Dear Consultee,

**CONSULTATION ON THE DRAFT EGGS AND CHICKS AND POULTRYMEAT (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2019**

I am writing to invite your comments on the above draft legislation which would make amendments to domestic Northern Ireland legislation, namely the Eggs and Chicks Regulations (Northern Ireland) 2010 and the Poultrymeat Regulations (Northern Ireland) 2011.

As the legislation that is being amended relates to food, this consultation is being carried out as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council, laying down the general principles and requirements of food law.

**Background**

The European Communities Act 1972 (the ECA) confers powers upon DAERA to give effect to EU Regulations that do not otherwise come into direct effect in UK law. This provision enables the UK (and Northern Ireland where the matter is devolved) to implement EU law through domestic legislation. It is under the ECA that DAERA makes domestic legislation to enforce EU law.

It is necessary to make a small number of changes to the existing domestic legislation before the day that the UK leaves the EU, because the European Union (Withdrawal) Act 2018 (EUWA) will repeal the ECA on that day, including the powers to make such changes. The proposed Regulations make minor drafting amendments to update an EU reference in both the Eggs and Chicks Regulations (Northern Ireland) 2010 and the Poultrymeat Regulations (Northern Ireland) 2011.

**Detail**

The draft legislation does not introduce new policy and simply updates an EU reference in the Northern Ireland domestic legislation.

Regulation (EU) 2013/1308 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products (“the new single CMO Regulation”) repealed Council Regulation (EC) No 1234/2007 (“the old single CMO Regulation”). However, certain provisions of the old single CMO Regulation remain in force until the EU Commission makes new marketing rules to be established in further legislation. Since no such marketing rules have been made to date, references to certain provisions in the Eggs and Chicks Regulations (Northern Ireland) 2010 and the Poultrymeat Regulations (Northern Ireland) 2011 to Regulation (EU) 2013/1308 need updated to ensure they fully reflect the EU reference.

This consultation is separate to a recent consultation exercise on amendments to the Eggs and Chicks Regulations (Northern Ireland) 2010 that related to changes being made under powers in the European Union (Withdrawal Act) 2019 to deal specifically with issues of operability as a consequence of the UK leaving the EU.

**Impacts**

On the basis that the draft legislation does not introduce new policy, and makes only minor drafting amendments which have no impact on society generally, it has been concluded that the Regulations do not have any equality or human rights implications. A Rural Needs Impact Assessment has also been carried out which has concluded that there is no differential impact upon citizens in rural areas.

**Responding to the Consultation**

The draft Regulations, the equality and human rights screening assessment and Rural Needs Impact Assessment can be found at:

<https://www.daera-ni.gov.uk/consultations>

If you would like to comment in relation to these documents, please reply by 17 October 2019 to:

[AgriFood.BrexitLegislation@daera-ni.gov.uk](mailto:AgriFood.BrexitLegislation@daera-ni.gov.uk);

or by post to:

Consultation on the draft Eggs and Chicks and Poultrymeat (Amendment) Regulations (NI) 2019

Room 656

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Copies of the consultation document can be made available, on request, in alternative formats e.g. in large print, Braille disc, audio cassette and other languages. Please contact Samantha Stewart on 028 9037 8538 to arrange such copies, or to discuss the consultation more generally. For those with hearing difficulties, leave a message on the Department’s text phone (18001 028 9052 5031).

Yours sincerely,

**Samantha Stewart**

**Agri-Food Brexit Policy II**

**Confidentiality of Consultations**

The Freedom of Information Act 2000 gives the public a right of access to any information held by a public authority, namely the Department in this case. This includes information provided in response to a consultation. The Department cannot automatically consider information supplied to it in response to a consultation to be confidential. However, it does have a responsibility to decide whether any information provided by you in response to a consultation, including information about your identity, should be made public or be treated as confidential. If you do not wish information about your identity to be made public please include an explanation in your response. However, please be aware that confidentiality cannot be guaranteed, except in very particular circumstances. The Department will process your personal data in accordance with the Data Protection Act 2018, should you respond in an individual capacity. This means that your personal information may not be disclosed to third parties should you request confidentiality. You should be aware that the Department may publish a synopsis of responses to the consultation.