SCHEDULE 1

Regulation 2(1)

Animal by-product requirements

Column 1 Subject matter of requirement	Column 2 Provision(s) containing the basic requirement	Column 3 Provisions to be read with the provision(s) mentioned in column 2
1. General obligation	Article 4(1) or (2) of the EU Control Regulation	Article 5(1) and (2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain for certain derived products)
2. General animal health restrictions	Article 6(1) of the EU Control Regulation	Article 4 of the EU Implementing Regulation (serious transmissible diseases)
3. Restrictions on use for feeding purposes	Article 11(1) of the EU Control Regulation	Regulation 6(2) of these Regulations (subject to regulation 6(4)) (additional waiting period for pigs)
		Article 11(2) of the EU Control Regulation as read with Article 5 of the EU Implementing Regulation (restrictions on the use of animal byproducts and derived products)
4. Disposal and use of Category 1 material	to (e) of the EU Control Regulation;	Article 15(1)(b) of the EU Control Regulation as read with Articles 8(1) and 9(b) of the EU Implementing Regulation (requirements for processing plants and other establishments)
		Article 15(1)(d) of the EU Control Regulation as read with Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration or co-incineration in respect of Article 12(a) or (b) of the EU Control Regulation)
		Article 17(2) of the EU Control Regulation as read with Articles 11(2) and 12(2) of the EU Implementing Regulation (special rules on trade, research and diagnostic samples)
		Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)
		Article 20(11) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)
5. Disposal and use of Category 2 material	16(b) to (f) and 16(h)	Article 15(1)(b) of the EU Control Regulation as read with Articles 8(1) and 9(b) of the EU Implementing Regulation (requirements for processing plants and other establishments);
		Article 15(1)(c) of the EU Control Regulation as read with Article 10(1) of the

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Provision(s) containing the basic requirement	Provisions to be read with the provision(s) mentioned in column 2
	EU Implementing Regulation (requirements regarding transformation into biogas and composting in respect of Article 13(e) or (g) of the EU Control Regulation)
	Article 15(1)(d) of the EU Control Regulation as read with Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration or co-incineration in respect of Article 13(a) or (b) of the EU Control Regulation)
	Article 17(2) of the EU Control Regulation as read with Articles 11(2) and 12(2) of the EU Implementing Regulation (special rules on trade, research and diagnostic samples)
	Article 18(3)(a) of the EU Control Regulation as read with Article 13(1) of the EU Implementing Regulation (special feeding rules) and regulation 7 of these Regulations (collection centres for feeding in relation to Article 18(1) of the EU Control Regulation)
	Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)
	Article 20(11) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)
	Article 15(1)(b) of the EU Control Regulation as read with Articles 8(1) and 9(b) of the EU Implementing Regulation (requirements for processing plants and other establishments)
Article 7(b) of the EU Implementing Regulation	Article 15(1)(c) of the EU Control Regulation as read with Article 10(1) of the EU Implementing Regulation (requirements regarding transformation into biogas and composting in respect of Article 14(f) or (g) of the EU Control Regulation)
	Article 15(1)(d) of the EU Control Regulation as read with Article 6(3) to (5) of the EU Implementing Regulation (disposal by incineration or co-incineration in respect of Article 14(a) or (b) of the EU Control Regulation)
	Articles 14, 16(b) to (f) and 16(h) of the EU Control Regulation Article 7(b) of the EU Implementing

