



Northern Ireland
Assembly

Committee for Agriculture, Environment and
Rural Affairs

OFFICIAL REPORT (Hansard)

Seeds (Amendment) (EU Exit) Regulation 2020:
Department of Agriculture, Environment and
Rural Affairs

15 October 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Declan McAleer (Chairperson)
Mr Philip McGuigan (Deputy Chairperson)
Ms Clare Bailey
Mrs Rosemary Barton
Mr John Blair
Mr Maurice Bradley
Mr Harry Harvey
Mr William Irwin
Mr Patsy McGlone

Witnesses:

Mr Tommy McNamara Department of Agriculture, Environment and Rural Affairs

The Chairperson (Mr McAleer): We move on to the Seeds (Amendment) (EU Exit) Regulation 2020. Tommy, are you there?

Mr Tommy McNamara (Department of Agriculture, Environment and Rural Affairs): Yes, I am here, Chair.

The Chairperson (Mr McAleer): Tommy, could you give a three- to four-minute overview of this regulation, and then members, if they wish, can ask questions?

Mr McNamara: Certainly. This is a UK-wide SI, and the Minister is minded to give his consent to approve the making of the regulations, which will apply to Northern Ireland. The Committee is being asked to agree that the Minister provide consent, and a briefing paper has been provided.

Council directive 2002/53/EC, which relates to the common catalogue of varieties of agricultural plant species, and Council directive 2002/55/EC, on the marketing of vegetable seed, require member states to maintain national lists of varieties of seed. The directives also require that the acceptance of a variety onto a member state's national list equates to acceptance onto the EU common catalogue of varieties. Only those varieties in a national list or in the common catalogue may be marketed in a member state.

Under the terms of the withdrawal agreement and the Northern Ireland protocol, it was determined that relevant EU legislation will continue to apply directly in Northern Ireland after the end of the implementation period.

Both of those directives are in annex 2 of the protocol, which means that the Department will be required to maintain Northern Ireland-only variety lists. Only varieties of seeds on the Northern Ireland variety list that are in the EU common catalogue will be marketable in Northern Ireland at the end of the implementation period. As such, the UK national lists are no longer fit for purpose in Northern Ireland.

Although the varieties in the common catalogue will continue to be marketable in Northern Ireland, that will not be the case in Great Britain. This SI amends the UK-wide national lists of regulations to revoke their extent to Northern Ireland. The Department will shortly bring forward its own legislation to create Northern Ireland-only variety lists. The creation of those lists, specific to Northern Ireland, will ensure that industry will not be affected and that the status quo will maintain insofar as is possible.

The SI also amends previous EU exit legislation that provided for the payment of fees in regard to variety listing. That is to differentiate between the newly created GB variety lists and the Northern Ireland variety lists. It also makes consequential amendments to previous EU exit legislation that applied in the event of a no deal. To that extent, these amendments merely reflect the narrowing of the extent of the regulations to Great Britain only. The SI does not make any policy changes to areas that are devolved, which is why the Minister is content with its being sought. I am content to take any questions if you have any.

The Chairperson (Mr McAleer): Tommy, thank you for that. Members are content with your explanation.

Are members content to note the regulation, with the agreed form of words that we used previously?

Members indicated assent.