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STATUTORY INSTRUMENTS

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**2019 No. 71**

**EXITING THE EUROPEAN  
UNION, NORTHERN IRELAND  
AGRICULTURE, NORTHERN IRELAND**

The Fertilisers (Amendment) (Northern  
Ireland) (EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>10th December 2018</i>
<i>Made - - - -</i>	<i>17th January 2019</i>
<i>Laid before Parliament</i>	<i>21st January 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State, in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 <sup>F1</sup>, makes the following Regulations.

The requirements of paragraph 3(2) of Schedule 7 to the European (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

**Annotations:**

**Amendments (Textual)**

**F1** 2018 c. 16.

**PART 1**

Introductory

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Fertilisers (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

## PART 2

### Amendment of the Fertilisers Regulations (Northern Ireland) 1992

- 2.—(1) The Fertilisers Regulations (Northern Ireland) 1992 <sup>F2</sup> are amended as follows.
- (2) In regulation 2A, in the heading and in the regulation, for “EC”, substitute “ UK ”.
- (3) After regulation 2A, insert—

**“Scope: “EC fertilisers”**

**2B.** These Regulations do not apply to fertilisers designated as “EC fertilisers” which comply with the requirements set out in Regulation (EC) 2003/2003<sup>F3</sup> as it has effect in EU law, as amended from time to time, where those fertilisers are placed on the market before the end of the period of two years beginning with exit day.”.

- (4) In Part I of Schedule 2, in sub-paragraph 1(j), for “European Union”, substitute “ United Kingdom ”.

**Annotations:**

**Amendments (Textual)**

- F2** S.R. 1992 No. 187, as amended by S.R. 1995 No. 49, S.R. 1997 No. 378, S.R. 1998 No. 353 and S.R. 2018 No. 188.
- F3** OJ No L 304, 21.11.2003, p. 1, as last amended by Commission Regulation (EU) 2016/1618 (OJ No L 242, 9.9.2016, p. 24).

## PART 3

### Amendment of the EC Fertilisers Regulations (Northern Ireland) 2006

- 3.—(1) The EC Fertilisers Regulations (Northern Ireland) 2006 <sup>F4</sup> are amended as follows.
- (2) In regulation 3—
- (a) in the heading, for “EC”, substitute “ UK ”;
- (b) in paragraph (1), in the words before sub-paragraph (a), for “an “EC”, substitute “a “UK””.
- (3) In regulation 4(a), for “an “EC”, substitute “a “UK””.
- (4) In regulation 5—
- (a) in the heading, for “EC”, substitute “ UK ”;
- (b) in paragraphs (1), (2) and (3), in the words before sub-paragraph (a), in each place it occurs, for “an EC”, substitute “ a UK ”.
- (5) In regulations 6(a), 7(a), and 8(a), for “an EC”, substitute “ a UK ”.
- (6) In regulation 12, for paragraph (2), substitute—
- “(2) An inspector may take with him such other persons he considers necessary.”.
- (7) In regulation 16(a)(ii), omit “(2) or (5)”.
- (8) In regulation 17(1), for “an EC”, substitute “ a UK ”.

**Annotations:**

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**Amendments (Textual)**

**F4** S.R. 2006 No. 503, amended by S.R. 2018 No. 188.

Department for Environment, Food and Rural  
Affairs  
17th January 2019

*George Eustice*  
Minister of State

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) in order to address deficiencies, in Northern Ireland legislation relating to fertilisers, arising from the withdrawal of the UK from the European Union. Regulation 2 amends the Fertilisers Regulations (Northern Ireland) 1992 (S.R. 1992 No. 187) to remove references to EEC fertilisers and EC fertilisers, since the EU fertilisers regime is dealt with in other legislation. Regulation 3 amends the EC Fertilisers Regulations (Northern Ireland) 2006 (S.R. 2006 No. 503).

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