Column 1 Subject matter of requirement		Column 2 Provision(s) containing the basic requirement	Column 3 Provisions to be read with the provision(s) mentioned in column 2
		requirement	Implementing Regulation (special rules on trade, research and diagnostic samples)
			Article 18(3) of the EU Control Regulation as read with Article 13(2) of the EU Implementing Regulation (special feeding rules)
			Article 19(4) of the EU Control Regulation as read with Article 15 of the EU Implementing Regulation (collection, transport and disposal)
			Article 20(11) of the EU Control Regulation as read with Article 9(c) of the EU Implementing Regulation (alternative processing methods)
			Article 36(3) of the EU Implementing Regulation (transitional measures) as read with regulation 32 of these Regulations (small quantities transitional provision)
7. Collection identification regards category transport	as	of the EU Control	Article 21(5) and (6) of the EU Control Regulation as read with Article 17 of the EU Implementing Regulation (requirements of collection, transport, identification and traceability)
8. Traceability			Article 22(3) of the EU Control Regulation as read with Article 17 of the EU Implementing Regulation (requirements of collection, transport, identification and traceability)
9. Registration operators,	erators, EU Control Regulation	Regulation 12 of these Regulations (procedure for registration of plants and establishments)	
	control Regulation as read with Article 20(1)		
			Article 47(2) of the EU Control Regulation as read with Article 32(7) of the EU Implementing Regulation (format requirements for lists of registered operators)
10. Approval establishments plants	and EU Control Regulation as read with Articles 44(3) and 55 of that Regulation	d EU Control Regulation	Regulation 14 of these Regulations (procedure for application for approval)
		Article 27 of the EU Control Regulation as read with Article 19 of the EU Implementing Regulation (requirements concerning certain approved establishments and plants) and Article 33 of that Regulation (re-approval of plants and	

Status: This is the original version (as it was originally made).

Column 1 Subject matter of requirement	Column 2 Provision(s) containing the basic requirement	Column 3 Provisions to be read with the provision(s) mentioned in column 2
		establishments after the grant of a temporary approval)
		Article 47(2) of the EU Control Regulation as read with Article 32(7) of the EU Implementing Regulation (format requirements for lists of registered operators)
11. General hygiene requirements	Article 25 of the EU Control Regulation	Article 27 of the EU Control Regulation as read with Article 9(a) of the
_	Article 26 of the EU Control Regulation	EU Implementing Regulation (hygiene and processing requirements) and Article 19 of that Regulation (requirements in relation to certain approved plants in Article 24 of the EU Control
13. Own checks	Article 28 of the EU Control Regulation	Regulation) and Article 20 of that Regulation (requirements in relation to certain registered
14. Hazard analysis and critical control points	Article 29(1) to (3) of the EU Control Regulation	plants)
15. Placing on the market of animal by-products and derived products for feeding to farmed animals excluding fur animals		Article 31(2) of the EU Control Regulation as read with Articles 21 and 24(2) of the EU Implementing Regulation (placing on the market for feeding to farmed animals)
market and use of organic fertilisers and	of the EU Control	Regulation 6(1) of these Regulations (subject to regulation 6(3)) (use of organic fertilisers and soil improvers)
soil improvers		Article 32(3) of the EU Control Regulation as read with Article 22(1) to (3) of the EU Implementing Regulation (placing on the market and use of organic fertilisers and soil improvers)
movement for		Article 33 of the EU Control Regulation and Article 23 of the EU Implementing Regulation (intermediate products)
18. Prohibition on use for manufacture of derived products not within Article 33 or 36 of the EU Control	the EU Implementing	Articles 33 and 36 of the EU Control Regulation
Regulation		

19. Placing on the Article 35 of the EU Article 5(2) of the EU Control Regulation as

read with Article 3 of the EU Implementing

Control Regulation

market of pet food

Column 1	Column 2	Column 3
Subject matter of requirement	Provision(s) containing the basic requirement	Provisions to be read with the provision(s) mentioned in column 2
		Regulation (end point in the manufacturing chain)
		Article 40 of the EU Control Regulation as read with Article 24(3) of the EU Implementing Regulation (petfood and other derived products)
<u> </u>	Article 36 of the EU Control Regulation	Regulation 9 of these Regulations (placing on the market in relation to Article 36 of the EU Control Regulation)
		Article 5(2) of the EU Control Regulation as read with Article 3 of the EU Implementing Regulation (end point in the manufacturing chain)
		Article 40 of the EU Control Regulation as read with Article 24(1), (2) and (4) of the EU Implementing Regulation (petfood and other derived products)
21. Safe sourcing	Article 37(2) of the EU Control Regulation	
22. Export	Article 43 of the EU Control Regulation	Article 26 of the EU Implementing Regulation (placing on the market, including importation, and export of certain Category 1 materials)
	(5), as read with Article	Article 48(7) of the EU Control Regulation as read with Articles 11(3), 12(3) and 31 of the EU Implementing Regulation (special rules on research and diagnostic samples, on trade samples and display items and model health certificates and declarations for importation and transit)
24. Operating standards	Articles 10(1), 21(1), 22(1) and 24(3) of the EU Implementing Regulation	

