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STATUTORY INSTRUMENTS

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**2020 No. 1388**

The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

PART 3

Amendment of retained direct EU law

CHAPTER 1

Seeds

**Council Decision 2005/834/EC**

3.—(1) Council Decision [2005/834/EEC](#) on the equivalence of checks on practices for the maintenance of varieties carried out in certain third countries is amended as follows.

(2) In Article 1—

- (a) omit “third”;
- (b) for “by the Member States” substitute—

“:

- (a) in relation to [Directive 66/401/EEC](#), in the United Kingdom;
- (b) in relation to the other Directives, in Great Britain”.

(3) Omit Articles 2, 3 and 6.

**Commission Implementing Decision (EU) 2020/1106**

4.—(1) Commission Implementing Decision (EU) 2020/1106 on the organisation of a temporary experiment under Council Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#) and [2002/57/EC](#) as regards the official checking rate for field inspection under official supervision for basic seed, bred seed of generations prior to basic seed and certified seed is amended as follows.

(2) Before Article 1 insert—

*“Article 1*

*Definitions*

1. For the purposes of this Decision, the following definitions apply:

- (a) the “appropriate authority” means:
  - (i) in relation to England, the Secretary of State;
  - (ii) in relation to Wales, the Welsh Ministers;
  - (iii) in relation to Scotland, the Scottish Ministers;

- (b) the “Seeds Marketing Regulations” means:
- (i) in relation to England, the Seed Marketing Regulations 2011(1);
  - (ii) in relation to Wales, the Seed Marketing (Wales) Regulations 2012(2);
  - (iii) in relation to Scotland—
    - (aa) the Oil and Fibre Plant Seed (Scotland) Regulations 2004(3),
    - (bb) the Cereal Seed (Scotland) Regulations 2005(4),
    - (cc) the Fodder Plant Seed (Scotland) Regulations 2005(5), and
    - (dd) the Beet Seed (Scotland) (No 2) Regulations 2010(6).”.
- (3) In Article 1—
- (a) in paragraph 1, in the words before point (a)—
    - (i) for “at Union level” substitute “in Great Britain”;
    - (ii) for the words from “, listed in” to the end substitute “of the Seeds Marketing Regulations”;
  - (b) omit paragraph 2.
- (4) In Articles 2, 3, 4 and 5, and in the heading to Article 2, for “Member States”, in each place where it occurs, substitute “appropriate authorities”;
- (5) In Article 2—
- (a) omit the first subparagraph;
  - (b) in the second subparagraph, omit “the Commission and”;
  - (c) in the third subparagraph, for “Commission” substitute “other appropriate authorities”.
- (6) In Article 3(2), for the words from “Directives” to the end substitute “the Seeds Marketing Regulations”.
- (7) In Article 4—
- (a) in the heading, for the words from “Directives” to the end substitute “the Seeds Marketing Regulations”;
  - (b) in the paragraph—
    - (i) for “Directives [66/401/EEC](#), [66/402/EEC](#), [2002/54/EC](#) and [2002/57/EC](#)” substitute “the Seed Marketing Regulations”;
    - (ii) omit the words from “, laid down” to the end.
- (8) In Article 5—
- (a) in paragraph 1, omit “to the Commission and”;
  - (b) in paragraph 2, in the first subparagraph, omit “the Commission and”.
- (9) Omit Article 7.

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(1) S.I. 2011/463, amended by S.I. 2011/2992, 2012/3035, 2014/487, 2016/613, 2017/288, 2019/131, 472, 2020/579, 682. It is prospectively amended by S.I. 2019/809.

(2) S.I. 2012/245 (W. 39), amended by S.I. 2013/889 (W. 101), 2014/519 (W. 61), 2016/1242 (W. 294), 2017/1095 (W. 276), 2019/368 (W. 90), 737 (W. 140), 2020/601 (W. 138), 833 (W. 182).

(3) S.S.I. 2004/317, amended by S.S.I. 2007/224, 536, 2009/223, 2010/219, 2016/68, 434, 2019/59, 2020/165.

(4) S.S.I. 2005/328, amended by S.S.I. 2006/448, 2007/224, 536, 2009/223, 2010/219, 2011/1043, 2016/68, 434, 2019/59, 2020/165. It is prospectively amended by S.S.I. 2019/190.

(5) S.S.I. 2005/329, amended by S.S.I. 2006/448, 2007/224, 536, 2009/223, 330, 2010/219, 2011/1043, 2012/5, 2013/326, 2016/68, 434, 2017/384, 2019/59, 2020/165.

(6) S.S.I. 2010/148, amended by S.S.I. 2016/68, 434, 2011/1043, 2019/59.

## CHAPTER 2

### Aquatic Animal Health

#### Commission Regulation (EC) No 1251/2008

5.—(1) Commission Regulation (EC) No 1251/2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species is amended as follows.

- (2) In Article 1—
- (a) in point (b)(ii), for the words from “Member States” to the end substitute “Great Britain”;
  - (b) in point (d), for “the Community” substitute “Great Britain”.
- (3) In Article 2—
- (a) the existing text is renumbered paragraph 1;
  - (b) in renumbered paragraph 1—
    - (i) in point (a)(i), for “the Community” substitute “Great Britain”;
    - (ii) after point (c), insert—
      - “(d) “the appropriate authority” means:
        - (i) in relation to England, the Secretary of State;
        - (ii) in relation to Wales, the Welsh Ministers;
        - (iii) in relation to Scotland, the Scottish Ministers;but “the appropriate authority” is the Secretary of State if consent is given:
        - (i) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
        - (ii) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;
  - (e) “the Aquatic Animal Health Regulations” means—
    - (i) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009(7);
    - (ii) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009(8);
  - (f) “Commission Decision 2009/177/EC” means Commission Decision 2009/177/EC as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments(9);
  - (g) “constituent GB territory” means England, Wales or Scotland as the case may be;
  - (h) “third country” means any country or territory other than the British Islands.”;
- (c) after renumbered paragraph 1 insert—

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(7) S.I. 2009/463; amended by S.I. 2011/981 and 2019/1488.

(8) S.S.I. 2009/85; amended by S.S.I. 2011/259, 2011/427, 2015/100 and 2019/412, and prospectively amended by S.S.I. 2019/9.

(9) EUDN 2009/177.

“2. References to eradication programmes and surveillance programmes are to be read as references to eradication or surveillance programmes (as the case may be) established under Commission Implementing Decision (EU) 2015/1554 laying down rules for the application of [Directive 2006/88/EC](#) as regards requirements for surveillance and diagnostic methods<sup>(10)</sup>.”

3. References to a constituent GB territory or a zone or compartment thereof being “declared free” of one of more of the diseases listed in Annex 1A mean declared free in accordance with Section 2 of Commission [Decision 2009/177/EC](#).”.

(4) In Article 3, for “Article 17 of [Directive 2006/88/EC](#)” substitute “the Aquatic Animal Health Regulations”.

(5) Omit Article 4(1).

(6) After Article 4 insert—

*“Article 4a*

*Application of Articles 5 to 9*

Articles 5 to 9 do not apply to movements—

- (a) from a third country to Great Britain, or any part thereof;
- (b) between constituent GB territories if all constituent GB territories have been declared free of the relevant disease; or
- (c) from one part of the coastline of Great Britain to another, if the coastlines of all constituent GB territories have been declared free of the relevant disease.”.

(7) In Articles 5, 6(1) and 7—

- (a) in the words before point (a), for the words from “model” to “Annex V” substitute “relevant model”;
- (b) in point (a)—
  - (i) in the words before point (i), for the words from “Member States” to the end substitute “a constituent GB territory, a zone or a compartment where the constituent GB territory, zone or compartment concerned is.”;
  - (ii) in point (i), for the words from “Part II” to the end substitute “Annex 1A; or”;
  - (iii) in point (ii), omit the words from “in accordance” to the end;
- (c) in point (b), for “Member State” substitute “constituent GB territory”;

(8) In Article 8—

- (a) in the heading, for “Member States, zones and compartments” substitute “a constituent GB territory, zone or compartment”;
- (b) in paragraph 1—
  - (i) in the words before point (a)—
    - (aa) for “Consignments” substitute “Where consent has been granted by the competent authority in accordance with regulation 24(3) or 28(2) of the Aquatic Animal Health Regulations, consignments”;
    - (bb) for “Member States, zones or compartments” substitute “a constituent GB territory, a zone or a compartment”;

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<sup>(10)</sup> EUDN 2015/1554.

- (cc) for the words from “Sections 3 to 6” to “competent authority,” substitute “Part 4 of those Regulations”;
- (dd) for “model set out in:” substitute “relevant model.”;
- (ii) omit points (a) and (b);
- (c) in paragraphs 2 and 3—
  - (i) in the words before point (a), for the words from “model” to “Annex V” substitute “relevant model”;
  - (ii) in point (a)—
    - (aa) for “Member State” substitute “constituent GB territory”;
    - (bb) omit the words from “approved” to the end.
- (9) In Article 8a—
  - (a) in the heading, for the words from “Member States” to the end substitute “areas listed in Schedule 1 to the Aquatic Animal Health Regulations”;
  - (b) in paragraph 1—
    - (i) in the words before point (a), for the words from “model” to “Annex V” substitute “relevant model”;
    - (ii) in point (a)—
      - (aa) in the words before point (i), for “Member States or parts” to “column of” substitute “constituent GB territory or part”;
      - (bb) in point (i), for “Annex I to [Decision 2010/221/EU](#)” substitute “Schedule 1 to the Aquatic Animal Health Regulations”;
      - (cc) omit points (ii) and (iii);
    - (iii) in point (b)—
      - (aa) for “Member State” substitute “constituent GB territory”;
      - (bb) omit the words “, or for which” to the end;
  - (c) in paragraph 2, for the words from “model” to “paragraph 1” substitute “relevant model”;
  - (d) in paragraph 3—
    - (i) for “a Member State” substitute “a constituent GB territory”;
    - (ii) for “Annex I to [Decision 2010/221/EU](#)” substitute “Schedule 1 to the Aquatic Animal Health Regulations”.
- (10) Omit Article 8b.
- (11) In Chapter IV, before Article 10 insert—

*“ Article A10*

*Application of Chapter IV*

This Chapter only applies to movements into Great Britain from a third country.”.

- (12) In Article 10—
  - (a) in paragraph 1, for “the Community” substitute “Great Britain”;
  - (b) in paragraph 2, in points (a) and (b), for the words from “model” to the end substitute “relevant model”.
- (13) In Article 11—

- (a) in paragraphs 1 and 2—
    - (i) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A”;
    - (ii) for “the Community” substitute “Great Britain”;
  - (b) in paragraph 2, for “susceptible species” substitute “species susceptible”;
  - (c) in paragraph 3, in points (a) and (b), for the words from “model” to the end substitute “relevant model”.
- (14) In Article 12—
- (a) in paragraph 1—
    - (i) for “the Community” substitute “Great Britain”;
    - (ii) for “Article 11(1) of Regulation ([EC](#)) No 854/2004” substitute “Articles 126 and 127 of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products<sup>(11)</sup>”;
  - (b) in paragraph 2(a), for the words from “models” to the end substitute “model”;
  - (c) in paragraph 2(b), for the words from “model” to the end substitute “relevant model”;
  - (d) in paragraph 3, for “Community waters” substitute “waters within, and territorial waters adjacent to, Great Britain,”.
- (15) In Article 13, omit “harmonised at Community level”.
- (16) In Article 14—
- (a) in paragraphs 1 to 3, in each place where it occurs, for “the Community” substitute “Great Britain”;
  - (b) in paragraph 3—
    - (i) omit “border”;
    - (ii) for “model set out in Part D of Annex IV” substitute “relevant model”.
- (17) In Article 15, in paragraphs 1, 2 and 3, in each place where it occurs, for “the Community” substitute “Great Britain”.
- (18) In Article 16—
- (a) in the first paragraph—
    - (i) for “the Community” substitute “Great Britain”, in each place where it occurs;
    - (ii) for “the EC” substitute “Great Britain”;
  - (b) in the second paragraph, for the words from “model” to the end substitute “relevant model”.
- (19) Omit Article 17.
- (20) Omit Chapter 6.
- (21) After Article 21, omit the words from “This Regulation” to “Member States”.
- (22) In Annex 1, in the heading to column 2, omit “for the purposes of Article 17(1) and (2)”.
- (23) After Annex 1, insert—

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(11) EUR 2017/625.

