by Commission Implementing Directive (EU) 2019/1813 (O.J. No. L 278, 30.10.2019, pp. 7-9).

(**c**) 1997 c. 66.

"(2) These Regulations do not apply in relation to plant material intended for export from Northern Ireland to any country outside the European Union, provided the plant material is identified as such and kept sufficiently isolated.".

(5) In regulation 5—

(a) in paragraph (3) for "United Kingdom" substitute "European Union";

(b) omit paragraphs (5) to (7).

(6) In regulation 7(2)(e) for "the United Kingdom" substitute "Northern Ireland".

(7) Omit regulation 27A.

(8) In Schedule 2—

(a) in paragraph 4(a) for "UK" substitute "EU";

(b) for paragraph 5 substitute—

"**5.** The information and particulars required on an official label must be indelibly printed in one of the official languages of the European Union, easily visible and legible.";

(c) in paragraph 6—

(i) in sub-paragraph (a) for "UK" substitute "EU";

(ii) in sub-paragraph (b)(i) for "country" substitute "member State";

(d) for paragraph 7 substitute—

"**7.** The information and particulars required in a supplier's document must be indelibly printed in one of the official languages of the European Union, easily visible and legible.".

(9) In Schedule 3—

(a) in paragraph 1(2)—

(i) in paragraph (a) at the end insert "or";

(ii) omit paragraph (b);

(iii) omit paragraph (d) and the word "or" immediately preceding;

(b) in paragraph 2(2)—

(i) in paragraph (b) for "in the UK" substitute "in a member State";

(ii) for paragraph (e) substitute—

"(e) where applicable, details of an official description established by a responsible authority in the country or territory concerned;";

(c) for paragraph 3(1)(b) substitute—

"(b) be conducted, as regards trial design, growing conditions and characteristics of the variety to be covered, in accordance with—

(i) CPVO protocols;

(ii) where no protocols have been published for the relevant species, UPOV test guidelines; or

(iii) in the absence of CPVO protocols and UPOV test guidelines, protocols produced by the Department.";

(d) for paragraph 4(1)(a) substitute—

"(a) in the case of a genetically modified variety, for the period for which the genetically modified organism of which the variety consists is authorised for cultivation pursuant to Directive 2001/18/EC(**a**) or Regulation (EC) No. 1829/2003;"

(e) for paragraph 5(1)(d) substitute—

(**a**) O.J. No. L 106, 17.4.2001, pp. 1-39, as last amended by Regulation (EU) 2019/1381 (O.J. No. L 231, 6.9.2019, pp. 1-28).

"(d) in the case of a genetically modified variety, the genetically modified organism of which the variety consists ceases to be authorised for cultivation pursuant to Directive 2001/18/EC or Regulation (EC) No. 1829/2003.";

(f) in paragraph 6 omit sub-paragraph (a);

(g) in paragraph 11—

(i) at the appropriate place insert the following definitions—

""CPVO" means the Community Plant Variety Office, being an agency of the European Union;

"CPVO protocol", in respect of a growing trial for a species, means a protocol produced by the CPVO for distinctness, uniformity and stability tests in relation to the relevant species that is available at the beginning of the growing trial;";

(ii) omit the definition of "the GMO Regulations";

(iii) in the definition of "technical questionnaire" for sub-paragraphs (a) and (b) substitute—

"(a) the 'Protocols for distinctness, uniformity and stability tests' produced by the CPVO for the relevant species for which such a protocol has been published(**a**); or

(b) where no protocol has been published by the CPVO for the relevant species, the relevant section for the relevant species contained within the UPVO test guidelines;".

(10) In Schedule 5—

(a) in paragraph 5(3)(d) omit "of varieties";

(b) for paragraph 5(4)(a) substitute—

"(a) the pre-basic mother plant may only be accepted if a report, produced by an inspector or by a responsible authority outside Northern Ireland, is available proving that the respective variety is distinct, uniform and stable;";

(c) in paragraph 5(7), for the definition of "register of varieties" substitute—

""register of varieties" means—

(a) in relation to the registration of varieties in Northern Ireland, the register maintained in accordance with Schedule 3;

(b) in relation to the registration of varieties outside Northern Ireland, the register maintained in accordance with Article 3(1) of Directive 2014/97/EU(**b**).";

(d) in paragraph 21(2)(f), for "223" substitute "22(3)".

PART 7

The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020

Amendment of the Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020

7.—(1) The Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020(**c**) are amended as follows.