SCHEDULE 2

Regulation 29

Consequential amendments

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991

- 1. The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991(1) are amended as follows.
 - 2. In regulation 2—
 - (a) in paragraph (1)(i), for "Article 7(1) or 7(2) of the Community Regulation" substitute "Article 21(1) to (3) of the Council Regulation"; and
 - (b) in paragraph (2)—
 - (i) omit the definition of "the Community Regulation"; and
 - (ii) insert after the definition of "construction"—

""the Council Regulation" means Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal byproducts Regulation);".

The Older Cattle (Disposal) (Scotland) Regulations 2006

- 3. The Older Cattle (Disposal) (Scotland) Regulations 2006(2) are amended as follows.
- **4.** In regulation 2 (interpretation), for the definition of "rendering plant", substitute—

""rendering plant" means a processing plant within the meaning of paragraph 58 of Annex I to Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal byproducts and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive, as last amended by Commission Regulation (EU) No 717/2013(3); and references in these Regulations to that Regulation (EU) No 142/2011 are references to that Regulation as amended from time to time;".

The Foot-and-Mouth Disease (Scotland) Order 2006

- 5. The Foot-and-Mouth Disease (Scotland) Order 2006(4) is amended as follows.
- **6.** In article 2(1) (interpretation) in the definition of "Regulation (EU) No 142/2011" after "that Directive" insert ", as last amended by Commission Regulation (EU) No 717/2013; and references to that Regulation of 2011 are references to that Regulation as amended from time to time".
 - 7. In article 26(2)(c) (slaughter: isolation of things liable to spread disease) omit "as amended,".
- 8. In Schedule 5 (treatment of products to ensure the destruction of disease virus), in paragraph 2 (hides and skins), for "35" substitute "36".

⁽¹⁾ S.I. 1991/1624 relevantly amended by S.S.I. 2005/22.

⁽²⁾ S.S.I. 2006/4. (3) OJ L 201, 26.7.2013, p.31.

⁽⁴⁾ S.S.I. 2006/44, relevantly amended by S.S.I. 2007/455 and S.S.I. 2011/171.

The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006

- **9.** The Foot-and-Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006(**5**) are amended as follows.
- **10.** In regulation 2(1) (interpretation), in the definition of "Regulation (EU) No 142/2011" after "that Directive" insert ", as last amended by Commission Regulation (EU) No 717/2013; and references to that Regulation of 2011 are references to that Regulation as amended from time to time".

The Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007

- 11. The Avian Influenza (H5N1 in Wild Birds) (Scotland) Order 2007(6) is amended as follows.
- **12.** In article 2 (interpretation), in the definition of "Regulation (EU) No 142/2011" after "that Directive" insert ", as last amended by Commission Regulation (EU) No 717/2013; and references to that Regulation of 2011 are references to that Regulation as amended from time to time".
- **13.** In article 13(1) (designation of premises to which things may be moved), for sub-paragraph (c) substitute—
 - "(c) the following plants, if approved under Article 24 of Regulation (EC) No 1069/2009—
 - (i) incineration plants;
 - (ii) co-incineration plants;
 - (iii) processing plants;
 - (iv) biogas plants;
 - (v) composting plants;
 - (vi) petfood plants.".
- **14.** In Schedule 1 (measures applicable in respect of a wild bird control area), in paragraph 13 (restriction on the movement of bird by products or products derived from bird by products from premises in a wild bird control area)—
 - (a) for sub-paragraph (2), substitute—
 - "(2) A veterinary inspector may not grant or direct the grant of a licence under sub paragraph (1) unless it is for a movement of—
 - (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
 - (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
 - (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;
 - (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;

⁽⁵⁾ S.S.I. 2006/45 relevantly amended by S.S.I. 2011/171.

