

PUBLISHED REPLACEMENT EU ACT INITIAL ASSESSMENT OF IMPACT

DSC REF: DSC/16/2024

Published Replacement EU Act

Regulation (EU) 2024/2838 of the European Parliament and of the Council of 23 October 2024 amending Regulations (EU) No 1379/2013, (EU) No 167/2013 and (EU) No 168/2013 as regards certain reporting requirements

[Regulation - EU - 2024/2838 - EN - EUR-Lex](#)

This response is only providing assessment of impact in relation to the amendment to Regulation No (EU) 1379/2013 as the other two regulations being amended do not fall under DAERA's remit.

This Regulation amends Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 which is listed in the Windsor Framework Annex 2, Heading 46. Fisheries and aquaculture **insofar as it concerns provisions relating to marketing standards and consumer information.**

Other EU legislation of relevance quoted in the replacement act:

Council Regulation (EC) No 2406/96 of 26 November 1996 laying down common marketing standards for certain fishery products (OJ L 334, 23.12.1996, p. 1).

Commission Regulation (EEC) No 3703/85 of 23 December 1985 laying down detailed rules for applying the common marketing standards for certain fresh or chilled fish (OJ L 351, 28.12.1985, p 63).

Summary of the Act

This Regulation removes and simplifies reporting requirements which are no longer deemed necessary in the area of the common organisation of the markets in **fishery** and aquaculture products and affecting the **fishing** industry.

Article 13 of Regulation (EC) No 2406/96 requires that each Member State is to provide the other Member States and the Commission with a list of the names and addresses of the experts and trade organisations appointed for grading **fishery** products for freshness and size not later than one month before the entry into force of that Regulation, and is to subsequently inform the other Member

States and the Commission of any amendments to the list. As that requirement is outdated and no longer necessary to achieve the objectives of Regulation (EU) No 1379/2013, it should no longer apply.

Department(s) Responsible

The Department of Agriculture, Environment and Rural Affairs (DAERA) / Defra
Secretary of State

Initial Assessment of Impact

It does not appear likely that the application of the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland as the only amendment being introduced is the removal of a reporting requirement.

It does not appear likely that not applying the replacement EU act would have a significant impact specific to everyday life of communities in Northern Ireland. Not applying the replacement act would mean that the requirement to inform Member States and the Commission of any amendments to the list of the names and addresses of the experts and trade organisations appointed for grading fishery products for freshness and size would continue to apply in Northern Ireland.

UK Government Explanatory Memorandum

The EU version of Regulation (EU) 1379/2013 applies in Northern Ireland (NI) insofar as it concerns provisions relating to marketing standards and consumer information under Annex 2 of the Windsor Framework. This includes Chapter III 'Common Marketing Standards', articles 33 and 34 and Chapter IV 'Consumer Information', articles 35-39 of that regulation. With the exception of those provisions, the UK's retained version of Regulation (EU) 1379/2013 applies in NI, as retained by The Common Fisheries Policy (Amendment etc.) (EU Exit) Regulations 2019.

The proposed EU amendment will amend Article 47 'Rules establishing common marketing standards' to effectively state that Article 13 of Regulation (EC) No 2406/96 should be excluded. While the EU version of Regulation (EC) 2406/96 also applies in NI by virtue of the Windsor Framework, Article 13 of the UK retained version of that regulation has been revoked. Given this, and that the relevant provisions of the EU version of Regulation (EU) 1379/2013 being amended do not apply in NI, this change will have no effect on NI and result in no divergence.

There is no effect on NI's participation in the UK's free trade agreements.

There is no effect on NI's participation in the UK's Common Frameworks.

All of the Regulations to be amended apply directly in Northern Ireland, no further legislation is required.

There have been no discussions with the EU on this amending regulation within the dialogue structures established under the Withdrawal Agreement.

There are no legal implications arising from this Regulation.

There are no financial implications for the UK.

Analysis by the European Commission on its Impact Assessment

The draft proposal will undergo the EU's ordinary legislative procedure. Officials advise that given its uncontroversial nature it is therefore likely to pass quickly through the EU's co-decision process. In addition, amendments are not expected as part of that process. However, if amendments were to be made, they would be unlikely to have a material effect on Northern Ireland given they relate to internal EU administrative provisions.

The Commission prepared impact assessments for the regulations these proposals will amend, but DAERA is not aware of the Commission having prepared impact assessments for this regulation.

Departmental Engagement

No consultations or impact assessments have been undertaken by the Department for this Regulation.