(2) In regulation 2 after paragraph (1) insert—

(**a**) https://cpvo.europa.eu/en/applications-and-examinations/technical-examinations/technical-protocols/cpvo-technical-protocols

(**b**) O.J. No. L 298, 16.10.2014, pp. 16-21.

(**c**) S.R. 2020 No. 293, as amended by S.I. 2023/957 and S.I. 2023/1056.

"(1A) In these Regulations—

(a) any reference to a member State is to be read as if Northern Ireland were a member State of the European Union;

(b) any reference to the Union or Union territory is to be read so as to include Northern Ireland.";

(3) In regulation 3(1), omit the following definitions—

(i) "Commission Decision 98/109/EC";

(ii) "Commission Decision 2002/757/EC";

(iii) "Commission Decision 2004/200/EC";

(iv) "Commission Implementing Decision 2012/138/EU";

(v) "Commission Implementing Decision 2012/697/EU";

(vi) "Commission Implementing Decision (EU) 2015/789";

(vii) "Commission Implementing Decision (EU) 2016/715";

(viii) "Commission Implementing Decision (EU) 2018/638";

(ix) "Commission Implementing Decision (EU) 2019/1739";

(x) "Commission Implementing Decision (EU) 2020/885";

(xi) "Commission Implementing Decision (EU) 2020/1191".

(4) In regulation 4, at the end of paragraph (d) for the full stop substitute a semicolon and insert—

"(e) *Chloridea virescens* Fabricius;

(f) *Homona magnanima* Dyakonov;

(g) *Resseliella citrifrugis* Jiang;

(h) *Spodoptera ornithogalli* Guenée.".

(5) In regulation 10(1)(c), omit "in Northern Ireland or" and "other".

(6) In regulation 11(1)(c), omit "in Northern Ireland or" and "other".

(7) Omit regulation 13.

(8) In regulation 16(4), omit "(including representatives of the European Commission)".

(9) In regulation 24(1)(a), for "in another member State" substitute "in a member State outside Northern Ireland".

(10) In regulation 26(2)(a) and (c), for "another member State" substitute "a member State outside Northern Ireland".

(11) In regulation 28—

(a) for paragraph (6)(a) substitute—

"(a) be accompanied by such other persons as the inspector considers necessary;";

(b) in paragraph (7), for "(6)(a)(i)" substitute "(6)(a)";

(c) in paragraph (8), for "(6)(a)(ii)" substitute "(6)(a)".

(12) In regulation 31—

(a) for paragraph (4)(a) substitute—

"(a) be accompanied by such other persons as the inspector considers necessary;";

(b) in paragraph (5), for "(4)(a)(ii)" substitute "(4)(a)".

(13) In regulation 36(3), omit sub-paragraph (a).

(14) In regulation 40—

(a) for paragraph (1)(c) substitute—

"(c) paragraphs 2(1), (2), (3) or (4), 5(1) or (2), 11(1), 12(1), 13(1), 14, 19(1), 20(7), 21(2), 26(1), 27(7), 28(2) or 30(2) of Schedule 2;";

(b) in paragraph (1)(f), after "specified in" insert "Part 2A or".

(15) In Schedule 1—

(a) in paragraph 4(3), for "Table 2" substitute "Table 1";

(b) immediately before paragraph 6—

(i) in the Part 2 part heading omit "another part of";

(ii) in the paragraph heading omit "another part of";

(c) in paragraph 7, in Table 2, in row 3, in column 2, omit ", other than the United Kingdom";

(d) in paragraph 17—

(i) in sub-paragraph (1), omit paragraphs (a) and (b);

(ii) omit sub-paragraph (2).

(16) In Schedule 3, after Part 2 insert—

"PART 2A

Commission Implementing Regulations etc.

In the following table any reference to an EU instrument is to be construed as a reference to that EU instrument as amended from time to time.

