
STATUTORY INSTRUMENTS

2019 No. 158

**EXITING THE EUROPEAN
UNION, NORTHERN IRELAND
ANIMALS, NORTHERN IRELAND**

The Animal Health and Welfare (Amendment)
(Northern Ireland) (EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>18th December 2018</i>
<i>Made - - - -</i>	<i>24th January 2019</i>
<i>Laid before Parliament</i>	<i>1st February 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

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

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

PART 1

Introduction

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Animal Health and Welfare (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

PART 2

Amendment of Primary Legislation

The Diseases of Animals (Northern Ireland) Order 1981

- 2.—(1) The Diseases of Animals (Northern Ireland) Order 1981⁽²⁾ is amended as follows.
- (2) In Article 46A—
- (a) in the heading, for “Community obligations” substitute “retained EU law”;
 - (b) in paragraph (a), for “in implementation of any Community obligation” substitute “which is retained EU law”.
- (3) In Schedule 2, paragraph 3A(4), omit paragraph (a) and the “and” after paragraph (a).

The Welfare of Animals Act (Northern Ireland) 2011

3. In section 28 of the Welfare of Animals Act (Northern Ireland) 2011⁽³⁾—
- (a) in the heading, for “Community obligations” substitute “retained EU law”;
 - (b) in subsection (1), for “implement a Community obligation” substitute “are retained EU law”.

PART 3

Amendment of Subordinate Legislation

The Registration of Establishments (Laying Hens) Regulations (Northern Ireland) 2003

- 4.—(1) The Registration of Establishments (Laying Hens) Regulations (Northern Ireland) 2003⁽⁴⁾ are amended as follows.
- (2) In regulation 2, omit the definition of “the Directive”.
- (3) In regulation 3—
- (a) in paragraph (2), for “the Directive” substitute “paragraph (3)”;
 - (b) after paragraph (2) insert—

“(3) The distinguishing number must be composed of the appropriate farming method code determined in accordance with paragraphs (5) to (7), followed by the letters “UK” and a unique identification number allocated to the establishment by the Department.

(4) Where it appears appropriate to the Department to do so, the Department may add further characters to the unique identification number required by paragraph (3) in order to identify single flocks kept in separate buildings of an establishment.

(5) Except where paragraph (6) applies, when the farming method in column A is used, the appropriate farming method code is the corresponding number in column B.

<i>Column A</i>	<i>Column B</i>
Free range	1

(2) 1981 No. 1115 (N.I. 22) to which the most recent relevant amendments have been made by S.R. 1994 No. 161, S.R. 2006 No. 41 and 2010 c.1 (N.I.)

(3) 2011 c.16 (N.I.)

(4) S.R. 2003 No. 538

<i>Column A</i>	<i>Column B</i>
Barn	2
Cage	3

(6) Where the farming method used in the establishment produces eggs under the conditions set out in Council Regulation (EC) No. 834/2007 on organic production and labelling of organic products, the appropriate farming method code is “0”.

(7) For the purposes of paragraph (5), the farming method used in an establishment is to be determined in accordance with Council Regulation (EC) No. 589/2008 laying down rules for implementing Council Regulation (EC) No. 1234/2007 as regards marketing standards for eggs.”.

The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006

5.—(1) The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006(5) are amended as follows.

(2) In regulation 20, for paragraph (4) substitute—

“(4) The Department is responsible for designating bodies in accordance with Articles 17(2), 18(1) and 19(1) of Council Regulation (EC) No. 1/2005.”.

(3) In regulation 24, in paragraph (1)(b), for “Community obligations” substitute “retained EU law”.

The Welfare of Farmed Animals Regulations (Northern Ireland) 2012

6. In Schedule 1 to the Welfare of Farmed Animals Regulations (Northern Ireland) 2012(6), in paragraph 27(2), after “Directive 96/22/EEC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and beta-agonists” insert “as it had effect immediately before exit day”.

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

7.—(1) The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014(7) are amended as follows.

(2) In regulation 11, in paragraph (3) for “Scotland, Wales or another member State” substitute “Scotland or Wales”.

(3) In regulation 13, in paragraph (1) omit “(including a certificate or temporary certificate granted in another member State).”.

(4) In regulation 28, for paragraph (6) substitute—

“(6) An inspector may be accompanied by such other persons as the inspector considers necessary.”.

(5) In regulation 38, omit paragraph (2).

(6) In Schedule 2, paragraph 3(2), for “EU obligation” substitute “retained EU law”.

(7) In Schedule 4, paragraph 3(a), for “competent authority” substitute “Department of Health”.

(5) S.R. 2006 No. 538 to which there have been amendments not relevant to these Regulations.

(6) S.R. 2012 No. 156 to which there has been an amendment not relevant to these Regulations.

(7) S.R. 2014 No. 107 to which there has been an amendment not relevant to these Regulations.

24th January 2019

David Rutley
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of powers in the European Union (Withdrawal) Act 2018 (c.16) in order to address failures of domestic legislation to operate effectively and other deficiencies (in particular, under paragraphs (a), (d) and (g) of section 8(2) of the Act) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to the Diseases of Animals (Northern Ireland) Order 1981 and the Welfare of Animals Act (Northern Ireland) 2011 as well as subordinate legislation in the fields of animal welfare at slaughter, animal welfare at transport and the welfare of farmed animals which applies to Northern Ireland.

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