## “Annex IA

## LISTED DISEASES

	DISEASE	SUSCEPTIBLE SPECIES
<b>EXOTIC DISEASES</b>		
FISH	Epizootic necrosis	haematopoietic Rainbow trout ( <i>Oncorhynchus mykiss</i> ) and redbfin perch ( <i>Percha fluviatilis</i> )
MOLLUSCS	Infection with <i>Bonamia exitiosa</i>	Australian mud oyster ( <i>Ostrea angasi</i> ) and Chilean flat oyster ( <i>O. chilensis</i> )
	Infection with <i>Perkinsus marinus</i>	Pacific oyster ( <i>Crassostrea gigas</i> ) and Eastern oyster ( <i>C. virginica</i> )
	Infection with <i>Microcytos mackini</i>	Pacific oyster ( <i>Crassostrea gigas</i> ), Eastern oyster ( <i>C. virginica</i> ), Olympia flat oyster ( <i>Ostrea conchaphila</i> ) and European flat oyster ( <i>O. edulis</i> )
CRUSTACEANS	Taura syndrome	Gulf white shrimp ( <i>Penaeus setiferus</i> ), Pacific blue shrimp ( <i>P. stylirostris</i> ), and Pacific white shrimp ( <i>P. vannamei</i> )
	Yellowhead disease	Gulf brown shrimp ( <i>Penaeus aztecus</i> ), Gulf pink shrimp ( <i>P. duoranrum</i> ), Kuruma prawn ( <i>P. japonicas</i> ), black tiger shrimp ( <i>P. monodon</i> ), Gulf white shrimp ( <i>Penaeus. setiferus</i> ), Pacific blue shrimp ( <i>P. stylirostris</i> ), and Pacific white shrimp ( <i>P. vannamei</i> )
<b>NON-EXOTIC DISEASES</b>		
FISH	Viral septicaemia (VHS)	haemorrhagic Herring ( <i>Clupea spp.</i> ), whitefish ( <i>Coregonus spp.</i> ), pike ( <i>Esox lucius</i> ), haddock ( <i>Gadusa aeglefinus</i> ), Pacific cod ( <i>G. macrocephalus</i> ), Atlantic cod ( <i>G. morhua</i> ), Pacific salmon ( <i>Oncorhynchus spp.</i> ) rainbow trout ( <i>O. mykiss</i> ), rockling ( <i>Onos mustelus</i> ), brown trout ( <i>Salmo trutta</i> ), turbot ( <i>Schophthalmus maximus</i> ), sprat ( <i>Sprattus sprattus</i> ) and grayling ( <i>Thymallus thymallus</i> ) and olive flounder ( <i>Paralichthys olivaceus</i> )
	Infectious necrosis (IHN)	haematopoietic Chum salmon ( <i>Oncorhynchus keta</i> ), coho salmon ( <i>O. kisutch</i> ), Masou salmon ( <i>O. masou</i> ), rainbow or steelhead trout ( <i>O. mykiss</i> ), sockeye salmon ( <i>O. nerka</i> ), pink salmon ( <i>O. rhodurs</i> ) chinook salmon ( <i>O. tshawytscha</i> ), and Atlantic salmon ( <i>Salmo salar</i> )
	Koi disease	herpes virus (KHV) Common carp and koi carp ( <i>Cyprinus carpio</i> )
	Infectious salmon anaemia (ISA); infection with genotype HPR-deleted of the genus Isavirus (ISAV)	Rainbow trout ( <i>Oncorhynchus mykiss</i> ), Atlantic salmon ( <i>Salmo salar</i> ), and brown and sea trout ( <i>Salmo. trutta</i> )
MOLLUSCS	Infection with refringens	Marteilia Australian mud oyster ( <i>Ostrea angasi</i> ), Chilean flat oyster ( <i>O. chilensis</i> ), European flat oyster ( <i>O. edulis</i> ), Argentinian oyster ( <i>O. puelchana</i> ), blue mussel ( <i>Mytilus edulis</i> ) and Mediterranean mussel ( <i>M. galloprovincialis</i> )

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<i>DISEASE</i>		<i>SUSCEPTIBLE SPECIES</i>	
Infection with ostreae	Bonamia	Australian mud oyster ( <i>Ostrea angasi</i> ), Chilean flat oyster ( <i>O. chilensis</i> ), Olympia flat oyster ( <i>O. conchaphila</i> ), Asiatic oyster ( <i>O. denselammellosa</i> ), European flat oyster ( <i>O. edulis</i> ), and Argentinian oyster ( <i>O. puelchana</i> )	
CRUSTACEANS	White spot disease	All decapod crustacean ( <i>order Decapoda</i> )	

(24) Omit Annex 2.

(25) In Annex 3—

(a) in the table, at the end insert—

“CH	Switzerland	X			Whole country
LI	Liechtenstein	X			Whole country
FO	Faroe Islands	X	X	X	Whole country
EU, NO, IS	EU member States, Norway and Iceland	X	X	X	Whole country of each state”

(b) in the notes to the table, for “Part II of Annex IV to [Directive 2006/88/EC](#)”, wherever it occurs, substitute “Annex 1A”.

(26) Omit Annexes 4 and 5.

#### **Commission Decision 2008/392/EC**

6.—(1) Commission [Decision 2008/392/EC](#) implementing Council [Directive 2006/88/EC](#) as regards an Internet-based information page to make information on aquaculture production businesses and authorised processing establishments available by electronic means is amended as follows.

(2) In Article 1—

(a) in paragraph 1—

(i) for “Member States” substitute “appropriate authority”;

(ii) omit the words from “in accordance” to the end;

(b) in paragraph 2—

(i) for “shall apply” substitute “also applies”;

(ii) for the words from “which, by” to the end substitute “registered in accordance with Part 2 of the Aquatic Animal Health Regulations”.

(3) After Article 1, insert—

*“Article 1a*

*Interpretation*

In this Decision—

(a) “the appropriate authority” means:

(i) in relation to England, the Secretary of State;

(ii) in relation to Wales, the Welsh Ministers;

- (iii) in relation to Scotland, the Scottish Ministers;  
but the appropriate authority is the Secretary of State if consent is given:
  - (i) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
  - (ii) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;
- (b) “the Aquatic Animal Health Regulations” means—
  - (i) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
  - (ii) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009.”.
- (4) In Article 2—
  - (a) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) for “Member States” substitute “appropriate authority”;
      - (bb) for “Article 4 of [Directive 2006/88/EC](#)” substitute “Part 2 of the Aquatic Animal Health Regulations”;
    - (ii) in the second subparagraph, for “Member States” substitute “The appropriate authority”;
  - (b) omit paragraph 2;
  - (c) in paragraph 3, in the first subparagraph—
    - (i) for “Member States” substitute “The appropriate authority”;
    - (ii) for “Article 6 of [Directive 2006/88/EC](#)” substitute “Part 2 of the Aquatic Animal Health Regulations”;
  - (d) omit paragraph 4.
- (5) Omit Articles 3 and 4, the words after Article 4, and the Annexes.

#### **Commission Decision 2008/896/EC**

7.—(1) Commission [Decision 2008/896/EC](#) on guidelines for the purpose of the risk-based animal health surveillance schemes provided for in Council [Directive 2006/88/EC](#) is amended as follows.

- (2) For Article 1 substitute—
  - “1. The appropriate authority must ensure that a risk-based animal health surveillance scheme is applied in all farms and mollusc farming areas, as appropriate for the types of production.
  - 2. In establishing a risk-based animal health surveillance scheme referred to in paragraph 1, the appropriate authority must have regard to—
    - (a) the need to detect—
      - (i) increased mortality in farms and mollusc production areas as appropriate for the type of production;
      - (ii) the diseases listed in Annex 1A to Regulation 1251/2008, in farms and mollusc farming areas where species susceptible to those diseases are present;
    - (b) the guidelines set out in the Annex to this Decision.”.
- (3) After Article 1 insert—

*“Article 1a*

*Interpretation*

1. In this Decision—

(a) “the appropriate authority” means—

- (i) in relation to England, the Secretary of State;
- (ii) in relation to Wales, the Welsh Ministers;
- (iii) in relation to Scotland, the Scottish Ministers;

but the appropriate authority is the Secretary of State if consent is given:

- (i) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
- (ii) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;

(b) “the Aquatic Animal Health Regulations” means—

- (i) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
- (ii) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009;

(c) “constituent GB territory” means England, Wales or Scotland as the case may be;

(d) “Regulation 1251/2008” means [Commission Regulation \(EC\) No 1251/2008](#) implementing Council [Directive 2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species<sup>(12)</sup>.

2. References to eradication programmes and surveillance programmes are to be read as references to eradication or surveillance programmes (as the case may be) established under Commission Implementing Decision (EU) 2015/1554 laying down rules for the application of [Directive 2006/88/EC](#) as regards requirements for surveillance and diagnostic methods..”.

(4) Omit Article 2 and the words after Article 2.

(5) The Annex is amended as follows.

(6) In the heading, omit the words from “PROVIDED” to the end.

(7) In paragraph 1—

- (a) for “Member States” substitute “the appropriate authority”;
- (b) for “Article 10(1) of [Directive 2006/88/EC](#)” substitute “Article 1”.

(8) In paragraph 2.1—

- (a) in the first subparagraph, for “Article 8 of [Directive 2006/88/EC](#)” substitute “regulations 6(2) and 7(2) of the Aquatic Animal Health Regulations”;
- (b) in the third subparagraph, for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
- (c) in the fifth subparagraph, for “Chapter V of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”.

(9) In paragraph 3, for “Member States” substitute “The appropriate authority”.

(10) In paragraph 4, for point (a) substitute—

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(12) EUR 1251/2008.

- “(a) the health status of Great Britain or the constituent GB territory, zone or compartment concerned in relation to non-exotic diseases listed in Annex 1A to Regulation 1251/2008 (listed non-exotic diseases);”.
- (11) Paragraph 5 is amended as follows.
- (12) In the words before the table, omit “the following”.
- (13) Omit the table.
- (14) In the words below the table—
- (a) in the first unnumbered subparagraph—
- (i) in point (a), omit “approved in accordance with [Directive 2006/88/EC](#)”;
- (ii) in point (b), for the words from “in accordance” to the end substitute “having satisfied Article 2a(2)(a) or (b) or Article 2b(2)(a) or (b) of Commission [Decision 2009/177/EC](#) implementing Council [Directive 2006/88/EC](#) as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments”;
- (iii) in point (c), for “Chapter V of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (b) in the second unnumbered subparagraph—
- (i) in the words before point (a), for “Member States” substitute “the appropriate authority”;
- (ii) in point (a)—
- (aa) omit “approved in accordance with [Directive 2006/88/EC](#)”;
- (bb) for “that Directive” substitute “[Directive 2006/88/EC](#)”;
- (cc) for “Member States” substitute “the appropriate authority”;
- (iii) in point (b), for “Member States” substitute “the appropriate authority”.
- (15) In paragraph 6.1—
- (a) in the third subparagraph, for “Member States” substitute “The appropriate authority”;
- (b) in the fourth subparagraph, in the words before point (a), for “Member States”—
- (i) in the first place where it appears, substitute “the appropriate authority”;
- (ii) in the second place where it appears, substitute “The appropriate authority”.
- (16) In paragraph 6.4—
- (a) in the first unnumbered paragraph, for “the Member State” substitute “a constituent GB territory”;
- (b) in the second unnumbered paragraph—
- (i) for “Member States”, in the first place where it appears, substitute “The appropriate authority”;
- (ii) for “Member States”, in the second place where it appears, substitute “the appropriate authority”;
- (17) In paragraph 6.6.2, in point (b), omit “under existing Community legislation”.

#### **Commission [Decision 2008/946/EC](#)**

**8.—(1)** Commission [Decision 2008/946/EC](#) implementing Council [Directive 2006/88/EC](#) as regards requirements for quarantine of aquaculture animals is amended as follows.

- (2) in Article 1—

- (a) for point (a) substitute—
    - “(a) Part 3A of the Aquatic Animal Health Regulations;”;
  - (b) in point (b), omit the words from “and” to the end.
- (3) In Article 2—
- (a) in paragraph 1(c)—
    - (i) for “Article 2(4) of Regulation (EC) No 882/2004” substitute “Article 3(4) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products”;
    - (ii) omit “in accordance with Articles 4 and 6 of Directive 2006/88/EC,”;
  - (b) in paragraph 4, for “Part II of Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;
  - (c) at the end, insert—
    - “6. “the appropriate authority” means:
      - (a) in relation to England, the Secretary of State;
      - (b) in relation to Wales, the Welsh Ministers;
      - (c) in relation to Scotland, the Scottish Ministers;
 but the appropriate authority is the Secretary of State if consent is given:
      - (a) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
      - (b) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;
    - 7. “the Aquatic Animal Health Regulations” means—
      - (a) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
      - (b) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009;
    - 8. “constituent GB territory” means England, Wales or Scotland as the case may be;
    - 9. “Regulation (EC) No 1251/2008” means Commission Regulation (EC) No 1251/2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species;
    - 10. “third country” means any country or territory other than the British Islands..”.
- (4) In Article 3, for “the Community”, in both places where it occurs, substitute “Great Britain”.
- (5) In Article 5—
- (a) for paragraph 1(a) substitute—
    - “(a) provisions which are at least equivalent to the authorisation conditions laid down in—
      - (i) if the consignment is intended for a destination in England or Wales, Part 2 of the Aquatic Animal Health (England and Wales) Regulations) 2009;
      - (ii) if the consignment is intended for a destination in Scotland, Part 2 of the Aquatic Animal Health (Scotland) Regulations 2009.”;
  - (b) in paragraph 3—

- (i) after “drawn up” insert “by the competent authority”;
  - (ii) for “the Commission” substitute “the appropriate authority”.
- (6) In Article 6(3), in the second subparagraph, for “Commission” substitute “appropriate authority to which the competent authority communicated the list referred to in Article 5(3)”.
- (7) For Article 7 substitute—
- “The appropriate authority which receives a new or updated list of quarantine facilities in accordance with Article 5(3) must provide a copy to each other authority which in relation to any constituent part of Great Britain is the appropriate authority and make the list available to the public.”.
- (8) In the heading to Chapter 3, for “THE COMMUNITY” substitute “GREAT BRITAIN”.
- (9) In Article 8—
- (a) in paragraph 1—
    - (i) for “into the Community”, substitute “from a third country”;
    - (ii) for the second reference to “the Community” substitute “Great Britain”;
  - (b) in paragraph 2, for point (a) substitute—
    - “(a) be drawn up in English or, where drawn up in another language, accompanied by a translation into English;”.
- (10) In Article 9—
- (a) for “into the Community”, substitute “from a third country”;
  - (b) for the second reference to “the Community” substitute “Great Britain”.
- (11) In Article 10—
- (a) in paragraph 1—
    - (i) in the words before point (a)—
      - (aa) for “into the Community”, substitute “from a third country”;
      - (bb) for the second reference to “the Community” substitute “Great Britain”;
    - (ii) in point (a), for the words from “computerised system” to the end substitute “appropriate computerised information management system”;
    - (iii) in point (c), for “Traces system” substitute “appropriate computerised information management system”;
  - (b) in paragraph 2, for “the Community” substitute “Great Britain”.
- (12) In Article 11—
- (a) in the heading, for “the Community” substitute “Great Britain”;
  - (b) in the words before point (a)—
    - (i) for “the Community”, in both places where it appears, substitute “Great Britain”;
    - (ii) for “Article 17 or 20 of [Directive 2006/88/EC](#)” substitute “Part 3A of the Aquatic Animal Health Regulations”.
  - (c) in point (a), for “the Community” substitute “Great Britain”.
- (13) In Article 12, omit paragraph 4.
- (14) In Article 14(4)(b), for “Member State” substitute “a constituent GB territory”.
- (15) Omit Chapter 5.
- (16) In Annex 1—
- (a) in Part A, in paragraph 4, for “a Member State,” substitute “a constituent GB territory”;

(b) in Part B, in paragraph 10, for “Article 8 of [Directive 2006/88/EC](#)” substitute “regulation 6 of the Aquatic Animal Health Regulations”.

(17) In Annex 2, in paragraph 3, for the words from “to be” to the end substitute “in Commission Implementing Decision (EU) 2015/1554 laying down rules for the application of [Directive 2006/88/EC](#) as regards requirements for surveillance and diagnostic methods”.

### **Commission Decision 2009/177/EC**

9.—(1) Commission [Decision 2009/177/EC](#) implementing Council [Directive 2006/88/EC](#) as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments is amended as follows.

