

2026 No.

AGRICULTURE

**The Hemp (Third Country Imports) (Amendment) Regulations
(Northern Ireland) 2026**

Made - - - - *xxth Month 2026*

Coming into operation *xxth Month 2026*

The Department of Agriculture, Environment and Rural Affairs^(a), in exercise of the powers conferred by section 11 of, and paragraph 11M of Part 1C of Schedule 2 to, the European Union Withdrawal Act 2018^(b), makes the following Regulations.

There has been open and transparent public consultation during the preparation of these Regulations as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council^(c), laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.

Citation, Commencement and Interpretation

1.—(1) These Regulations may be cited as The Hemp (Third Country Imports) (Amendment) Regulations (Northern Ireland) 2026 and shall come into operation on xxth Month 2026.

(2) The Interpretation Act (Northern Ireland) 1954^(d) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendments to The Hemp (Third Country Imports) Regulations 2002

2.—(1) The Hemp (Third Country Imports) Regulations 2002^(e) shall be amended as follows.

(2) In regulation 2—

(a) in paragraph (1)—

(i) in the definition of “authorisation”, for “pursuant to the third indent of the first subparagraph of Article 5(2) of Council Regulation 1673/2000” substitute “in accordance with Article 9 of Commission Regulation 2016/1237”;

(ii) omit the definition of “Commission Regulation 245/2001”;

(iii) omit the definition of “Commission Regulation 1093/2001”;

(a) 2018 c. 16 section 11 and Part 1C of Schedule 2 confer powers on devolved authorities. A “devolved authority” is defined under section 20(1) to include a ‘Northern Ireland Department’. The Department of Agriculture, Environment and Rural Affairs is named as a Northern Ireland department in section 1 of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 c. 5 (N.I.).

(b) 2018 (c. 16); Part 1C of Schedule 2 was inserted by Section 22 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) (the 2020 Act).

(c) O.J. No. L 31, 1.2.2002, p. 1, as amended by Commission Regulation (EC) No. 202/2008 (O.J. No. L 60, 4.3.2008, p. 17).

(d) 1954 c. 33(N.I.).

(e) S.I. 2002/787

(iv) after the definition of “authorised person” insert—

““Commission Regulation (EU) 1308/2013” means “Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007;”;

“Commission Regulation 2016/1237” means “Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No 376/2008 and (EC) No 507/2008;”;

“Council Regulation 2021/2115” means Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No. 1307/2013 and (EU) 1307/2013;”;

(v) omit the definition of “Commission Regulation 52/2002”;

(vi) omit the definition of “Commission Regulation 1673/2000”;

(vii) omit the definition of “Commission Regulation 1251/1999”;

(viii) in the definition of “hemp” —

(a) after “true hemp”, add “falling within CN code 5302 100”;

(b) after “hemp seeds for sowing”, add “falling within CN code ex 1207 99 20”;

(c) after “hemp seeds other than for sowing”, add “falling within CN code 1207 99 91”;

(ix) in the definition of “hemp seeds for sowing”, for “the second indent of the first sub-paragraph of Article 5(2) of Council Regulation 1673/2000” substitute “Article 189(1)(b) of Commission Regulation (EU) 1308/2013”;

(x) in the definition of “hemp seeds other than for sowing”, for the words “within the terms of the third indent of the first sub-paragraph of Article 5(2) of Council Regulation 1673/2000”, substitute “of varieties of hemp (*Cannabis sativa* L.) falling within CN heading 1207 99 20 that are not intended for sowing”; or “of varieties of hemp (*Cannabis sativa* L.) other than seeds for sowing referred to in Article 189(1)(c) of Commission Regulation (EU) 1308/2013”;

(xi) in the definition of “licence”, for “the first sub-paragraph of Article 5(2) of Council Regulation 1673/2000” substitute “Article 9(1) of Commission Regulation 2016/1237”;

(xii) in the definition of “subsequent user”, for “the second sub-paragraph of Article 17a(2) of Commission Regulation 245/2001” substitute “Articles 9(3) and (4) of Commission Regulation 2016/1237”;

(xiii) in the definition of “true hemp”, for “within the terms of the first indent of the first sub-paragraph of Article 5(2) of Council Regulation 1673/2000” substitute “falling within CN code 5302 10 00 as referred to in Article 189(1)(a) of Commission Regulation (EU) 1308/2013”;

(xiv) in paragraph (2), for “Council Regulation 1673/2000, Commission Regulation 245/2001 and Commission Regulation 1093/2001”, substitute “Commission Regulation (EU) 1308/2013 and Commission Regulation 2016/1237.”.

- (3) In regulation 3(c), for “0.2”, substitute “0.3”.
- (4) Omit regulations 4 to 8.
- (5) In regulation 11(4), in the definition of “legitimate operation” for “the three indents of the second sub-paragraph of Article 17a(2) of Commission Regulation 245/2001” substitute “Article 9(4) of Commission Regulation 2016/1237”.
- (6) In regulation 12, for “the fourth sub-paragraph of Article 17a(2) of Commission Regulation 245/2001 substitute “Article 9(4) of Commission Regulation 2016/1237”.
- (7) In regulation 13—
 - (a) in paragraph (1)—
 - (i) in the first sub-paragraph, for “his” substitute “their”;
 - (ii) in sub-paragraph (c), for “Council Regulation 1251/1999, Council Regulation 1673/2000, or Commission Regulation 245/2001” substitute “Council Regulation 2021/2115, Commission Regulation (EU) 1308/2013 or Commission Regulation 2016/1237”;
 - (b) in paragraph (4), for “him” substitute “them”;
 - (c) in paragraph (5)(a), for “his” substitute “their”;
- (8) In regulation 15(1)(a), for “regulation 6” substitute “Article 9(1) of Commission Regulation 2016/1237”.
- (9) In regulation 16(a), for “Article 17a of Commission Regulation 245/2001” substitute “Article 9 of Commission Regulation 2016/1237”.
- (10) In regulation 18(3), for “his” in both places it occurs, substitute “their”.
- (11) In regulation 19(1)(b), for “he” substitute “they”.

Sealed with the Official Seal of the Department of Agriculture, Environment and Rural Affairs on
xxth Month 2026

Name
A senior officer of the
Department of Agriculture, Environment and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 11 of, and paragraph 11M of Part 1C of Schedule 2 to, the European Union (Withdrawal) Act 2018. The EU provisions relating to the import of hemp from third countries are set out in Regulation (EU) 1308/2013 which is directly applicable in NI under Article 5(4) of, and Annex 2 to, the Windsor Framework. These Regulations amend the Hemp (Third Country Import) Regulations 2002 (S.I.2002/787) as they apply in Northern Ireland in relation to third country imports.

A regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on businesses or the voluntary/community sector is foreseen.