

<b>Report on</b>	Enabling Legislation - Delegated Powers
<b>Date of Meeting</b>	8 October 2019
<b>Reporting Officer</b>	Mark Kelso - Director Public Health & Infrastructure

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update members on the Enabling Legislation and make appropriate arrangements for legislative provision going forward in the event of this jurisdiction leaving the European Union.
<b>2.0</b>	<b>Background</b>
2.1	The European Union (Withdrawal) Act 2018 as amended is the enabling legislation which has been introduced into law to facilitate the UK to leave the European Union . The Regulatory Framework is wide ranging and incorporates among others Food , Environment and Consumer Goods . Central Government are currently preparing transitional arrangements to operate alongside the relevant regulatory frameworks in order to facilitate this process.
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>EU Exit Enabling Legislation</b></p> <p>As members are aware the position regarding the potential exit from the European Union trade bloc and the timing of such is still uncertain. A number of Government Departments have increased their efforts in recent weeks to engage with local businesses in this regard. In the agriculture and food manufacturer sector, DAERA and the Food Standards Agency have been working closely with local businesses to ensure that appropriate arrangements have been made. Council Environmental Health staff have been fully engaged in this process.</p> <p>In the event of exit from the European Union the current EU Food and Feed legislation in their consolidated version will be incorporated into local legislation on exit day .</p> <p>Central Government have established the Office for Product Safety and Standards (OPSS) which has been put in place to assist those businesses who trade with European Union to make the necessary preparations to enable trade to continue in a post Brexit arena.</p>

3.2	<p><b>Statutory Instruments</b></p> <p>We are advised that there a number of Statutory Instruments (SIs) which are currently being prepared to address these matters . In the field of food control these will relate to food and food control , labelling , hygiene and export certification . Similar Statutory Instruments ( Sis) will be prepared for all other areas of commerce which will be affected .</p>
3.3	<p><b>European Union ( Withdrawal ) Act 2018 as amended</b></p> <p>At the point of exit from the European Union, the European Communities Act 1972 will be revoked. The European Union (Withdrawal ) Act 2018 as amended will take effect alongside any relevant Statutory Instruments that have been put in place .</p> <p>Environmental Health and Building Control officers are currently authorised for the enforcement of all Regulations made under the European Communities Act 1972. Going forward officers will require revised authorisations to enable them to continue to undertake their duties and support local businesses in their day to day commercial activity.</p> <p>It is clear that there will be more revisions to the legislative framework as this process goes forward. In the interim I would seek members approval for delegated authority to authorise Environmental Health and Building Control staff under the European Union ( Withdrawal ) Act 2018 as amended and any associated Statutory Instrument for this purpose .</p>
4.0	<b>Other Considerations</b>
4.1	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: Provide necessary authorisation of regulatory services
	Risk Management: N/A
4.2	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: None
	Rural Needs Implications: None
5.0	<b>Recommendation(s)</b>
5.1	That members note the content of this report and authorise the Director of Public Health & Infrastructure to exercise Delegated Authority for the authorisation and administration of staff and relevant functions under the European Union (Withdrawal) Act 2018 as amended and any associated Statutory Instrument for this purpose .
6.0	<b>Documents Attached &amp; References</b>
	None