(2) Before Section 1 insert—

#### *“Article 11*

#### *Interpretation*

In this Decision—

(a) “the appropriate authority” means—

- (i) in relation to England, the Secretary of State;
- (ii) in relation to Wales, the Welsh Ministers;
- (iii) in relation to Scotland, the Scottish Ministers;

but the appropriate authority is the Secretary of State if consent is given—

- (i) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;
- (ii) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;

(b) “the Aquatic Animal Health Regulations” means—

- (i) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
- (ii) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009;

(c) “constituent GB territory”, means England, Wales or Scotland as the case may be;

(d) “Decision 2015/1554” means Commission Implementing Decision (EU) 2015/1554 laying down rules for the application of [Directive 2006/88/EC](#) as regards requirements for surveillance and diagnostic methods;

(e) “Regulation 1251/2008” means [Commission Regulation \(EC\) No 1251/2008](#) implementing Council [Directive 2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species.”.

(3) Omit Section 1.

(4) For the heading to Section 2 substitute “AREAS FREE OF NON-EXOTIC DISEASES”.

(5) In Section 2, before Article 3, insert—

#### *“Article 2a*

#### *Non-exotic disease-free status for a constituent GB territory*

1. The appropriate authority for a constituent GB territory may declare that territory free of one or more of the non-exotic diseases listed in Annex 1A to Regulation 1251/2008 if—

- (a) the conditions in paragraph 2 and, where applicable, paragraph 3 are met; and

- (b) the requirements for surveillance, buffer zones, sampling and diagnostic methods set out in Decision (EU) 2015/1554 have been met.
2. The first condition is that—
- (a) none of the species susceptible to the disease in question are present in the constituent GB territory;
  - (b) the pathogen is known not to be able to survive in the constituent GB territory and its water source; or
  - (c) the conditions in Part 1 of Annex 5 to [Directive 2006/88/EC](#) are met.
3. Where adjoining constituent GB territories or water catchment areas shared with a neighbouring constituent GB territory are not declared disease-free, the second condition is that appropriate buffer zones have been established to protect the disease-free territory from passive introduction of the disease.

#### *Article 2b*

##### *Non-exotic disease-free status for a zone or compartment*

1. The appropriate authority may declare a zone or compartment free of one or more of the non-exotic diseases listed in Annex 1A to Regulation 1251/2008 if—
- (a) the condition in paragraph 2 is met; and
  - (b) the requirements for surveillance, buffer zones, sampling and diagnostic methods set out in Decision (EU) 2015/1554 have been met.
2. The first condition is that—
- (a) none of the species susceptible to the disease in question are present in the zone or compartment;
  - (b) the pathogen is known not to be able to survive in the zone or compartment and, where relevant, its water source; or
  - (c) the conditions in Part 2 of Annex 5 to [Directive 2006/88/EC](#) are met.

#### *Article 2c*

##### *Maintenance of non-exotic disease-free status*

Where a constituent GB territory is declared free from one or more non-exotic diseases listed in Annex 1A to Regulation 1251/2008 in accordance with Article 2a, the appropriate authority may discontinue targeted surveillance and maintain its disease-free status provided that the conditions conducive to clinical expression of the disease in question exist.

However, for disease-free zones or compartments in a constituent GB territory not declared disease-free, and in all cases where conditions are not conducive to clinical expression of the disease in question, targeted surveillance shall be continued in accordance with the methods provided for in Decision 2015/1554, but at a level commensurate with the degree of risk.

#### *Article 2d*

##### *Suspension and restoration of disease-free status*

1. Where the appropriate authority has reason to believe that any of the conditions for maintaining disease-free status are no longer met in respect of their constituent GB territory, zone or compartment, the appropriate authority must apply the provisions of Part 4 of the Aquatic Animal Health Regulations.

2. Where the epizootic investigation required by Part 4 of the Aquatic Animal Health Regulations confirms that the conditions for maintaining disease-free status are still met, the disease-free status of the constituent GB territory, zone or compartment may be restored.

3. Where the epizootic investigation confirms a significant likelihood that infection has occurred, the disease-free status of the constituent GB territory, zone or compartment must be withdrawn. The requirements laid down in Annex 5 to [Directive 2006/88/EC](#) must be complied with before disease-free status is restored.

## SECTION 2A

### AREAS FREE OF EXOTIC DISEASE

#### *Article 2e*

##### *Exotic disease-free status*

1. The appropriate authority for a constituent GB territory may declare that territory, or a zone or compartment thereof, free of one or more of the exotic diseases listed in Annex 1A to Regulation 1251/2008 if the condition in paragraph 2 is met.

2. The condition is that—

- (a) none of the species susceptible to the disease in question are present in the constituent GB territory, zone or compartment;
- (b) the pathogen is known not to be able to survive in the constituent GB territory, zone or compartment and its water source;
- (c) susceptible species are present, but there has not been any observed occurrence of the disease in the constituent GB territory, zone or compartment for at least ten years; or
- (d) the last known occurrence was within the last ten years, but targeted surveillance has not detected the disease on a farm, or in a mollusc farming area, that rears any of the susceptible species.

#### *Article 2f*

##### *Suspension and restoration of exotic disease-free status*

1. Where the appropriate authority has reason to believe that the condition for maintaining exotic disease-free status is no longer met in respect of their constituent GB territory, zone or compartment, the appropriate authority must undertake an investigation.

2. Where the investigation required by paragraph 1 confirms that the condition for maintaining exotic disease-free status is still met, the disease-free status of the constituent GB territory, zone or compartment may be restored.

3. Where the investigation confirms a significant likelihood that infection has occurred, the exotic disease-free status of the constituent GB territory, zone or compartment must be withdrawn until the condition in Article 2e(2) is once again met.”.

(6) Omit Articles 3 and 4.

(7) For Article 5 substitute—

*“Article 5*

*Savings for declarations of disease-free status made before IP completion day*

1. Subject to paragraph 2, declarations of disease-free status made before IP completion day which are listed in Part C of Annex 1 are to be treated as if—

- (a) references to Great Britain were to the relevant constituent GB territory; and
- (b) they had been made in accordance with Article 2a or 2b (as the case may be).

2. Paragraph 1 does not apply where, following IP completion day, disease-free status has been withdrawn in relation to any of the areas listed in Part C of Annex 1 in accordance with Article 2d.

3. The Internet-based information pages required by Article 10 are to be considered to be the definitive list of constituent GB territories, zones and compartments which are declared to be disease-free..”.

(8) Omit Section 3.

(9) In the heading to Section 4, omit “OBLIGATIONS FOR REPORTS AND”.

(10) Omit Article 9.

(11) For Article 10 substitute—

*“Article 10*

*Internet-based information pages*

The appropriate authority must establish and keep up-to-date Internet-based information pages in order to make publicly available the list of constituent GB territories, zones or compartments declared to be disease-free..”.

(12) Omit Sections 5 and 6.

(13) In Annex 1—

- (a) omit Parts A and B;
- (b) in Part C, for the table and the heading to that table substitute—

**“Declarations of disease-free status prior to IP completion day**

<i>Disease</i>	<i>Geographical demarcation of the disease-free area</i>
Viral haemorrhagic septicaemia (VHS)	All continental and coastal areas within Great Britain.
Infectious haematopoietic necrosis (IHN)	All continental and coastal areas within Great Britain.
Infectious salmon anaemia (ISA); infection with genotype HPR-deleted of the genus Isavirus (ISAV)	All continental and coastal areas within Great Britain.
Infection with <i>Marteilia refringens</i>	The whole coastline of Great Britain.
Infection with <i>Bonamia ostreae</i>	The whole coastline of Great Britain, except:

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>Disease</i>	<i>Geographical demarcation of the disease-free area</i>
	<p>1. The south coast of Cornwall from the Lizard to Start Point;</p> <p>2. The coast of Dorset, Hampshire and Sussex from Portland Bill to Selsey Bill;</p> <p>3. The area along the coast of North Kent and Essex from North Foreland to Felixstowe;</p> <p>4. The area along the coast in south-west Wales from Wooltack Point to St Govan's Head, including Milford Haven and the tidal waters of the East and West Cleddau river;</p> <p>5. The area containing the waters of Loch Sunart east of a line drawn south-south-east from the northernmost tip of Maclean's Nose to Auliston Point;</p> <p>6. The area containing West Loch Tarbert north-east of a line drawn east-south-east from Ardpatrick Point NR 734 578 to North Dunskeig Bay at NR 752 568;</p> <p>7. The Dornoch Firth, the area of tidal waters west of a line drawn from NH808873 to NH835857 (Ordnance Survey Landranger 1:50,000 series) to the mean high water mark;</p> <p>8. Lynn of Lorn, Loch Creran and Loch Etive, the area of marine waters south-east of the island of Lismore, contained within a circle of radius 7258 metres from point NM873391 (ordnance Survey Landranger 1:50,000 series) and including the tidal waters of Loch Etive and Loch Creran to the mean high water mark."</p>

(14) Omit Annexes 2 to 6.

#### **Commission Decision 2010/221/EU**

**10.** Commission Decision 2010/221/EU approving national measures for limiting the impact of certain diseases in aquaculture animals and wild aquatic animals in accordance with Article 43 of Council Directive 2006/88/EC is revoked.

#### **Commission Implementing Decision (EU) 2015/1554**

**11.**—(1) Commission Implementing Decision (EU) 2015/1554 laying down rules for the application of Directive 2006/88/EC as regards requirements for surveillance and diagnostic methods is amended as follows.

(2) In Article 1—

(a) in point (a)—

- (i) for “Member States”, in the first place where it occurs, substitute “the appropriate authority”;
- (ii) for “the Member States” substitute “constituent GB territories”;
- (iii) for “Part II to Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;

- (b) in point (c), for “Member State” substitute “constituent GB territory”.
- (3) In Article 2, after point (g) insert—
- “(h) “the appropriate authority” means—
- (i) in relation to England, the Secretary of State;
  - (ii) in relation to Wales, the Welsh Ministers;
  - (iii) in relation to Scotland, the Scottish Ministers;
- but the appropriate authority is the Secretary of State if consent is given—
- (i) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;
  - (ii) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;
- (i) “the Aquatic Animal Health Regulations” means—
- (i) in relation to England and Wales, the Aquatic Animal Health (England and Wales) Regulations 2009;
  - (ii) in relation to Scotland, the Aquatic Animal Health (Scotland) Regulations 2009;
- (j) “Commission [Decision 2009/177/EC](#)” means Commission [Decision 2009/177/EC](#) as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments;
- (k) “constituent GB territory” means England, Wales or Scotland, as the case may be;
- (l) “the EU Directive” means Council [Directive 2006/88/EC](#) on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals, as it has effect in European Union law, as amended from time to time;
- (m) “Regulation 1251/2008” means [Commission Regulation \(EC\) No 1251/2008](#) implementing Council [Directive 2006/88/EC](#) as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species.”.
- (4) After Article 2 insert—

*“Article 2a*

*Surveillance and eradication programmes*

1. Where a constituent GB territory is not known to be infected and is not declared free of one or more of the non-exotic diseases listed in Annex 1A to Regulation 1251/2008, the appropriate authority may establish a surveillance programme for achieving disease-free status for one or more of those diseases.
2. A surveillance programme established in accordance with paragraph 1 must include specific requirements for surveillance, sampling and diagnostics as provided for in Annex 1.
3. Where a constituent GB territory is known to be infected by one or more of the non-exotic diseases listed in Annex 1A to Regulation 1251/2008, the appropriate authority may establish an eradication programme for achieving disease-free status.
4. A programme established in accordance with paragraph 1 or 3 must contain—
  - (a) a description of the epidemiological situation of the disease before the date of commencement of the programme;
  - (b) an analysis of the estimated costs and the anticipated benefits of the programme;

- (c) the likely duration of the programme and the objective to be attained by the completion date of the programme;
  - (d) a description and demarcation of the geographical and administrative area in which the programme is to be applied.”.
- (5) In Article 3—
- (a) for “Member States” substitute “The appropriate authority”;
  - (b) for “Member State” substitute “constituent GB territory,”.
- (6) In Article 4, for “Member States” substitute “The appropriate authority”.
- (7) Article 5—
- (a) in the heading, for “Member States” substitute “constituent GB territories”;
  - (b) for “Member States” substitute “The appropriate authority”;
  - (c) for “Member State” substitute “constituent GB territory,”.
- (8) Omit Articles 6 to 8, and the words after Article 8.
- (9) Annex 1 is amended as follows.
- (10) In the section headed “Introduction”—
- (a) in point (a)—
    - (i) omit “, as provided for in Article 44 of [Directive 2006/88/EC](#),”;
    - (ii) for “Member States” substitute “constituent GB territories”;
    - (iii) for “Chapter VII of that Directive” substitute “Section 2 of Commission [Decision 2009/177/EC](#)”;
  - (b) in point (b)—
    - (i) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
    - (ii) omit the words from “as provided” to the end;
  - (c) in point (c)—
    - (i) for “Article 39 of [Directive 2006/88/EC](#)”, substitute “regulation 28 of the Aquatic Animal Health Regulations”;
    - (ii) for “Member State” substitute “constituent GB territory”;
- (11) In the section headed “Definitions”—
- (a) in point (a) and (c), for “Member State(s)” substitute “constituent GB territories”;
  - (b) in point (b), for “one Member State” substitute “a constituent GB territory”;
  - (c) in point (d), for the words from “Articles” to the end substitute “with Part 4 of the Aquatic Animal Health Regulations.”.
- (12) In Part 1 of Annex 1—
- (a) in paragraph I.1(b), for “Member State”, substitute “constituent GB territory”;
  - (b) in paragraph I.2.1—
    - (i) in point (a)—
      - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
      - (bb) for “Part II of Annex IV to that Directive” substitute “Annex 1A to Regulation 1251/2008”;
    - (ii) for point (b)(iii) substitute—

- “(iii) it has been restocked with fish from—
  - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to either VHS or IHN or both;
  - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
  - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (iii) after point (b) insert—
  - “(c) For the purposes of point (b)(iii)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(iii)(aa).”.
- (c) in paragraph I.2.2.1—
  - (i) in the words before point (a)—
    - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
    - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (ii) in point (a), in the first paragraph before point (i), for the words from “Section 4” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
  - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (iv) in point (d)—
    - (aa) in the first subparagraph, for the words from “sourced” to the end substitute—
      - “from—
        - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to either VHS or IHN or both;
        - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
        - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (v) after point (d) insert—
    - “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (d)(i).”.
  - (vi) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
  - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d(3) of Commission [Decision 2009/177/EC](#)”;