Provision of EU legislation	*Subject matter*
Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a provisional list of high risk plants, plant products or other objects, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a list of plants for which phytosanitary certificates are not required for introduction into the Union, within the meaning of Article 73 of that Regulation[(1)]	
Article 1 and the Annex	Prohibits the introduction of certain plants, plant products and other objects into the Union territory.
Commission Delegated Regulation (EU) 2019/2125 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules concerning the performance of specific official controls of wood packaging material, notification of certain consignments and measures to be taken in cases of non-compliance[(2)]	
Article 5(2)	Requires the operator to provide CHED details with any customs declaration.
Article 6(1)	Requires the operator to destroy non-compliant wood packaging material when instructed by the Competent Authority.
Commission Implementing Regulation (EU) 2020/178 of 31 January 2020 on the presentation of information to passengers arriving from third countries and to clients of postal services and of certain professional operators concerning the prohibitions as regards the introduction of plants, plant products and other objects into the Union territory in accordance with Regulation (EU) 2016/2031 of the European Parliament and of the Council[(3)]	
Article 1(2)	Requires professional operators to make available information concerning prohibitions and requirements for the introduction of plants, plant products and other objects into the Union territory to their clients.
Commission Implementing Regulation (EU) 2020/1201 of 14 August 2020 as regards	

measures to prevent the introduction into and the spread within the Union of Xylella fastidiosa (Wells et al.)[4]	
Articles 19 to 23 and 25 to 30	Requires operators to move specified plants under specific conditions, identifies plants subject to derogation and outlines the use of plant passports, and the movement of host plants from PFAs in infected countries.
Commission Implementing Regulation (EU) 2020/1213 of 21 August 2020 concerning the phytosanitary measures for the introduction into the Union of certain plants, plant products and other objects which have been removed from the Annex to Implementing Regulation (EU) 2018/2019[5]	
Article 2 and the Annex	Requires operators to comply with specified phytosanitary measures for the introduction from third countries into the Union of certain plants, plant products and other objects.
Commission Implementing Regulation (EU) 2022/1192 of 11 July 2022 establishing measures to eradicate and prevent the spread of Globodera pallida (Stone) Behrens and Globodera rostochiensis (Wollenweber) Behrens[6]	
Article 10(1)	Requires professional operators to notify Competent Authorities of symptoms of the specified pest on a resistant potato variety.
Commission Implementing Regulation (EU) 2022/1193 of 11 July 2022 establishing measures to eradicate and prevent the spread of Ralstonia solanacearum (Smith 1896) Yabuuchi et al. 1996 emend. Safni et al. 2014[7]	
Article 6 and Annex 5	Prohibits operators from planting specified plants designated as infected or probably infected by specified pests, and where specified plants have been planted before designated as infected or probably infected, requires destruction of the planted material. Any machinery, vehicle, vessel, store, or units thereof, and any other objects including packaging material, designated as infected or probably infected, must be destroyed or cleaned and disinfected.
Commission Implementing Regulation (EU) 2022/1194 of 11 July 2022 establishing measures to eradicate and prevent the spread of Clavibacter sepedonicus (Spieckermann & Kotthoff 1914) Nouioui et al. 2018[8]	
Article 6 and Annex 5	Prohibits operators from planting specified plants designated as infected or probably infected by specified pests, and where specified plants have been planted before designated as infected or probably infected, requires destruction of the planted material. Any machinery, vehicle, vessel, store, or units thereof, and any other objects including packaging material, designated as infected or probably infected, must be destroyed or cleaned and disinfected.
Article 8(1)	Requires operators to ensure tubers of specified plants, other than those for planting, originating in a highly infected area, only move out of that area to other areas of the Union territory if they have a plant passport and originate in a place of

	production registered and supervised by Competent Authorities and officially recognized to be free from the pest.
Commission Implementing Regulation (EU) 2022/1195 of 11 July 2022 establishing measures to eradicate and prevent the spread of Synchytrium endobioticum (Schilbersky) Percival[9]	
Article 8(1)	Requires professional operators to notify Competent Authorities of symptoms of the specified pest on a resistant potato variety.
Commission Implementing Regulation (EU) 2022/1941 of 13 October 2022 on the prohibition of introduction, movement, holding, multiplication or release of certain pests pursuant to Article 30(1) of Regulation (EU) 2016/2031 of the European Parliament and of the Council[10]	
Article 1 and the Annex	Prohibits the introduction into, or movement within, or holding, multiplying or releasing of certain pests into the Union territory.
Commission Implementing Regulation (EU) 2023/2091 of 28 September 2023 laying down rules for the application of Regulation (EU) 2023/1231 of the European Parliament and of the Council as regards the requirements for the entry into Northern Ireland from other parts of the United Kingdom of consignments of tubers of Solanum tuberosum L. for planting (seed potatoes), their use in Northern Ireland, and the model form of the plant health label for seed potatoes[11]	
Article 2(a) to (e) and (g), Article 3 and the Annex	Requires professional operators to comply with certain conditions for the entry of seed potatoes to Northern Ireland.
Commission Implementing Regulation (EU) 2025/311 of 14 February 2025 on measures to eradicate and to prevent the establishment and spread within the Union territory of fruit flies of the species Bactrocera dorsalis (Hendel), Bactrocera latifrons (Hendel) and Bactrocera zonata (Saunders)[12]	
Article 10	Requires professional operators to comply with certain conditions to prevent the spread of the specified pest

[1] O.J. No. L 323, 19.12.2018, pp. 10-15, as last amended by Commission Implementing Regulation (EU) 2026/152 (O.J. No. L 2026/152, 23.1.2026).