⁽⁶⁾ S.S.I. 2007/61 relevantly amended by S.S.I. 2011/171.

- (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph D of Section 5 of Chapter II of Annex X to that Regulation;
- (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No 142/2011;
- (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No 142/2011;
- (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
- (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No 142/2011;
- (j) processed petfood within the meaning of paragraph 20 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
- (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011;
- (n) game trophies of birds having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No 142/2011;
- (o) those by-products which are transported to designated plants listed in article 13(1)(c) for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
- (p) those by-products which are transported to users or collection centres authorised and registered in accordance with Article 23 of Regulation (EC) No 1069/2009 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
- (q) untreated feathers or parts of untreated feathers produced from poultry within the meaning of paragraph 30 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation; or
- (r) poultry feathers, feathers from wild game bird or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus."; and
- (b) in sub-paragraph (3), for "Annex V to that Regulation" substitute "Regulation (EC) No 1069/2009 and Annex IV to Regulation (EU) No 142/2011";
- (c) in sub-paragraph (5) for "(2)(p) and (q)" substitute "(2)(q) and (r)"; and
- (d) in sub-paragraph (6), for "(2)(q)" substitute "(2)(r)".

The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007

- **15.** The Avian Influenza (H5N1 in Poultry) (Scotland) Order 2007(7) is amended as follows.
- **16.** In article 2 (interpretation), in the definition of "Regulation (EU) No 142/2011" after "that Directive" insert ", as last amended by Commission Regulation (EU) No 717/2013; and references to that Regulation of 2011 are references to that Regulation as amended from time to time".
- 17. In article 3(6) (licences, notices and designations under this Order), for sub-paragraph (c) substitute—
 - "(c) the following plants if approved under Article 24 of Regulation (EC) No 1069/2009—
 - (i) incineration plants;
 - (ii) co-incineration plants;
 - (iii) processing plants;
 - (iv) biogas plants;
 - (v) composting plants;
 - (vi) petfood plants.".
 - **18.** In article 14 (restrictions on the movement of bird by-products)—
 - (a) for paragraph (2) substitute—
 - "(2) But a veterinary inspector or an inspector acting under the direction of a veterinary inspector may license the movement of any of the following bird by-products:—
 - (a) processed animal protein within the meaning of paragraph 5 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 1 of Chapter II of Annex X to that Regulation;
 - (b) blood products within the meaning of paragraph 4 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 2 of Chapter II of Annex X to that Regulation;
 - (c) rendered fats within the meaning of paragraph 8 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph B of Section 3 of Chapter II of Annex X to that Regulation;
 - (d) gelatine within the meaning of paragraph 12 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 5 of Chapter II of Annex X to that Regulation;
 - (e) hydrolysed protein within the meaning of paragraph 14 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph D of Section 5 of Chapter II of Annex X to that Regulation;
 - (f) dicalcium phosphate which complies with the requirements of paragraph B of Section 6 of Chapter II of Annex X to Regulation (EU) No 142/2011;
 - (g) tricalcium phosphate which complies with the requirements of paragraph B of Section 7 of Chapter II of Annex X to Regulation (EU) No 142/2011;
 - (h) collagen within the meaning of paragraph 11 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of paragraph B of Section 8 of Chapter II of Annex X to that Regulation;
 - (i) egg products which comply with the requirements of paragraph B of Section 9 of Chapter II of Annex X to Regulation (EU) No 142/2011;

⁽⁷⁾ S.S.I. 2007/62 relevantly amended by S.S.I. 2011/171.