- (ii) in point (b), for the words from “sourced” to the end substitute—
  - “from—
    - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to either VHS or IHN or both;
    - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
    - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (iii) after point (b) insert—
    - “(c) For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (e) in paragraph I.3—
  - (i) in the first unnumbered paragraph—
    - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
    - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
  - (f) in the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
  - (g) in paragraph I.4—
    - (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
    - (ii) in point (b), for the words from “sourced” to the end substitute—
      - “from—
        - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to either VHS or IHN or both;
        - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of either or both of those diseases;
        - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
      - (iii) after point (c) insert—
        - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
  - (h) in paragraph II.3—
    - (i) in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
    - (ii) in point (b), for “Member States” substitute “constituent GB territories”;
- (13) In Part 2 of Annex 1—

- (a) in paragraph I.1, in the first unnumbered paragraph, for “Member State” substitute “constituent GB territory”;
- (b) in paragraph I.2.1—
  - (i) in point (a), in the words before point (i)—
    - (aa) for “Member State” in both places where it occurs, substitute “constituent GB territory”;
    - (bb) for “Part II of Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;
    - (cc) for “that Directive” substitute “Directive 2006/88/EC”;
  - (ii) for point (b)(iii) substitute—
    - “(iii) it has been restocked with fish from—
      - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to KHVD;
      - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
      - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
    - (iii) after point (b) insert—
      - “(c) For the purposes of point (b)(iii)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(iii)(aa).”.
- (c) in paragraph I.2.2.1—
  - (i) in the words before point (a)—
    - (aa) for “Member State” in both places where it occurs substitute “constituent GB territory”;
    - (bb) for “Part II of Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;
  - (ii) in point (a), in the first paragraph before point (i), for the words from “Section 4” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
  - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to Directive 2006/88/EC” substitute “Annex 1A to Regulation 1251/2008”;
  - (iv) in point (d)—
    - (aa) in point (i), for the words from “sourced” to the end substitute—
      - “from—
        - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to KHVD;
        - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
        - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;

- (bb) omit point (ii);
- (v) after point (d) insert—
  - “(da) For the purposes of point (d)(i)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (d)(i)(aa).”.
- (vi) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
  - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d(3) of Commission [Decision 2009/177/EC](#)”;
  - (ii) in point (b), for the words from “sourced” to the end substitute—
    - “from—
    - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to KHVD;
    - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
    - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (iii) after point (b) insert—
    - “(c) For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by the fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (e) in paragraph I.3—
  - (i) in the first unnumbered paragraph—
    - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
    - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
  - (ii) in the third unnumbered paragraph, for “Member States” substitute “constituent GB territories”;
- (f) in the heading to paragraph I.4—
  - (i) for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
  - (ii) for “Member States” substitute “constituent GB territories”;
- (g) in paragraph I.4—
  - (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
  - (ii) in point (b), for the words from “sourced” to the end substitute—
    - “from—
    - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to KHVD;

- (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of KHVD;
  - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (iii) after point (c) insert—
- “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (h) in paragraph III.2, in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
  - (i) in the heading to Table 2D, for “Member States” substitute “constituent GB territories”.
- (14) In Part 3 of Annex 1—
- (a) in paragraph I.1, in the second unnumbered paragraph, for “Member State” substitute “constituent GB territory”;
  - (b) in paragraph I.2.1—
    - (i) in the words before point (a)—
      - (aa) for “Member State” in both places where it occurs, substitute “constituent GB territory”;
      - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
      - (cc) for “that Directive” substitute “[Directive 2006/88/EC](#)”;
  - (c) in paragraph I.2.2.1—
    - (i) in the words before point (a)—
      - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
      - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
    - (ii) in point (a), in the first paragraph before point (i), for the words from “Section 3” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
    - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
    - (iv) in point (d), in the first subparagraph, for the words from “sourced” to the end substitute—

“from—

      - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to ISA;
      - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of ISA;
      - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (v) after point (d) insert—

“(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from

that source is no greater than if they were from a source which would satisfy point (d)(i).”.

- (vi) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
  - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d(3) of Commission [Decision 2009/177/EC](#)”;
  - (ii) in point (b), for the words from “sourced” to the end substitute—
    - “from—
    - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to ISA;
    - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of ISA;
    - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (iii) after point (b) insert—
    - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (e) in paragraph I.3—
  - (i) in the first unnumbered paragraph—
    - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
    - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (f) in the heading to paragraph I.4, for “Member States” substitute “constituent GB territories”;
- (g) in paragraph I.4—
  - (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
  - (ii) in point (b), for the words from “sourced” to the end substitute—
    - “from—
    - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to ISA;
    - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of ISA;
    - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (iii) after point (d) insert—
    - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by fish from that source is no greater than if they were from a source which would satisfy point (b)(i).”;

- (h) in paragraph II.2, in the words before point (a), in the second unnumbered paragraph, for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (i) in paragraph II.3—
  - (i) in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
  - (ii) in point (b), in the words before point (i), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”.
- (15) Part 4 of Annex 1 is amended as follows.
- (16) In paragraph I.1, in the first unnumbered paragraph before point (a), for “Member State” substitute “constituent GB territory”.
- (17) In paragraph I.2.1—
  - (a) in the words before point (a)—
    - (i) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
    - (ii) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (b) in point (c), for “Member State” substitute “constituent GB territory”.
- (18) In paragraph I.2.2—
  - (a) in the words before point (a)—
    - (i) in the first unnumbered paragraph, for “Member State” substitute “appropriate authority”;
    - (ii) in the second unnumbered paragraph—
      - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
      - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (b) in point (a), in the first unnumbered paragraph, for the words from “Section 3” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
  - (c) in point (b), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (d) in point (d), in the first unnumbered paragraph, for the words from “sourced” to the end substitute—
    - “from—
      - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to *Marteilia refringens*;
      - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Marteilia refringens*;
      - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (e) after point (d) insert—

- “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (d)(i).”
- (f) in point (e), for the word from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (19) In paragraph I.3, in the first unnumbered paragraph—
- (a) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
- (b) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (20) In the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”.
- (21) In paragraph I.4—
- (a) in the words before point (a), for “Member State” substitute “constituent GB territory”;
- (b) in point (b), for the words from “sourced” to the end substitute—
- “from—
- (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to *Marteilia refringens*;
- (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Marteilia refringens*;
- (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (c) after point (d) insert—
- “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (b)(i).”
- (22) In paragraph II.3, in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (23) In the headings to Tables 4A and 4B, for “Member States” substitute “constituent GB territories”.
- (24) Part 5 of Annex 1 is amended as follows.
- (25) In paragraph I.1, in the first unnumbered paragraph, for “Member State” substitute “constituent GB territory”.
- (26) In paragraph I.2.1—
- (a) in the words before point (a)—
- (i) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
- (ii) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
- (b) in point (a), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
- (c) in point (c), for “Member State” substitute “constituent GB territory”.
- (27) In paragraph I.2.2 —

- (a) in the first unnumbered paragraph, for “Member State” substitute “appropriate authority”;
- (b) in the second unnumbered paragraph—
  - (i) in the words before point (a)—
    - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
    - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (ii) in point (a), in the first paragraph, for the words from “Section 3” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
  - (iii) in point (b), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
  - (iv) in point (d), for the words from “sourced” to the end substitute—
    - “from—
      - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to *Bonamia ostreae*;
      - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Bonamia ostreae*;
      - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (v) after point (d) insert—
    - “(da) For the purposes of point (d)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (d)(i).”.
  - (vi) in point (e), for the words from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (28) In paragraph I.3, in the first unnumbered paragraph—
  - (a) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
  - (b) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”.
- (29) In the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”.
- (30) In paragraph I.4—
  - (a) in the words before point (a), for “Member State” substitute “constituent GB territory”;
  - (b) in point (b), for the words from “sourced” to the end substitute—
    - “from—
      - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to *Bonamia ostreae*;
      - (ii) any part of Northern Ireland which has Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of *Bonamia ostreae*;

- (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
- (c) after point (d) insert—
  - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by molluscs from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (31) In paragraph II.3, in the first unnumbered paragraph before point (i), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (32) In the headings to Tables 5A and 5B, for “Member States” substitute “constituent GB territories”.
- (33) In Part 6 of Annex 1—
  - (a) in paragraph I.1, in the third unnumbered paragraph before point (i), for “Member State” substitute “constituent GB territory”;
  - (b) in paragraph I.2.1—
    - (i) in point (a), in the first unnumbered paragraph—
      - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
      - (bb) for “Part II of Annex IV to that Directive” substitute “Annex 1A to Regulation 1251/2008”;
    - (ii) in point (b)(iii), for the words from “sourced” to the end substitute—
      - “from—
        - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to WSD;
        - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
        - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
    - (iii) after point (b) insert—
      - “(c) For the purposes of point (b)(iii)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (b)(iii)(aa).”;
  - (c) in paragraph I.2.2.1—
    - (i) in the words before point (a)—
      - (aa) for “Member State”, in both places where it occurs, substitute “constituent GB territory”;
      - (bb) for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
    - (ii) in point (a), in the first paragraph, for the words from “Section 4” to “vicinity of” substitute “Part 4 of the Aquatic Animal Health Regulations must have been applied to”;
    - (iii) in point (b), in the words before point (i), for “Part II of Annex IV to [Directive 2006/88/EC](#)” substitute “Annex 1A to Regulation 1251/2008”;
    - (iv) in point (d)—

- (aa) in point (i), for the words from “sourced” to the end substitute—
  - “from—
    - (aa) a constituent GB territory, zone or compartment with a Category 1 health status with regard to WSD;
    - (bb) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
    - (cc) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
  - (bb) omit point (ii);
- (v) after point (d) insert—
  - “(da) For the purposes of point (d)(i)(cc), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (d)(i)(aa).”.
- (vi) in point (e), for the words from “Part” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
- (d) in paragraph I.2.2.2—
  - (i) in the words before point (a), for “Article 53(3) of that Directive” substitute “Article 2d of Commission [Decision 2009/177/EC](#)”;
  - (ii) in point (b), for the words from “sourced” to the end substitute—
    - “from—
      - (i) a constituent GB territory, zone or compartment with a Category 1 health status with regard to WSD;
      - (ii) any part of Northern Ireland which has Category 1 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
      - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
    - (iii) after point (b) insert—
      - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
- (e) in paragraph I.3—
  - (i) in the first unnumbered paragraph—
    - (aa) for “Article 52 of [Directive 2006/88/EC](#)” substitute “Article 2c of Commission [Decision 2009/177/EC](#)”;
    - (bb) for the words from “Part II” to “State” substitute “Annex 1A to Regulation 1251/2008 within the constituent GB territory”;
  - (ii) in the second unnumbered paragraph, for “Member States” substitute “constituent GB territories”;
- (f) in the heading to paragraph I.4, for “Article 39 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
- (g) in paragraph I.4—

- (i) in the words before point (a), for “Member State” substitute “constituent GB territory”;
  - (ii) in point (b), for the words from “sourced” to the end substitute—
    - “from—
      - (i) a constituent GB territory, zone or compartment with a Category 1, 2 or 3 health status with regard to WSD;
      - (ii) any part of Northern Ireland which has a Category 1, 2 or 3 health status, within the meaning of Part A of Annex 3 to the EU Directive, in respect of WSD;
      - (iii) the Channel Islands, the Isle of Man or a third country, where the appropriate authority has consented to the restocking.”;
    - (iii) after point (d) insert—
      - “For the purposes of point (b)(iii), consent may only be given if the appropriate authority is satisfied that the disease risk posed by crustaceans from that source is no greater than if they were from a source which would satisfy point (b)(i).”.
  - (h) in paragraph II.3, in the words before point (a), for “Article 28 of [Directive 2006/88/EC](#)” substitute “Part 4 of the Aquatic Animal Health Regulations”;
  - (i) in the headings to Tables 6A and 6B, for “Member States” substitute “constituent GB territories”.
- (34) In Annex 2—
- (a) in the section headed “Introduction”, in the words before the table, for the words from “Part II” to “that Directive:” substitute “Annex 1A to Regulation 1251/2008 (‘the listed diseases’)”;
  - (b) in Part 1—
    - (i) in paragraph I.6, omit the words from “or to” to “[Directive 2006/88/EC](#)”;
    - (ii) in paragraph III, in the second unnumbered subparagraph—
      - (aa) for “the European Union”, in both places where it occurs, substitute “Europe”;
      - (bb) omit “from the Member States”;
  - (c) in Part 2, in paragraph I.2.2, in the final unnumbered subparagraph, omit the words from “or to” to “[Directive 2006/88/EC](#),”;
  - (d) in Part 3—
    - (i) in paragraph II.1.3, in the second unnumbered paragraph, for the words from “the European” to “Association” substitute “Europe”;
    - (ii) in paragraph II.2.4, in point (b), omit the words from “or” to the end;
  - (e) in Part 6, in paragraph 1, in the second unnumbered subparagraph, omit the words from “applied” to “Laboratory”.

## CHAPTER 3

### Animal by-products

#### **Regulation (EC) No 1069/2009**

**12.**—(1) 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 is amended as follows.

(2) In the Regulation, for “Community legislation”, in each place where it occurs (other than in Articles 5(1) and 34(2)), substitute “retained EU law”.

(3) In Article 2—

(a) in paragraph 2—

(i) in point (g)(i), for “internationally” substitute “outside the British Islands”;

(ii) in point (h), omit “without prejudice to Community environmental legislation,”;

(b) omit paragraph 3.

(4) In Article 3—

(a) in each of paragraphs 14 and 16, for “the Community” substitute “Great Britain”;

(b) in paragraph 21, for “[Directive 1999/31/EC](#)” substitute “the Environmental Permitting (England and Wales) Regulations 2016(13) or the Pollution Prevention and Control (Scotland) Regulations 2012(14)”;

(c) after paragraph 27 insert—

“28. ‘constituent nation’ means England, Wales or Scotland;

29. ‘third country’ means a country or territory other than the British Islands;

30. ‘the Implementing Regulation’ means [Commission 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 by-products 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;

31. ‘the Official Controls Regulation’ means Regulation (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;

32. ‘the England Trade Regulations’ means the Trade in Animals and Related Products Regulations 2011(15);

33. ‘the Wales Trade Regulations’ means the Trade in Animals and Related Products (Wales) Regulations(16);

34. ‘the Scotland Trade Regulations’ means the Trade in Animals and Related Products (Scotland) Regulations(17)..”.

