SCOTTISH STATUTORY INSTRUMENTS

2020 No. 380

The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020

PART 3

AMENDMENT OF SECONDARY LEGISLATION TO ADDRESS DEFICIENCIES ARISING FROM THE WITHDRAWAL OF THE UNITED KINGDOM FROM THE EUROPEAN UNION

Amendment of the Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019

3.—(1) The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019(1) are amended as follows.

(2) In regulation 21 (amendment of the Cattle Identification (Scotland) Regulations 2007) after paragraph (6)(a)(i), insert—

"(ia) in sub-paragraph (1), in the opening words, for "another" substitute "a";".

(3) In regulation 22 (amendment of the Bovine Semen (Scotland) Regulations 2007)-

- (a) in paragraph (6)(b)—
 - (i) for paragraph (8)(a)(i)(bb) of the inserted text substitute—

"(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",

(ii) for paragraph (8)(b)(i)(bb) of the inserted text substitute—

"(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",

(b) in paragraph (11)—

- (i) in sub-paragraph (a)(ii), for sub-paragraph (4)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

(ii) in sub-paragraph (b)-

(aa) for sub-paragraph (5)(d)(ii) of the inserted text substitute—

- "(ii) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",
- (bb) for sub-paragraph (5)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to;",
- (cc) for sub-paragraph (6)(b) of the inserted text substitute—
 - "(b) the references to "certification" include a "certificate" as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;",
- (dd) for sub-paragraph (6)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to.",
- (ee) for sub-paragraph (7)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (iii) in sub-paragraph (c)—
 - (aa) for sub-paragraph (3)(b) of the inserted text substitute—
 - "(b) the references to "certification" include a "certificate" as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;",
 - (bb) for sub-paragraph (3)(e)(ii) of the inserted text—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to.",
- (c) in paragraph (12)—
 - (i) in sub-paragraph (a)(ii), for sub-paragraph (4)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

(ii) in sub-paragraph (b)(i)—

(aa) for sub-paragraph (7)(d)(ii) of the inserted text substitute—

- "(ii) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",
- (bb) for sub-paragraph (7)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to;",
- (cc) for sub-paragraph (8)(b) of the inserted text substitute—
 - "(b) the references to "certification" include a "certificate" as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;",
- (dd) for sub-paragraph (8)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom
 - for co-ordinating the standards and methods of diagnosis referred to.",
- (ee) for sub-paragraph (9)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (iii) in sub-paragraph (d)(iii), for sub-paragraph (3)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (d) in paragraph (14)—
 - (i) in sub-paragraph (a)(ii), for sub-paragraph (4)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (ii) in sub-paragraph (b)(ii)—
 - (aa) for sub-paragraph (2)(d)(ii) of the inserted text substitute—
 - "(ii) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",
 - (bb) for sub-paragraph (2)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to;",
 - (cc) for sub-paragraph (3)(b) of the inserted text substitute—

- "(b) the references to "certification" include a "certificate" as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;",
- (dd) for sub-paragraph (3)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to.",
- (ee) for sub-paragraph (4)(b) of the inserted text substitute-
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (iii) in sub-paragraph (e)(iii), for sub-paragraph (3)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (e) in paragraph (15)(b), for sub-paragraph (4)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.",

- (f) in paragraph (16)—
 - (i) in sub-paragraph (a)(iii), for sub-paragraph (2)(a)(i) of the inserted text substitute—
 - "(i) the reference to "competent authority" includes the authority of another part of the United Kingdom which approves accommodation for the purpose of that period of quarantine, in accordance with legislation in force in that part of the United Kingdom;",
 - (ii) in sub-paragraph (b)(iv)—

(aa) for sub-paragraph (2)(a)(i)(bb) of the inserted text substitute—

"(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",

(bb) for sub-paragraph (2)(b)(i)(bb) of the inserted text substitute—

"(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",

- (cc) for sub-paragraph (2)(c)(iv)(bb) of the inserted text substitute-
 - "(bb) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",
- (dd) for sub-paragraph (2)(c)(v)(bb) of the inserted text substitute—

- "(bb) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
- for co-ordinating the standards and methods of diagnosis referred to;",
- (iii) in sub-paragraph (c)(ii)-
 - (aa) for sub-paragraph (2)(d)(ii) of the inserted text substitute—
 - "(ii) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;",
 - (bb) for sub-paragraph (2)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to;",
 - (cc) for sub-paragraph (3)(b) of the inserted text substitute—
 - "(b) the references to "certification" include a "certificate" as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;",
 - (dd) for sub-paragraph (3)(e)(ii) of the inserted text substitute—
 - "(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
 - for co-ordinating the standards and methods of diagnosis referred to.",
 - (ee) for sub-paragraph (4)(b) of the inserted text substitute—
 - "(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to.".

(4) In regulation 33 (amendment of the Equine Animal (Identification) (Scotland) Regulations 2019)—

- (a) in paragraph (2), for the substituted text substitute "Great Britain from a third country",
- (b) in paragraph (4), for the substituted text substitute "Great Britain from a third country",
- (c) for paragraph (5) substitute—
 - "(5) Omit regulation 19(1)(c).",
- (d) in paragraph (6)—
 - (i) in sub-paragraph (a)—

(aa) for "Union" substitute "the Union",

- (bb) for "United Kingdom" substitute "Great Britain",
- (ii) in sub-paragraph (b)—
 - (aa) for "Union" substitute "the Union",
 - (bb) for "United Kingdom" substitute "Great Britain from a third country",
- (iii) in sub-paragraph (d) for "the United Kingdom" substitute "Great Britain".

Amendment of the Official Controls (Agriculture etc.) (Scotland) Regulations 2019

4.—(1) The Official Controls (Agriculture etc.) (Scotland) Regulations 2019(**2**) are amended as follows.

- (2) In regulation 2 (interpretation)—
 - (a) for "EU Regulation" in each place where it occurs substitute "Official Controls Regulation",
 - (b) in paragraph (1), in the definition of "relevant legislation" omit "European and domestic".
- (3) In regulation 4 (disclosure of information)—
 - (a) omit " in the United Kingdom and other member States",
 - (b) for "EU Regulation" substitute "Official Controls Regulation".

(4) In regulation 5(1) (powers of auditors), for "EU Regulation" substitute "Official Controls Regulation".

(5) In regulation 7(1) (powers of Food Standards Scotland undertaking audits), for "EU Regulation" substitute "Official Controls Regulation".

- (6) In regulation 9 (facilitating assistance and co-operation)-
 - (a) in paragraph (1), omit "of another member State" in both places where it occurs,
 - (b) omit paragraph (2),
 - (c) in paragraph (3), for "EU Regulation" substitute "Official Controls Regulation".

(7) In regulation 11 (enforcement and prosecution), for "EU Regulation" in both places where it occurs substitute "Official Controls Regulation".

(8) In regulation 12(1) (powers of enforcement officers), for "EU Regulation" in both places where it occurs substitute "Official Controls Regulation".

(9) In regulation 13 (powers of entry), for "EU Regulation" in each place where it occurs substitute "Official Controls Regulation".