[2] O.J. No. L 321, 12.12.2019, pp. 99-103.

[3] O.J. No. L 37, 10.2.2020, pp. 1–3, as last amended by Commission Implementing Regulation (EU) 2022/680 (O.J. No. L 125, 28.4.2022, pp. 1-3).

[4] O.J. No. L 269, 17.8.2020, pp. 2–39, as last amended by Commission Implementing Regulation (EU) 2025/2231 (O.J. No. L 2025/2231, 4.11.2025).

[5] O.J. No. L 275, 24.8.2020, pp. 5–10, as last amended by Commission Implementing Regulation (EU) 2025/1949 (O.J. No. L 2025/1949, 30.9.2025).

[6] O.J. No. L 185, 12.7.2022, pp. 12–26, as last amended by Commission Implementing Regulation (EU) 2024/2060 (O.J. No. L 2024/2060, 31.7.2024).

[7] O.J. No. L 185, 12.7.2022, pp. 27–46, as last amended by Commission Implementing Regulation (EU) 2024/2632 (O.J. No. L 2024/2632, 9.10.2024).

[8] O.J. No. L 185, 12.7.2022, pp. 47–64, as last amended by Commission Implementing Regulation (EU) 2024/2636 (O.J. No. L 2024/2636, 9.10.24).

[9] O.J. No. L 185, 12.7.2022, pp. 65–76, as last amended by Commission Implementing Regulation (EU) 2024/2382 (O.J. No. L 2024/2382, 10.9.2024).

[10] O.J. No. L 268, 14.10.2022, pp. 13–15, as last amended by Commission Implementing Regulation (EU) 2025/356 (O.J. No. L 2025/356, 24.2.2025).

[11] O.J. No. L 241, 29.9.2023, pp. 111–115.

[12] O.J. No. L 2025/311, 17.2.2025.".

(17) In Schedule 4—

(a) in the shoulder note to the Schedule heading, for "Regulation 41(1)(g)" substitute "Regulation 40(1)(g)";

(b) omit the following entries—

(i) "Commission Decision 98/109/EC";

(ii) "Commission Decision 2002/757/EC";

(iii) "Commission Decision 2004/200/EC";

(iv) "Commission Implementing Decision 2012/138/EU";

(v) "Commission Implementing Decision 2012/697/EU";

(vi) "Commission Implementing Decision (EU) 2015/789";

(vii) "Commission Implementing Decision (EU) 2016/715";

(viii) "Commission Implementing Decision (EU) 2018/638";

(ix) "Commission Implementing Decision (EU) 2019/1739";

(x) "Commission Implementing Regulation (EU) 2020/885";

(xi) "Commission Implementing Regulation (EU) 2020/1191".

Name
Parliamentary Under-Secretary of State
Date Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8C(1) and (2) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16). The purpose of this instrument is to ensure that legislation governing plant health, seeds, seed potatoes and plant propagating material continues to operate effectively by updating outdated references in the legislation in accordance with the Windsor Framework.

Part 2 amends the Marketing of Vegetable Plant Material Regulations (Northern Ireland) 1995 (S.R. 1995 No. 415). Part 3 amends the Marketing of Ornamental Plant Propagating Material Regulations (Northern Ireland) 1999 (S.R. 1999 No. 502). Part 4 amends the Forest Reproductive Material Regulations (Northern Ireland) 2002 (S.R. 2002 No. 404). Part 5 amends the Seed Potatoes Regulations (Northern Ireland) 2016 (S.R. 2016 No. 190). Part 6 amends the Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017 (S.R. 2017 No. 119).

Part 7 amends the Plant Health (Official Controls and Miscellaneous Provisions) Regulations (Northern Ireland) 2020 (S.R. 2020 No. 293). Regulation 7(16) inserts Part 2A into Schedule 3 to make non-compliance with the listed EU instruments an offence.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

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