(5) After Article 3 insert—

*“Article 3a*

*Definition: appropriate authority*

1. In this Regulation “the appropriate authority” means—

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(13) S.I. 2016/1154, amended by S.I. 2017/1012, 1075, 2018/110, 428, 575, 721 (W. 140), 1216 (W. 249), 1227, 2020/904. It is prospectively amended by S.I. 2019/39, 620. S.I. 2019/39 is prospectively amended by S.I. 2019/1078.

(14) S.S.I. 2012/360, amended by S.S.I. 2014/267, 2015/100, 101, 438, 2016/39, 2017/446 and 2018/391, S.I. 2014/469, 2015/483, 1973, 2020/818. It is prospectively amended by S.S.I. 2019/26. S.S.I. 2019/26 is prospectively amended by S.I. 2019/175.

(15) S.I. 2011/1197, amended by S.I. 2012/2897, 2013/2996, 2014/3158, 2018/575, 1037, 2019/526, 782, 1488, 2020/109. It is prospectively amended by S.I.2019/796, 1225.

(16) S.I. 2011/2379 (W. 252), amended by S.I. 2018/1152 (W. 234), 1216 (W. 249), 2019/463 (W. 111), 2019/737 (W. 140), 2020/44 (W. 5), 177 (W. 38). It is prospectively amended by S.I. 2019/597 (W.126), 1334 (W.232).

(17) S.S.I. 2012/177, amended by S.S.I. 2012/198, 199, 2015/100, 401, 2018/391, 2019/5, 412 and S.I. 2014/3158. It is prospectively amended by S.S.I. 2019/71, 288.

- (a) in relation to England, the Secretary of State;
  - (b) in relation to Wales, the Welsh Ministers;
  - (c) in relation to Scotland, the Scottish Ministers.
2. But the appropriate authority is the Secretary of State if consent is given by—
- (a) in relation to Wales, the Welsh Ministers;
  - (b) in relation to Scotland, the Scottish Ministers.”.
- (6) In Article 4—
- (a) in each of paragraphs 3 and 4, for “Member States” substitute “The appropriate authority”;
  - (b) in paragraph 5—
    - (i) for “Member States”, in the first place where it occurs, substitute “The appropriate authority”;
    - (ii) for “Member States”, in the second place where it occurs, substitute “appropriate authorities”.
- (7) In Article 5—
- (a) in paragraph 1, in the first subparagraph—
    - (i) omit “Community”;
    - (ii) for “that Article” substitute “Article 34(1)”;
  - (b) omit paragraph 4.
- (8) In Article 6(1)(a), for “Community veterinary legislation” substitute “veterinary legislation forming part of retained EU law”.
- (9) In Article 8—
- (a) in point (c)—
    - (i) omit “or Article 2(b) of [Directive 96/23/EC](#)”;
    - (ii) at the end insert “reading that Article as if for references to “Community legislation” there were substituted references to “retained EU law””;
  - (b) in point (d), after “thereof, by” insert “other”;
  - (c) in point (f), for “internationally” substitute “outside the British Islands”.
- (10) In Article 9—
- (a) in point (c), for “as referred to in Article 15(3) of [Directive 96/23/EC](#)” substitute “set by retained EU law or, in the absence thereof, by other national legislation”;
  - (b) in point (e)—
    - (i) in point (i)—
      - (aa) for “Community veterinary legislation” substitute “veterinary legislation forming part of retained EU law”;
      - (bb) for “the Community”, substitute “Great Britain”;
      - (cc) at the end of the sentence, omit “or”;
    - (ii) omit point (ii).
- (11) Omit Article 15(2).
- (12) In Article 19—
- (a) in paragraph 2, for “the Member State concerned” substitute “Great Britain”;
  - (b) in paragraph 3—

- (i) for “Member States” substitute “The appropriate authorities”;
  - (ii) for “the Commission” substitute “each other, and the Department of Agriculture, Environment and Rural Affairs”.
- (13) In Article 21—
- (a) in paragraph 2, for “the same Member State” substitute “Great Britain”;
  - (b) in paragraph 3, for “Member State”, in both places where it occurs, substitute “constituent nation”;
  - (c) for paragraph 4 substitute—
    - “4. Operators must collect, transport and dispose of Category 3 catering waste so as to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular:
      - (a) without risk to water, air, soil, plants or animals;
      - (b) without causing a nuisance through noise or odours; and
      - (c) without adversely affecting the countryside or places of special interest.”.
- (14) In Article 24(1), in each of points (b) and (c), for “[Directive 2000/76/EC](#)” substitute “the Environmental Permitting (England and Wales) Regulations 2016 or the Pollution Prevention and Control (Scotland) Regulations 2012”.
- (15) In Article 26(3), for “Community veterinary legislation” substitute “veterinary legislation forming part of retained EU law”.
- (16) In Article 32(1), in the third subparagraph, for “Member States may adopt or maintain national rules” substitute “Nothing in this Regulation prevents the appropriate authority from”.
- (17) In Article 33, in point (a), for “Article 1(1) of [Directive 76/768/EEC](#)” substitute “Article 2(1)(a) of Regulation [1223/2009/EC](#)”.
- (18) In Article 34—
- (a) in the first subparagraph of paragraph 1, for “the Community legislation referred to in that Article.” substitute “the following.”;
  - (b) after the first subparagraph of paragraph 1 insert—
    - “(a) Regulation 1223/2009/EC in the case of cosmetic products;
    - (b) the Medical Devices Regulations 2002(18) in the case of active implantable medical devices, medical devices and in vitro diagnostic medical devices;
    - (c) the Veterinary Medicines Regulations 2013(19) in the case of veterinary medicinal products;
    - (d) the Human Medicines Regulations 2012(20) in the case of medicinal products.”;
  - (c) in paragraph 2—
    - (i) omit “Community”;
    - (ii) for “Article 33” substitute “paragraph 1(a) to (d)”.
- (19) In Article 37(1), in point (c), for “the Community” substitute “Great Britain”.
- (20) In Article 41—

(18) S.I. 2002/618, amended by S.I. 2003/1697, 1400, 2005/2759, 2909, 2007/400, 803, 2008/2936, 2012/1426, 2013/525, 2327, 2017/207. It is prospectively amended by S.I. 2019/791, 1385.

(19) S.I. 2013/2033, amended by S.I. 2014/599, 2018/761, 2019/676, 1488, 2020/44 (W. 5). It is prospectively amended by S.I. 2019/791, 1385.

(20) S.I. 2012/1916, amended by S.I. 2013/235, 1855, 2593, 2014/490, 1878, 2015/178, 323, 570, 895, 903, 1503, 1862, 1879, 2016/186, 696, 2017/1322, 2018/199, 378, 2019/62, 598, 703. It is prospectively amended by S.I. 2019/593, 775, 1094, 1385.

- (a) in paragraph 1, in the first subparagraph—
    - (i) in the words before point (a), for “the Community” substitute “Great Britain”;
    - (ii) in point (a), for “the Community” substitute “Great Britain”.
    - (iii) in point (b), at the end omit “or”;
    - (iv) in point (c), for “Articles.” insert “Articles; or”;
    - (v) after point (c), insert—
      - “(d) the special transitional import arrangements set out in Schedule 5 to the England Trade Regulations or equivalent provisions in the Wales Trade Regulations or the Scotland Trade Regulations, and Annex 6 to the Official Controls Regulation.”;
  - (b) in paragraph 2(c), after “take place” insert “pursuant to point (d) of paragraph 1 or”;
  - (c) in paragraph 4, in the last subparagraph, for “Commission and the Member States” substitute “appropriate authority”.
- (21) In Article 43(4), for “the Community” substitute “Great Britain”.
- (22) In Article 47(1)—
- (a) in the first subparagraph—
    - (i) for “Each Member State” substitute “The appropriate authority”;
    - (ii) for “territory” substitute “constituent nation”;
  - (b) in the third subparagraph, for “Member States” substitute “The appropriate authority”;
  - (c) omit the fourth subparagraph.
  - (d) in the fifth subparagraph—
    - (i) for “Member States”, in the first place where it occurs, substitute “The appropriate authority”;
    - (ii) after “operators” insert “in their constituent nation”;
    - (iii) for “other Member States” substitute “the other appropriate authorities, the Department of Agriculture, Environment and Rural Affairs”;
- (23) Omit Articles 48, 51, 51a and 53.
- (24) In Article 56, omit the third paragraph.
- (25) After Article 56, omit the words from “This Regulation” to “Member States.”.

### **Commission Regulation (EU) No 142/2011**

**13.—(1)** Commission 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 by-products 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 is amended as follows.

- (2) In the Regulation—
  - (a) for “Union legislation”, in each place where it occurs, substitute “retained EU law”;
  - (b) for “border inspection post”, in each place where it occurs, substitute “border control post”.
- (3) In Article 1(b), for “16(1)(e) and (f) of Directive 97/78/EC” substitute “48(a) and (b) of the Official Controls Regulation”;
- (4) In Article 3, in the words before point (a), after “imported” insert “from a third country”.
- (5) In Article 4—

- (a) for “Article 1.2.3 of the Terrestrial Animal Health Code, 2010” substitute “Chapter 1.3 of the Terrestrial Animal Health Code, 2019(21)”;
  - (b) for “Aquatic Animal Health Code, 2010” substitute “Aquatic Animal Health Code, 2019(22)”.
- (6) Omit Article 5(1).
- (7) In Article 6—
- (a) in paragraph 1, in each of points (a) and (b), for “[Directive 2000/76/EC](#)” substitute “the Environmental Permitting (England and Wales) Regulations 2016 or the Pollution Prevention and Control (Scotland) Regulations 2012”;
  - (b) in paragraph 8(a), for “authorities of the Member State”, in each place where it occurs, substitute “authority”.
- (8) Omit Articles 11(3) and 12(3).
- (9) In Article 13, omit paragraphs 1(b) and 2(b).
- (10) In Article 15, in the second subparagraph, for “Member States may authorise” substitute “nothing in this Regulation prevents the appropriate authority from authorising”.
- (11) In Article 16—
- (a) in paragraph 1, omit “Member States or”;
  - (b) in paragraph 2, for “Member States” substitute “The appropriate authority”;
  - (c) in paragraph 3, for “Commission” substitute “appropriate authority”.
- (12) In Article 19(b)(viii), for “Union veterinary legislation” substitute “veterinary legislation forming part of retained EU law”.
- (13) In Article 20a—
- (a) in the heading, omit “in Member States”;
  - (b) in the words before point (a), omit “of a Member State”;
  - (c) in point (a), for “Commission website” substitute “website of the relevant appropriate authority”;
  - (d) in point (b), for “TRACES”, in both places where it occurs, substitute “the appropriate computerised information management system”.
- (14) In Article 21—
- (a) in each of paragraphs 1 and 2, after “import” insert “from a third country”;
  - (b) omit paragraph 3.
- (15) In Article 22—
- (a) in paragraph 1, after “import” insert “from a third country”;
  - (b) in paragraph 2—
    - (i) in point (a), for “Union” substitute “British Islands”;
    - (ii) in point (b), after “imported” insert “from a third country”;

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(21) The Terrestrial Animal Health Code 2019 is freely accessible online ([//www.oie.int/en/standard-setting/terrestrial-code/access-online](https://www.oie.int/en/standard-setting/terrestrial-code/access-online)) or available to order in hard copy from the OIE online bookshop (at <http://web.oie.int/boutique/index.php>). The OIE’s address is 12, rue de Prony, 75017 Paris, France). A hard copy version is also available to view on request at the offices of the Future Animal & Plant Health, Endemics & Traceability Team at the Department for Environment, Food and Rural Affairs, Seacole Building, 2 Marsham Street, London SW1P 4DF.

(22) The Aquatic Animal Health Code 2019 is freely accessible online (<https://www.oie.int/en/standard-setting/aquatic-code/access-online>) or available to order in hard copy from the OIE online bookshop (<http://web.oie.int/boutique/index.php>). A hard copy version is also available to view on request at the offices of the Aquatic Animal Health Team at the Department for Environment, Food and Rural Affairs, Seacole Building, 2 Marsham Street, London SW1P 4DF.

- (c) in paragraph 3, for “Member State” substitute “constituent nation”;
  - (d) omit paragraph 4;
  - (e) in paragraph 5, for “authorities of the Member States” substitute “authority”.
- (16) In Article 23(1)—
- (a) after “imported” insert “from a third country”;
  - (b) for “the Union” substitute “Great Britain”.
- (17) In Article 24—
- (a) in paragraph 2, after “imported” insert “from a third country”;
  - (b) in each of paragraphs 3 and 4, after “import” insert “from a third country”.
- (18) In Chapter 8, after the heading insert—

*“Article 24A*

*Special transitional import arrangements*

The requirements of this Chapter and Annexes 8 and 12 to 16 are subject to the special transitional import arrangements set out in Schedule 5 to the England Trade Regulations or equivalent provisions in the Wales Trade Regulations or the Scotland Trade Regulations and Annex 6 to the Official Controls Regulation.”.

- (19) Article 25 is amended in accordance with paragraphs (20) to (24).
- (20) In the heading, after “import” insert “from a third country”.
- (21) In paragraph 1—
- (a) after “importation” insert “from a third country”;
  - (b) for “the Union” substitute “Great Britain”.
- (22) In paragraph 2—
- (a) in the words before point (a)—
    - (i) after “importation” insert “from a third country”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (b) in point (e)—
    - (i) in point (i)—
      - (aa) for “the Union kept in a third country” substitute “Great Britain and kept in the British Islands or a third country”;
      - (bb) in the first indent, for “the Union” substitute “Great Britain”;
    - (ii) in point (iii)—
      - (aa) for “Union” substitute “Great Britain”;
      - (bb) for “Annex I to [Decision 2009/821/EC](#)” substitute “accordance with Commission Implementing Regulation (EU) 2019/1014 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points”;
      - (cc) for “Article 4(3) of [Directive 97/78/EC](#)” substitute “Article 49(1) of the Official Controls Regulation”.
- (23) In paragraph 3—
- (a) in the words before point (a)—

- (i) after “importation” insert “from a third country”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (b) in point (c), for “the Union” substitute “Great Britain”.
- (24) In paragraph 4, for “the Union” substitute “Great Britain”.
- (25) In Article 26—
- (a) in the words before point (a), for “or in Article 2(b) of [Directive 96/23/EC](#)” substitute “, reading that Article as if for references to “Community legislation” there were substituted references to “retained EU law””;
  - (b) in point (b)(iii), in the first indent, for “Article 1(1) of [Directive 76/768/EEC](#)” substitute “Article 2(1)(a) of Regulation ([EC](#)) No 1223/2009”;
  - (c) in point (e)—
    - (i) for “a Member State” substitute “Great Britain”;
    - (ii) for “that Member State” substitute “Great Britain”.
- (26) In Article 27—
- (a) in the heading, after “importation” insert “from a third country”;
  - (b) in paragraph 1—
    - (i) in the first subparagraph, after “importation” insert “from a third country”;
    - (ii) in point (a), for “Member State” substitute “constituent nation”;
    - (iii) in point (b), for “the Union” substitute “Great Britain”;
  - (c) in paragraph 3, after “samples”, in the second place where it occurs, insert “from a third country”.
- (27) In Article 28—
- (a) in the heading and paragraphs 1 and 3, after “importation” insert “from a third country”;
  - (b) in paragraph 2, after “samples”, in the first place where it occurs, insert “from a third country”;
  - (c) in paragraph 4, after “items”, in the first place where it occurs, insert “from a third country”.
- (28) Omit Articles 29 and 29a.
- (29) In Article 30—
- (a) in the first subparagraph—
    - (i) for “the TRACES system” substitute “the appropriate computerised information management system”;
    - (ii) for “Commission” substitute “appropriate authority”;
  - (b) omit the third subparagraph.
- (30) In Article 31—
- (a) in the heading, after “importation” insert “from a third country”;
  - (b) in the first subparagraph—
    - (i) after “importation” insert “from a third country”;
    - (ii) for “the Union”, in both places where it occurs, substitute “Great Britain”;
    - (iii) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
  - (c) in the second subparagraph, for “the Union” substitute “Great Britain”.

