

2019 No. 1308

EXITING THE EUROPEAN UNION, ENGLAND
EXITING THE EUROPEAN UNION, NORTHERN
IRELAND

ANIMALS, ENGLAND

ANIMALS, NORTHERN IRELAND

PREVENTION OF CRUELTY

The Welfare of Animals at the Time of Killing (England and Northern Ireland) (Amendment) (EU Exit) Regulations 2019

Approved by both Houses of Parliament

Made - - - - at 9.00 a.m. on 7th October 2019

Laid before Parliament at 4.00 p.m. on 7th October 2019

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018^(a).

The Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Welfare of Animals at the Time of Killing (England and Northern Ireland) (Amendment) (EU Exit) Regulations 2019 and come into force on exit day.

Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014

2. In regulation 3(1) of the Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014^(b), in the definition of “evidence of training and examination”, after sub-paragraph (a), insert—

^(a) 2018 c. 16.

^(b) S.R. 2014 No. 107, to which there are amendments not relevant to these Regulations.

- “(aa) a document attesting the passing of an independent final examination issued by—
- (i) a body designated by the Republic of Ireland as responsible for delivering certificates in accordance with Article 21(1) of the EU Regulation as it has effect in EU law as amended from time to time, or
 - (ii) a body to whom the function of the final examination or the issuing of certificates has been delegated in the Republic of Ireland in accordance with Article 21(2) of the EU Regulation as it has effect in EU law as amended from time to time;
- (ab) a certificate issued in the Republic of Ireland in reliance on Article 29(2) of the EU Regulation as it has effect in EU law;”.

Welfare of Animals at the Time of Killing (England) Regulations 2015

3. In regulation 3(1) of the Welfare of Animals at the Time of Killing (England) Regulations 2015(a), in the definition of “evidence of training and examination”, after sub-paragraph (a), insert—

- “(aa) a document attesting the passing of an independent final examination issued by—
- (i) a body designated by the Republic of Ireland as responsible for delivering certificates in accordance with Article 21(1) of the EU Regulation as it has effect in EU law as amended from time to time, or
 - (ii) a body to whom the function of the final examination or the issuing of certificates has been delegated in the Republic of Ireland in accordance with Article 21(2) of the EU Regulation as it has effect in EU law as amended from time to time,
- (ab) a certificate issued in the Republic of Ireland in reliance on Article 29(2) of the EU Regulation as it has effect in EU law;”.

At 9.00 a.m. on 7th October 2019

Zac Goldsmith
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

(a) S.I. 2015/1782.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular in section 8(2)(c) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

They make provision supplementary to that made by regulation 4(8)(b) of the Animal Welfare (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/802) in relation to certificates of competence needed in order to kill animals or carry out related operations in a slaughterhouse. Regulation 4(8)(b) of those Regulations omits the requirement in Article 21(4) of Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing to recognize certificates of competence issued in any member State.

Regulation 2 amends the Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014 (S.R. 2014 No.107) to ensure that, consistently with the arrangements under the Common Travel Area with the Republic of Ireland, after exit day an individual wishing to apply for a certificate of competence may rely on approved training and examination undertaken in the Republic of Ireland.

Regulation 3 makes the same amendment to the Welfare of Animals at the Time of Killing (England) Regulations 2015 (S.I. 2015/1782).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

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