- (j) processed petfood within the meaning of paragraph 20 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (k) raw petfood within the meaning of paragraph 21 of Annex I to Regulation (EU) No 142/2011 and which complies with the requirements of Chapter II of Annex XIII to that Regulation;
- (l) dogchews within the meaning of paragraph 17 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of Chapter II of Annex XIII to that Regulation;
- (m) processed manure and processed manure products which comply with the requirements of Section 2 of Chapter I of Annex XI to Regulation (EU) No 142/2011;
- (n) those by-products which are transported to designated plants listed in article 3(6)
 (c) for disposal, treatment, transformation or use which ensures inactivation of the avian influenza virus;
- (o) those by-products which are transported to users or collection centres authorised and registered in accordance with Article 23 of Regulation (EU) No 142/2011 for the feeding of animals after they have been treated by a method approved by the competent authority which ensures inactivation of the avian influenza virus;
- (p) game trophies of birds having undergone a complete taxidermy treatment ensuring their preservation at ambient temperatures within the meaning of Chapter VI of Annex XIII to Regulation (EU) No 142/2011;
- (q) poultry feathers or parts of such feathers which have been treated with a steam current or by another method which ensures inactivation of the avian influenza virus; or
- (r) untreated feathers or parts of untreated feathers produced from poultry or wild game birds from a restricted zone within the meaning of paragraph 30 of Annex I to Regulation (EU) No 142/2011 and which comply with the requirements of paragraph A of Chapter VII of Annex XIII to that Regulation.";
- (b) in paragraph (4), for "(2)(p) and (q)" substitute "(2)(q) and (r)"; and
- (c) in paragraph (6), for "(2)(p)" substitute "(2)(q)".

The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010

- **19.** The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010(8) are amended as follows.
- **20.** In regulation 2(1) (interpretation), in the definition of "Regulation (EU) No 142/2011" after "that Directive" insert "as last amended by Commission Regulation (EU) No 717/2013".
 - 21. In Schedule 1 (ambulatory references)—
 - (a) omit "and" at the end of paragraph (f); and
 - (b) after paragraph (g) insert—

"; and

- (h) Regulation (EU) No 142/2011.".
- 22. In Schedule 6 (feedingstuffs)—

⁽⁸⁾ S.S.I. 2010/177 relevantly amended by S.S.I. 2011/171.

- (a) in paragraph 3 (exceptions) for "the Animal By-Products (Enforcement) (Scotland) Regulations 2011" substitute "the Animal By-Products (Enforcement) (Scotland) Regulations 2013"; and
- (b) in paragraph 18(2) (export of processed animal protein to third countries), omit—
 - (i) "Article 43 of"; and
 - (ii) "and Article 25 of Regulation (EU) No 142/2011".

The Waste Management Licensing (Scotland) Regulations 2011

23. In Schedule 1 to the Waste Management Licensing (Scotland) Regulations 2011(9) (activities exempt from waste management licensing), in paragraph 23(1), for "2011" substitute "2013".

SCHEDULE 3

Regulation 30

Revocations

Column 1	Column 2	Column 3
Instrument	Citation	Extent of revocation
The Animal By-Products (Identification) Regulations 1995	S.I. 1995/614	In relation to Scotland, the whole Regulations.
The Bovine Offal (Prohibition) (England, Wales and Scotland) (Revocation) Regulations 1995	S.I. 1995/1955	In relation to Scotland, regulation 3 of, and the final entry in the table in Schedule 1.
The Animal By-Products (Identification) (Amendment) Regulations 1997	S.I. 1997/2073	In relation to Scotland, the whole Regulations.
The Food Standards Act 1999 (Transitional and Consequential Provisions and Savings) (Scotland) Regulations 2000	S.S.I. 2000/62	Regulation 6(5) and Part V of Schedule 4.
The Animal By-Products (Identification) Amendment (Scotland) Regulations 2002	S.S.I. 2002/283	The whole Regulations.
The Animal By-Products (Identification) Amendment (Scotland) Regulations 2003	S.S.I. 2003/53	The whole Regulations.
The Food Hygiene (Scotland) Regulations 2006	S.S.I. 2006/3	In Schedule 7, paragraphs 2 to 11.
The Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010	S.S.I. 2010/177	In Schedule 9, paragraphs 1 and 2.

⁽⁹⁾ S.S.I. 2011/228.

Column 1	Column 2	Column 3
Instrument	Citation	Extent of revocation
The Animal By-Products (Enforcement) (Scotland) Regulations 2011	S.S.I. 2011/171	The whole Regulations.
The Animal By-Products (Miscellaneous Amendments) (Scotland) Regulations 2012	S.S.I. 2012/179	The whole Regulations