- (31) In Article 32—
- (a) in paragraph 1, in the second subparagraph, for “3 of Regulation (EC) No 882/2004” substitute “9 of the Official Controls Regulation”;
  - (b) in paragraph 5—
    - (i) after “competent authority” insert “of each constituent nation”;
    - (ii) after “operators” insert “in its constituent nation”;
  - (c) omit paragraphs 6 and 7.
- (32) In Article 34(c), for “the Union” substitute “Great Britain”.
- (33) Omit Article 36.
- (34) After Article 37, omit the words from “This Regulation” to “Member States.”.
- (35) In Annex 1—
- (a) in paragraph 19(b), for “or Article 2(b) of Directive 96/23/EC” substitute “, reading that Article as if for references to “Community legislation” there were substituted references to “retained EU law””;
  - (b) in paragraph 42, for the words from “an incineration plant” to “Directive 2000/76/EC” substitute “a waste incineration plant, as defined in Articles 3(40) and 42(1) of Directive 2010/75/EC(23)”;
  - (c) in paragraph 43, for “point 13 of Article 3 of Directive 2000/76/EC” substitute “Article 43 of Directive 2010/75/EC”;
  - (d) in paragraph 44, omit “as set out in point 1(c) of Chapter II of Annex VIII”;
  - (e) omit paragraph 48;
  - (f) in paragraph 55, for “as defined in point 5 of Article 3 of Directive 2000/76/EC” substitute “as defined in Article 3(41) and Article 42(1) of Directive 2010/75/EC”;
  - (g) in paragraph 56, for “as defined in point 4 of Article 3 of Directive 2000/76/EC” substitute “as defined in Article 3(40) and Article 42(1) of Directive 2010/75/EC”;
  - (h) after paragraph 60 insert—
    - “61. ‘the appropriate authority’ means:
      - (a) in relation to England, the Secretary of State;
      - (b) in relation to Wales, the Welsh Ministers;
      - (c) in relation to Scotland, the Scottish Ministers.
    - But the appropriate authority is the Secretary of State if consent is given by:
      - (a) in relation to Wales, the Welsh Ministers;
      - (b) in relation to Scotland, the Scottish Ministers;
    - 62. ‘constituent nation’ means England, Wales or Scotland;
    - 63. ‘the Official Controls Regulation’ means Regulation (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products..”.
- (36) In Annex 2, omit Chapter 1.
- (37) In Annex 3—

- (a) in Chapter 2, in Section 1, in the first paragraph, for “[Directive 2000/76/EC](#)” substitute “the Environmental Permitting (England and Wales) Regulations 2016 or the Pollution Prevention and Control (Scotland) Regulations 2012”;
  - (b) in Chapter 3—
    - (i) in the first paragraph, for “[Directive 2000/76/EC](#)” substitute “the Environmental Permitting (England and Wales) Regulations 2016 or the Pollution Prevention and Control (Scotland) Regulations 2012”;
    - (ii) in point (a)(iii)—
      - (aa) for “Article 4(5) or 5 of [Directive 2009/156/EC](#)” substitute “Article 4(5) (a) and (b) of [Directive 2009/156/EC](#) or located in a part of a territory which is not considered to be free of African horse sickness in accordance with Article 5(2) of [Directive 2009/156/EC](#), reading that Article as if for the reference to “Member State” there were substituted a reference to “country”;
      - (bb) for “Member State” substitute “appropriate authority”;
  - (c) in Chapter 5—
    - (i) in point A(2)(c), after “853/2004,” insert “(EC) No”;
    - (ii) in point D(5), omit “Member State”.
- (38) In Annex 4—
- (a) in Chapter 1, in Section 1, in paragraph 1(a), omit the final subparagraph;
  - (b) in Chapter 3, in point G—
    - (i) in paragraph 1(a), for “Member State” substitute “United Kingdom”;
    - (ii) omit paragraph 3;
    - (iii) in paragraph 4, for “points 1 and 3” substitute “point 1”;
    - (iv) in paragraph 5—
      - (aa) after “competent authority”, in the first place where it occurs, insert “of a constituent nation”;
      - (bb) for “Member State” substitute “constituent nation”;
  - (c) in Chapter 4—
    - (i) in Section 1, in paragraph 2, for “Member State”, in each place where it occurs, substitute “constituent nation”;
    - (ii) in Section 3, in paragraph 2(b)(iii)—
      - (aa) in the second indent, for “Member State” substitute “constituent nation”;
      - (bb) in the third indent, for “Council [Directive 91/271/EEC](#)” substitute “the Urban Waste Water Treatment (England and Wales) Regulations 1994(24) or the Urban Waste Water Treatment (Scotland) Regulations 1994(25)”.
- (39) In Annex 5, in Chapter 3, in Section 2—
- (a) in paragraph 1, in the final subparagraph, for “Commission” substitute “appropriate authority”;
  - (b) in paragraph 4—

(24) S.I. 1994/2841, amended by S.I. 2003/1788, 2005/2035, 2010/675, 2011/556, 2013/755, 2016/1154, 2018/942, 1216 (W. 249). It is prospectively amended by S.I. 2019/558.

(25) S.S.I. 1994/2842, amended by S.S.I. 1996/973, 2003/273, 2011/202, 2018/391, 2019/175. It is prospectively amended by S.I. 2019/26.

- (i) in point (a), for “point 1” substitute “points 1, 2 and 3”;
  - (ii) omit point (b).
- (40) Annex 6 is amended in accordance with paragraphs (41) to (44).
- (41) In Chapter 1, in Section 2—
- (a) in paragraph 2—
    - (i) omit point (a);
    - (ii) in point (b)—
      - (aa) at the start, insert “redispached to the third country of origin or”;
      - (bb) omit “Member State or”, in each place where it occurs;
  - (b) in paragraph 3, for “Member State” substitute “third country”.
- (42) In Chapter 2—
- (a) in Section 1, in paragraph 3, for “Member States” substitute “The appropriate authority”;
  - (b) in Section 2—
    - (i) in paragraph 1(a)—
      - (aa) omit point (i);
      - (bb) in each of points (ii) and (iii), for “that Directive” substitute “the Conservation of Habitats and Species Regulations 2017(26), the Conservation of Offshore Marine Habitats and Species Regulations 2017(27) or the Conservation (Natural Habitats, &c.) Regulations 1994(28)”;
    - (ii) omit paragraph 2.
- (43) In Chapter 3, in Section 2, in each of points (a) to (c), for “the Member State concerned”, substitute “Great Britain”.
- (44) In Chapter 4, in the words before point (a), for “Member States may authorise” substitute “nothing in this Regulation prevents the appropriate authority from authorising”.
- (45) In Annex 7—
- (a) in Chapter 1—
    - (i) in paragraph 1, for the words from “one of the official languages” to the end substitute “English and may also be submitted in other languages”;
    - (ii) omit paragraph 2 and the paragraph that follows it;
  - (b) in Chapter 2, in paragraph 1, for “EFSA” substitute “the appropriate authority”.
- (46) Annex 8 is amended in accordance with paragraphs (47) to (51).
- (47) In Chapter 1, in Section 4, for “the same Member State” substitute “Great Britain”.
- (48) In Chapter 2—
- (a) omit paragraph 1(c);
  - (b) in paragraph 2(c)(ii), in the first indent, for “Member State” substitute “constituent nation”;
  - (c) in paragraph 3—

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(26) S.I. 2017/1012, amended by S.I. 2017/1013, 2018/1307, 2019/295 (W. 73), 1354, 2020/94. It is prospectively amended by S.I. 2019/558.

(27) S.I. 2017/1013, amended by S.I. 2019/42, 2019/579 and 2020/94.

(28) S.I. 1994/2716, amended by S.I. 1996/973, 2000/1973, 2003/2155, 2005/421, 3389, 2006/1282, 2007/1843, 3538, 2009/1307, 2438, 3160, 2010/489 (W. 55), 490, 2011/202, 2015/249, 2019/1354, S.S.I 2000/323, 2004/475, 2006/270, 2007/349, 485, 2008/17, 425, 2009/222, 2011/155, 2012/215, 228, 360, 2015/249, 2019/64, 113, 320, 364.

- (i) for “Member States may establish systems or lay down rules” substitute “Nothing in this Regulation prevents the appropriate authority from establishing systems or laying down rules”;
  - (ii) for the words from “on their territory” to the end substitute “in their constituent nation”;
- (d) in paragraph 4—
- (i) for “Member States may establish systems or lay down rules” substitute “Nothing in this Regulation prevents the appropriate authority from establishing systems or laying down rules”;
  - (ii) for “on their territory” substitute “in their constituent nation”;
- (e) in paragraph 5—
- (i) for “Member States may use” substitute “nothing in this Regulation prevents the appropriate authority from using”;
  - (ii) for “on their territory if the Member State” substitute “in their constituent nation if the constituent nation”;
- (f) in paragraph 6(b), for “the same Member State” substitute “Great Britain”.
- (49) In Chapter 3—
- (a) in paragraph 1(a), for “the same Member State” substitute “Great Britain”;
  - (b) in paragraph 2, in the second subparagraph—
    - (i) for “Member States” substitute “The appropriate authority”;
    - (ii) for “TRACES system” substitute “appropriate computerised information management system”;
  - (c) in paragraph 4—
    - (i) in the first subparagraph, for “the Union” substitute “Great Britain”;
    - (ii) in the second subparagraph, for “on its territory” substitute “in its constituent nation”;
  - (d) in paragraph 6—
    - (i) in point (b), for the words from “one of the official languages” to the end of the second subparagraph, substitute “English, and may also be drawn up in other languages”;
    - (ii) in point (f)(viii)—
      - (aa) for “Member State” substitute “constituent nation”;
      - (bb) omit “referred to in Commission [Decision 2009/821/EC](#)”;
    - (iii) omit point (i).
- (50) In Chapter 4, omit Section 3.
- (51) Omit Chapters 6 and 7.
- (52) In Annex 9—
- (a) in Chapter 2, in the words before Section 1, in point (h), for “Union veterinary legislation” substitute “veterinary legislation forming part of retained EU law”;
  - (b) in Chapter 5, in Section 1—
    - (i) in paragraph 1—
      - (aa) for “the Member State” substitute “Great Britain”;
      - (bb) after “authorised by the” insert “relevant”.

- (ii) in paragraph 2, for “Member State”, in each place where it occurs, substitute “constituent nation”.
- (53) In Annex 9, in Chapter 5, Section 2 is amended in accordance with paragraphs (54) and (55).
- (54) In point A—
  - (a) in paragraph 1—
    - (i) for the heading substitute “Application”;
    - (ii) in the first subparagraph, for “France, Ireland, Latvia, Portugal and the United Kingdom” substitute “Great Britain”;
    - (iii) in the second subparagraph—
      - (aa) for “competent authority of the Member State concerned” substitute “relevant competent authority”;
      - (bb) for “the territory of that Member State” substitute “Great Britain”;
  - (b) in paragraph 3.2.3, for “[Directive 2008/98/EC](#)” substitute “the Control of Pollution (Amendment) Act 1989(29)”.
- (55) In point B(1)—
  - (a) for the heading substitute “Application”;
  - (b) in the first subparagraph, for “Ireland, Spain, Latvia, Portugal and the United Kingdom” substitute “Great Britain”;
  - (c) in the second subparagraph, for “the same Member State referred to above” substitute “Great Britain”.
- (56) In Annex 10, Chapter 2 is amended in accordance with paragraph (57) and (58).
- (57) In Section 4—
  - (a) in Part 1, in point B—
    - (i) in each of paragraphs 1.2(b), 1.4(b), 3(b) and 6.2, for “Member State” substitute “country”;
    - (ii) in paragraph 6.1, after “[Directive 64/432/EEC](#)” insert—
 

“taken with the Annexes to which they refer, reading the relevant provisions as if:

      - (a) in Annexes A.1 and A.2, for references to “a Member State” or “Member States” there were substituted references to “a constituent nation” or “constituent nations”; and
      - (b) in Annex D, in Chapter 1—
        - (i) in the title, for the reference to “, Member States” there were substituted a reference to “countries”;
        - (ii) in Section A(iii), for the reference to “Member State” there were substituted a reference to “country”;
        - (iii) in Section B(iv), for the reference to “[Directive 72/462/EEC](#)” there were substituted a reference to “Regulation (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products and the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and

Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012”;

