STATUTORY INSTRUMENTS

2022 No. 1274

SEEDS, ENGLAND

The Seed (Equivalence) (Amendment) (England) Regulations 2022

Made - - - -	*5th December 2022*
Laid before Parliament	*6th December 2022*
Coming into force - -	*30th December 2022*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 16(1) and (1A) of the Plant Varieties and Seeds Act 1964(**a**) and now vested in the Secretary of State(**b**).

The Secretary of State has consulted with representatives of such interests as appear to the Secretary of State to be concerned with these Regulations in accordance with section 16(1) of that Act.

Citation and commencement

1. These Regulations may be cited as the Seed (Equivalence) (Amendment) (England) Regulations 2022 and come into force on 30th December 2022.

Extent and application

2.—(1) These Regulations extend to England and Wales.

(2) These Regulations apply to England only.

Amendment of Council Decision 2003/17/EC

3.—(1) Council Decision 2003/17 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries(**c**) is amended as follows.

(2) In Article 6, for "31 December 2022" substitute "31 December 2029".

(**a**) 1964 c. 14. Section 16(1) was amended, and section 16(1A) was inserted, by paragraph 5 of Schedule 4 to the European Communities Act 1972 (c. 68). The powers in the Plant Varieties and Seeds Act 1964, when read with paragraph 5 of Schedule 8 to the European Union (Withdrawal) Act 2018 (c. 16) allow for modifications to be made to "retained direct minor EU legislation" as defined in section 7(6) of the Act. See section 38(1) of the Plant Varieties and Seeds Act 1964 for the definition of "the Minister".

(**b**) The functions of the Minister of Agriculture, Fisheries and Food were transferred to the Secretary of State by article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

(**c**) EUDN 2003/17. There are amendments to this Decision but none are relevant.

Benyon
Minister of State
5th December 2022 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Article 6 of Council Decision 2003/17 of 16 December 2002 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries to extend the expiry date of this Decision.

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

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