- (b) in Part 2—
    - (i) in paragraph 3(a), for the words from “the Member State concerned” to “effect” substitute “Great Britain”;
    - (ii) in paragraph 3(b)—
      - (aa) in the words before point (i), for “the Member State concerned” substitute “Great Britain”;
      - (bb) in each of points (i) and (ii), for “Member State concerned” substitute “appropriate authority”;
      - (cc) in point (ii), for “same Member State”, in each where place it occurs, substitute “United Kingdom”;
    - (iii) in paragraph 4—
      - (aa) after “one farmer” insert “in Great Britain”
      - (bb) for “same Member State” substitute “United Kingdom”;
  - (c) in Part 3, in the second paragraph, for “Member States which” substitute “constituent nations whose appropriate authorities”;
- (58) In Section 10, in the first paragraph, for “Member States” substitute “the British Islands”.
- (59) In Annex 11, in Chapter 1—
- (a) in Section 1, omit paragraphs 1 to 5;
  - (b) in Section 2—
    - (i) in the words before point (a), omit the words from “In addition” to the end;
    - (ii) in point (c), in the final subparagraph, for “Commission” substitute “appropriate authority”.
- (60) In Annex 11, in Chapter 2, Section 1 is amended in accordance with paragraphs (61) to (63).
- (61) In paragraph 2, for “Member State” substitute “constituent nation”.
- (62) In paragraph 3, in the final subparagraph—
- (a) for “Commission” substitute “appropriate authority”;
  - (b) for “Member States” substitute “appropriate authorities”.
- (63) In paragraph 4(b), for “Member State” substitute “constituent nation”.
- (64) In Annex 12—
- (a) in the words before paragraph 1—
    - (i) after “importation” insert “from a third country”;
    - (ii) for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1—
    - (i) in the words before point (a), after “import” insert “from a third country”;
    - (ii) in point (b)(i), for “or Article 2(b) of [Directive 96/23/EC](#)” insert “, reading that Article as if for references to “Community legislation” there were substituted references to “retained EU law””;
    - (iii) in point (f), for the words from “one of the official languages” to “Member States” substitute “English; the appropriate authority”;
  - (c) in paragraph 2(b)(iii)—

- (i) after “registered” insert “in its constituent nation”;
  - (ii) for the words from “Member State where the inspection” to the end substitute “appropriate authority”;
- (d) in paragraph 3, in the words before point (a)—
- (i) for “the Union” substitute “Great Britain from a third country”;
  - (ii) for “Article 4 of [Directive 97/78/EC](#)” substitute “Article 49 of the Official Controls Regulation”;
- (e) in paragraph 4—
- (i) for “the Union” substitute “Great Britain from a third country outside the European Union”;
  - (ii) for “Article 11 of [Directive 97/78/EC](#)” substitute “Article 51(1)(d) of the Official Controls Regulation”;
- (f) in paragraph 5, for “TRACES system” substitute “appropriate computerised information management system”;
- (g) in paragraph 7—
- (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
  - (ii) for “Member State” substitute “constituent nation”;
- (65) Annex 13 is amended in accordance with paragraphs (66) to (70).
- (66) In Chapter 2—
- (a) in paragraph 2(b), for “or Article 2(b) of [Directive 96/23/EC](#)” substitute “, reading that Article as if for references to “Community legislation” there were substituted references to “retained EU law””;
  - (b) in paragraph 7—
    - (i) in each of points (a)(i) and (b)(i), for “Union” substitute “British Islands”;
    - (ii) in each of points (a)(ii) and (b)(ii), for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
- (67) In Chapter 4—
- (a) in paragraph 1(a)—
    - (i) in point (i), for “point 4 of Article 1.2.3 of the Terrestrial Animal Health Code of the OIE, 2010” substitute “Chapter 1.3 of the Terrestrial Animal Health Code of the OIE, 2019”;
    - (ii) in point (ii), after “Article 5 of that Directive” insert “, or in relation to holdings in the British Islands, not located in a constituent nation or territory which is not considered to be free of African horse sickness in accordance with paragraph 1A”;
    - (iii) in point (iii)—
      - (aa) omit “Member State or”
      - (bb) after “Article 5(2) of that Directive” insert “, reading the words before point (a) as if for the reference to a “Member State” there were substituted a reference to a “third country”, or a constituent nation or territory of the British Islands which is not considered to be free of African horse sickness, in accordance with paragraph 1A”;
  - (b) after paragraph 1, insert—
    - “**1A.** A constituent nation or territory of the British Islands is not considered to be free of African horse sickness if:

- (a) clinical, serological (in unvaccinated animals) or epidemiological evidence has revealed the presence of African horse sickness in the past two years, or
- (b) vaccination against African horse sickness has been carried out in the past 12 months.”;

(68) In Chapter 5, in point B(1), for “[Directive 2002/99/EC](#)” substitute “the Products of Animal Origin (Disease Control) (England) Regulations 2008([30](#)), the Products of Animal Origin (Disease Control) (Wales) Regulations 2008([31](#)) or the Products of Animal Origin (Disease Control) (Scotland) Order 2008([32](#)) and the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012”;

(69) In Chapter 7, in point B, in the second paragraph—

- (i) for “Member States” substitute “The appropriate authority”;
- (ii) for “on their territory” substitute “in their constituent nation”;

(70) In Chapter 9—

(i) in paragraph 1—

(aa) in point (a), for “Member State” substitute “constituent nation”;

(bb) in point (b), for the words from “obtained” to the end substitute “been assessed by the appropriate authority on a basis equivalent to the assessment in point (a)”;

(ii) in paragraph 2, after “provided for in” insert “the first two subparagraphs of”.

(71) In Annex 14, Chapter 1 is amended in accordance with paragraphs (72) to (77).

(72) In the heading—

- (a) after “importation” insert “from a third country”;
- (b) for “the Union” substitute “Great Britain”.

(73) In Section 1—

(a) in the words before point (a)—

- (i) omit “imported”;
- (ii) after “therefrom” insert “imported from a third country”;

(b) in each of points (e)(i) and (ii), for “the Union” substitute “Great Britain”;

(c) in Table 1, in the column entitled “Third countries’ lists”—

(i) for “[Decision 2006/766/EC](#)”, in each place where it occurs, substitute “Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption”;

(ii) in entry 9—

(aa) for “Member States authorise imports” substitute “imports into Great Britain”;

(bb) after “products” insert “are authorised”.

(74) In Section 2—

(a) in the heading, after “Imports” insert “from a third country”;

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(30) S.I. 2008/465, amended by S.I. 2009/1297, 2012/2897, 2014/1894, 2018/575. It is prospectively amended by S.I. 2018/1406.

(31) S.I. 2008/1275 (W.132), amended by S.I. 2009/1373 (W. 136), 2014/1894, 2018/806 and 2019/371 (W. 92). It is prospectively amended by S.I. 2019/371 (W. 92).

(32) S.S.I. 2008/158, amended by S.S.I. 2009/173, 2009/174, 2019/71 and S.I. 2014/1894.

- (b) in the words before paragraph 1, after “importation” insert “from a third country”;
  - (c) in paragraph 1, for “the Union” substitute “Great Britain”;
  - (d) in paragraph 4—
    - (i) in the words before point (a), for “the Union” substitute “Great Britain”;
    - (ii) in point (a), for “Article 17(2)(a) of [Directive 97/78/EC](#)” substitute “Article 66(3)(b), 69 and 72 of the Official Controls Regulation”;
  - (e) in paragraph 5, for “the Union” substitute “Great Britain”.
- (75) In Section 3—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in the first paragraph, after “importation” insert “from a third country”.
- (76) In Section 4—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in point A—
    - (i) in the words before paragraph 1, after “importation” insert “from a third country”;
    - (ii) in paragraph 2(b), for “the Union” substitute “Great Britain”;
  - (c) in point B—
    - (i) in the words before paragraph 1, after “importation” insert “from a third country”;
    - (ii) in paragraph 1(b), for “the Union” substitute “Great Britain”;
    - (iii) in paragraph 2—
      - (aa) in point (a), after “[Directive 64/432/EEC](#)” insert “taken with the Annexes to which they refer, reading the relevant provisions as if for references to a “Member State” or “Member States” there were substituted references to a “third country” or “third countries” (as the case may be)”;
      - (bb) in point (b), after “[Directive 64/432/EEC](#)” insert—
 

“taken with the Annex to which it refers, reading the relevant provisions as if:

        - (i) for references to a “Member State” or “Member States” there were substituted references to a “third country” or “third countries” (as the case may be); and
        - (ii) in Annex D, in Chapter 1, in Section B(iv), for the reference to “[Directive 72/462/EEC](#)” there were substituted a reference to “Regulation (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products and the Trade in Animals and Related Products Regulations 2011, the Trade in Animals and Related Products (Wales) Regulations 2011 or the Trade in Animals and Related Products (Scotland) Regulations 2012”;
- (77) In Section 5—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in the first paragraph, after “importation” insert “from a third country”.
- (78) In Annex 14, Chapter 2 is amended in accordance with paragraphs (79) to (91).
- (79) In the heading—

- (a) after “importation” insert “from a third country”;
  - (b) for “the Union” substitute “Great Britain”.
- (80) In Section 1—
- (a) in the words before point (a)—
    - (i) omit “imported”;
    - (ii) after “farmed animals” insert “imported from a third country”;
  - (b) in each of points (e)(i) and (ii), for “the Union” substitute “Great Britain”;
  - (c) in Table 2, in the column entitled “Third countries’ lists”—
    - (i) for “Member States authorise imports”, in each place where it occurs other than row 6, substitute “imports into Great Britain”;
    - (ii) after “same species”, in each place where it occurs, insert “are authorised”;
    - (iii) for “[Decision 2004/211/EC](#)”, in both places where it occurs, substitute “Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae”;
    - (iv) for “[Decision 2006/766/EC](#)”, in each place where it occurs, substitute “Commission Implementing Regulation (EU) 2019/626 concerning lists of third countries or regions thereof authorised for the entry into the European Union of certain animals and goods intended for human consumption”;
    - (v) in row 3—
      - (aa) after “equidae”, in both places where it occurs, insert “is authorised”;
      - (bb) omit “is allowed”;
    - (vi) in row 5, for “the European Union” substitute “Great Britain”;
    - (vii) in row 6—
      - (aa) for “the Member States authorise imports” substitute “imports into Great Britain”;
      - (bb) after “poultrymeat” insert “are authorised”;
    - (viii) in row 8, for “the Union” substitute “Great Britain”;
    - (ix) in row 13, after “fresh poultry meat” insert “are authorised”;
    - (x) in row 14, after “poultrymeat” insert “are authorised”.
- (81) In Section 2—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in the words before paragraph 1, after “import” insert “from a third country”;
  - (c) in each of paragraphs 3.1(b)(ii), 3.2(b) and 3.3(b)—
    - (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
    - (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”;
  - (d) in paragraph 4(b)(i), for “2010” substitute “2019”.
- (82) In Section 3—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in the words before paragraph 1, after “import” insert “from a third country”.
- (83) In Section 4—
- (a) in the heading, after “Imports” insert “from a third country”;

- (b) in the words before paragraph 1, after “import” insert “from a third country”.
- (84) In Section 5—
- (a) in the heading, after “imports” insert “from a third country”;
- (b) in the words before paragraph 1, after “import” insert “from a third country”.
- (85) In Section 6—
- (a) in the heading, after “Imports” insert “from a third country”;
- (b) in the words before point (a), after “imported” insert “from a third country”.
- (86) In Section 7—
- (a) in the heading, after “Imports” insert “from a third country”;
- (b) in paragraph 1—
- (i) in the words before point (a), after “imported” insert “from a third country”;
- (ii) in point (a), for “the Union” substitute “Great Britain”;
- (iii) in point (b), for “the Union”, in both places where it occurs, substitute “Great Britain”;
- (iv) in point (c), for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
- (c) in paragraph 3, for “the Union” substitute “Great Britain”;
- (d) in paragraph 4—
- (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
- (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”.
- (87) In Section 8—
- (a) in the heading, after “Imports” insert “from a third country”;
- (b) in the words before paragraph 1, after “imported” insert “from a third country”;
- (c) in paragraph 4—
- (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
- (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”;
- (d) in paragraph 5.1, in each of points (a) and (b), for “the Union” substitute “Great Britain”.
- (88) In Section 9—
- (a) in the heading, after “Imports” insert “from a third country”;
- (b) in the words before point (a), after “imported” insert “from a third country”;
- (c) in point (d), for “the Union” substitute “Great Britain”;
- (d) in point (e)—
- (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
- (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”;
- (89) In Section 10—
- (a) in the heading, after “Imports” insert “from a third country”;
- (b) in paragraph 1, after “imported” insert “from a third country”;
- (c) in paragraph 2, for “the Union” substitute “Great Britain”;
- (d) in paragraph 3—

- (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
  - (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”;
- (90) In Section 11—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in paragraph 1—
    - (i) in the words before point (a), after “imported” insert “from a third country”;
    - (ii) in point (a), for “one of the plants of origin indicated in Table 3” substitute—  
“one of the following plants of origin:
      - (i) Nitta Gelatin Inc., 2-22 Futamata Yao-City, Osaka 581-0024 Japan;
      - (ii) Eastman Gelatine Corporation, 227 Washington Street, Peabody, MA, 01960 USA;
      - (iii) Gelita North America, 2445 Port Neal Industrial Road Sergeant Bluff, Iowa, 51054 USA;
      - (iv) any photogelatine plant in a member State that has been approved by the competent authority of that member State in accordance with Regulation (EC) [1069/2009](#) laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) [No 1774/2002](#)(**33**), as it has effect in European Union law, as amended from time to time, and has been included on a list in that member State in accordance with Article 47(1) of that Regulation;”;
    - (iii) in point (c), for the words from “one” to the end substitute “a border control post at Liverpool, Felixstowe or Heathrow”;
    - (iv) in point (d) for “in an approved photographic factory indicated in Table 3” substitute “in the approved photographic factory at Kodak Ltd., Headstone Drive, Harrow, Middlesex HA4 4TY”;
    - (v) omit Table 3;
  - (c) in paragraph 2—
    - (i) for “the Member State of destination” substitute “Great Britain”;
    - (ii) omit “shall not be traded between Member States but”;
    - (iii) for “the same Member State of destination” substitute “Great Britain”;
  - (d) in paragraph 3—
    - (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
    - (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”;
  - (e) in paragraph 6(a), for “European Union” substitute “United Kingdom”.
- (91) In Section 12—
- (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in the words before paragraph 1, after “imported” insert “from a third country”;
  - (c) in paragraph 2—
    - (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;

- (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”.
- (92) In Annex 14, Chapter 3 is amended in accordance with paragraphs (93) to (95).
- (93) In Section 1, in point (c)(ii)—
  - (a) for “Member States authorise imports” substitute “imports into Great Britain”;
  - (b) after “animals” insert “are authorised”.
- (94) In Section 2, in paragraph 1—
  - (a) in the words before point (a), after “import” insert “from a third country outside the European Union”;
  - (b) in point (c)—
    - (i) for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
    - (ii) for “Article 8(4) of that Directive” substitute “accordance with Article 77(2) of that Regulation”.
- (95) In Section 3—
  - (a) in paragraph 1—
    - (i) in the words before point (a), after “Import” insert “from a third country”;
    - (ii) in point (b), for “Member State” substitute “constituent nation”;
    - (iii) in point (c), for “[Directive 97/78/EC](#)” substitute “the Official Controls Regulation”;
  - (b) in paragraph 3(b), for “Member State or third country”, in both places where it occurs, substitute “country or territory”.
- (96) In Annex 14, Chapter 4 is amended in accordance with paragraphs (97) and (98).
- (97) In Section 1—
  - (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in the words before paragraph 1, after “imported” insert “from a third country”.
- (98) In Section 2—
  - (a) in the heading, after “Imports” insert “from a third country”;
  - (b) in paragraph 1, after “import” insert “from a third country”.
- (99) In Annex 14, in Chapter 5, in the table, in entry 2, for “the EU”, in both places where it occurs, substitute “Great Britain”.
- (100) In Annex 14, Chapter 6 is amended in accordance with paragraphs (101) to (104).
- (101) In the heading, for “the Union” substitute “Great Britain”.
- (102) In Section 1—
  - (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1—
    - (i) in the words before point (a)—
      - (aa) omit “at the border control post”;
      - (bb) for “the Union”, in each place where it occurs, substitute “Great Britain”;
    - (ii) in point (a)—
      - (aa) for “IMSOC” substitute “the appropriate computerised information management system”;
      - (bb) for “Member State” substitute “constituent nation”;

- (iii) in point (b), for “Member State” substitute “constituent nation”;
  - (iv) in point (c)(i), for “the Union”, in both places where it occurs, substitute “Great Britain”.
- (103) In Section 2—
- (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1—
    - (i) omit “at the border control post”;
    - (ii) for “the Union”, in each place where it occurs, substitute “Great Britain”.
- (104) In Section 3—
- (a) in the heading, for “the Union” substitute “Great Britain”;
  - (b) in paragraph 1—
    - (i) omit “at the border control post”;
    - (ii) for “the Union”, in both places where it occurs, substitute “Great Britain”.
- (105) In Annex 15—
- (a) in the first paragraph, for “the European Union” substitute “Great Britain”;
  - (b) in the Notes—
    - (i) in point (d)—
      - (aa) for the words from “one of the official languages” to “destination” substitute “English”;
      - (bb) for “these Member States” substitute “the appropriate authority”;
    - (ii) in point (g), for “[Directive 96/93/EC](#)” substitute “the Official Controls Regulation”;
    - (iii) in point (i), omit “EU”;
    - (iv) in point (j), for “the European Union” substitute “Great Britain”.
- (106) Annex 16 is amended in accordance with paragraphs [\(107\)](#) and [\(108\)](#).
- (107) In Chapter 2—
- (a) in paragraph 1—
    - (i) for “Member States” substitute “each other”;
    - (ii) omit “other Member States and to”;
    - (iii) for “the Commission” substitute “each appropriate authority”;
    - (iv) for “Member State” substitute “other”;
  - (b) in paragraph 2—
    - (i) in point (a)—
      - (aa) for “Member State” substitute “appropriate authority”;
      - (bb) for “the Commission” substitute “each other”;
      - (cc) omit “national”;
      - (dd) for “on its territory” substitute “in their respective constituent nation”;
    - (ii) in point (b), for “one or more official languages of the Union” substitute “at least English”;
  - (c) in paragraph 3, for “Commission” substitute “appropriate authority”.
- (108) In Chapter 3—

- (a) omit Section 4;
- (b) in Section 8—
  - (i) for the words from “approved photographic factories”, in the first place where it occurs, to “Annex XIV” substitute “the approved photographic factory at Kodak Ltd., Headstone Drive, Harrow, Middlesex HA4 4TY”;
  - (ii) for “factories”, in the second place where it occurs, substitute “factory”;
- (c) omit Section 10.

## CHAPTER 4

### Animal Health

#### **Commission Implementing Decision 2014/709/EU**

**14.**—(1) Commission Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States is amended as follows.

(2) For Article 1, substitute—

“This Decision lays down animal health control measures in relation to African swine fever in Great Britain as regards movements of feral pigs and information obligations.

For the purposes of this Decision “appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Scotland, the Scottish Ministers;
- (c) in relation to Wales, the Welsh Ministers.”.

(3) Omit Articles 2 to 14.

(4) In Article 15—

- (a) omit paragraphs 1 and 2;
- (b) for paragraph 3 substitute—

**“3.** The appropriate authority must prohibit the export of live feral pigs..”.

(5) In Article 15a—

- (a) in the heading, omit “of the Member States”;
- (b) omit paragraph 1;
- (c) in paragraph 2—
  - (i) for “All Member States” substitute “The appropriate authority”;
  - (ii) in the second subgraph, omit “the areas listed in the Annex to this Decision or from third”;
- (d) omit paragraph 3.

(6) Omit Articles 16 to 18

(7) For Article 19 substitute—

“The appropriate authority must amend the measures that it applies to trade so as to bring them into compliance with this Decision and it must give immediate appropriate publicity to the measures adopted.”.

(8) Omit Articles 20 and 22 and the Annex.

## CHAPTER 5

### Non-commercial movement of pet animals

#### Commission Regulation (EU) No 576/2013

**15.**—(1) Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals<sup>(34)</sup> is amended as follows.

(2) In Article 2—

- (a) in paragraph 1, for the words from “a Member State” to “territory or” substitute “Great Britain from”;
- (b) in paragraph 2(b), for “Member States” substitute “the appropriate authority”.

(3) In Article 3—

- (a) in point (f), for “set out in implementing acts to be adopted pursuant to this Regulation” substitute “published by the appropriate authority in accordance with this Regulation or, where the context requires, adopted pursuant to the EU Implementing Regulation”;
- (b) in point (g), for “acts adopted” substitute “regulations made”;
- (c) in point (k), for “Member States” substitute “the appropriate authority”;
- (d) after point (k) insert—

“(l) ‘the Commission Implementing Regulation’ means Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council<sup>(35)</sup>;

(m) ‘constituent territory’ means England, Wales or Scotland, as the case may be, and, in relation to a competent authority, “the relevant constituent territory” means the constituent territory for which that competent authority is responsible;

(n) ‘the *Echinococcus multilocularis* Regulation’ means Commission Delegated Regulation (EU) 2018/772 supplementing Regulation (EU) No 576/2013 of the European Parliament and of the Council with regard to preventive health measures for the control of *Echinococcus multilocularis* infection in dogs<sup>(36)</sup>;

(o) ‘the EU Implementing Regulation’ means Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council<sup>(37)</sup>, as it has effect in European Union law, as amended from time to time;

(p) ‘the EU Regulation’ means Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals<sup>(38)</sup> as it applies in European Union law, as amended from time to time;

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<sup>(34)</sup> EUR 2013/576.

<sup>(35)</sup> EUR 2013/577.

<sup>(36)</sup> EUR 2018/772.

<sup>(37)</sup> OJ No. L 178, 28.6.2013, p. 109, as last amended by Commission Implementing Regulation (EU) 2019/1293 (OJ No. L 204, 2.8.2019, p.3).

<sup>(38)</sup> OJ No. L 178, 28.6.2013, p.1.

- (q) ‘third country’ means a territory or country outside the British Islands;
- (r) ‘the Trade Regulations’ means the Trade in Animals and Related Products Regulations 2011<sup>(39)</sup>, the Trade in Animals and Related Products (Wales) Regulations 2011<sup>(40)</sup> or the Trade in Animals and Related Products (Scotland) Regulations 2012<sup>(41)</sup>, as the case may be.”.

(4) After Article 3 insert—

*“Article 3A*

*Definition: appropriate authority*

1. In this Regulation, “the appropriate authority” means—
  - (a) in relation to England, the Secretary of State;
  - (b) in relation to Wales, the Welsh Ministers;
  - (c) in relation to Scotland, the Scottish Ministers.
2. But “the appropriate authority” is the Secretary of State if consent is given—
  - (a) in relation to Wales, by the Welsh Ministers;
  - (b) in relation to Scotland, by the Scottish Ministers.”.

(5) Omit Chapter 2.

(6) In Chapter 3, in the heading, for the words from “A MEMBER STATE” to “OR” substitute “GREAT BRITAIN FROM”.

(7) In Article 10—

- (a) in paragraph 1—
  - (i) in the words before point (a), for the words from “a Member State” to “or” substitute “Great Britain from”;
  - (ii) in point (d), for “adopted pursuant to” substitute “as set out in the *Echinococcus multilocularis* Regulation or in regulations made under”;
- (b) in paragraph 2—
  - (i) for the words from “a Member State” to “or” substitute “Great Britain from”;
  - (ii) for “pursuant to Article 13(1)” substitute “in Part 1 of Annex 2 to the Commission Implementing Regulation”;
- (c) in paragraph 3—
  - (i) in the words before point (a), for “Member States” substitute “the appropriate authority”;
  - (ii) in point (a), for “Member State” substitute “appropriate authority”.

(8) In Article 14—

- (a) in paragraph 1—
  - (i) for “Commission has adopted a delegated act” substitute “appropriate authority has made regulations”;

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<sup>(39)</sup> S.I. 2011/1197, amended by S.I. 2012/2897, 2013/2996, 2014/3158, 2018/575 and 1037, 2019/526 and 1488 and 2020/109, and amended prospectively from IP completion day by S.I. 2019/782.

<sup>(40)</sup> S.I. 2011/2379 (W.252) amended by S.I. 2018/1152 and 1216, 2019/463 and 799, 2020/44 and 177, amended prospectively from IP completion day by S.I. 2019/597 and 1334.

<sup>(41)</sup> S.S.I. 2012/177, amended by S.S.I. 2012/198, 199, 2015/100 and 401, 2018/391, 2019/5 and 412 and S.I. 2014/3158, and amended prospectively from IP completion day by S.S.I. 2019/71 and 288 .

- (ii) for the words from “Member State” to “or” substitute “constituent territory to which the regulations apply from”;
- (b) in paragraph 2—
  - (i) in the words before point (a), for the words from “Member State” to “or” substitute “constituent territory from”;
  - (ii) in points (a), for “adopted” substitute “in regulations made”;
  - (iii) in point (b), for “adopted” substitute “set out in regulations made”;
  - (iv) in point (d), omit “a territory or”;
- (c) omit paragraph 3.
- (9) Omit Section 3 of Chapter 3.
- (10) In Article 17(1), in the second sub-paragraph, omit “Articles 22(1) and (2), and”.
- (11) Omit Article 18.
- (12) Omit Article 20.
- (13) In Chapter 5—
  - (a) omit Section 1;
  - (b) in the heading to Section 2, for “a Member State from a territory or third country” substitute “Great Britain”;
  - (c) in Article 25—
    - (i) in paragraph 1, in the words before point (a)—
      - (aa) for “an animal” substitute “a pet”;
      - (bb) for “to be adopted” substitute “published”;
  - (d) in paragraph 3, for “the Union” substitute “Great Britain”;
  - (e) In Article 26, omit “the territory or”, in both places where it occurs;
  - (f) After Article 26 insert—

*“Article 26a*

*Derogation from the format of the identification document provided for in Article 25*

By way of derogation from Article 25(1), the non-commercial movement of pet animals of the species listed in part A of Annex 1 into Great Britain from a third country listed in Part 1 of Annex 2 to the Commission Implementing Regulation is permitted if those pet animals are accompanied by—

- (a) a passport issued in Great Britain prior to IP completion day in accordance with Article 22 of Regulation (EU) No 576/2013;
- (b) a passport issued in accordance with Article 22 the EU Regulation;
- (c) a passport issued in accordance with Article 3(2) of the EU Implementing Regulation;
- (d) an identification document issued in a constituent territory in accordance with Article 26 of the EU Regulation;
- (e) an animal health certificate issued in a third country before 1st July 2021 in accordance with Article 4 of the EU Implementing Regulation.”;
- (g) omit Article 27.
- (14) Omit Section 3 of Chapter 5.

(15) In Section 4 of Chapter 5, in the heading, for the words from “a Member State” to “or” substitute “Great Britain from”.

(16) In Article 31, in both places where it occurs, omit “territory or”.

(17) In Chapter 6, in Section 1, in the heading, for “Member States” substitute “Great Britain”.

(18) In Article 32—

(a) in the heading, omit “6, 9,”;

(b) in paragraph 1—

(i) in the words before point (a)—

(aa) omit “6, 9,”;

(bb) for “Member States” substitute “the appropriate authority”;

(cc) for “their territory” substitute “the relevant constituent territory”;

(ii) in point (a), for “Member State of destination” substitute “appropriate authority”;

(c) in paragraph 2—

(i) for “Member State”, in the first place where it occurs, substitute “constituent territory”;

(ii) for “Member State”, in the second and third places where it occurs, substitute “appropriate authority for the constituent territory”.

(19) In Article 33—

(a) in the heading, for the words from “a Member State” to the end substitute—

*“Great Britain from a third country listed in Part 1 of Annex 2 to the Commission Implementing Regulation or pursuant to Article 15”;*

(b) in paragraph 1—

(i) for “Without prejudice to Article 16 and in” substitute “In”;

(ii) for “Chapter II, Member States” substitute “Chapter III, the appropriate authority”;

(iii) for the words from “their territory” to “territory or” substitute “the relevant constituent territory from”;

(iv) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;

(v) omit “Article 13(1) and”;

(c) in paragraph 2—

(i) for the words from “a Member State” to “territory or” substitute “Great Britain from”;

(ii) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;

(iii) omit “Article 13(1) and”.

(20) In Article 34—

(a) in the heading—

(i) omit “a territory or”;

(ii) for the words from “pursuant” to the end substitute—

*“in Part 1 of Annex 2 to the Commission  
Implementing Regulation or pursuant to Article 15”;*

- (b) in paragraph 1—
    - (i) omit “of a Member State”;
    - (ii) for “that Member State from a territory or” substitute “Great Britain from”;
    - (iii) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;
    - (iv) omit “Article 13(1) and”;
  - (c) in paragraph 2—
    - (i) for “a Member State from a territory or” substitute “Great Britain from”;
    - (ii) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;
    - (iii) omit “Article 13(1) and”;
  - (d) in paragraph 3—
    - (i) for “Member States” substitute “The competent authority”;
    - (ii) after “entry” insert “into the relevant constituent territory”;
  - (e) in paragraph 4—
    - (i) for the words before point (a) substitute—

“The competent authority designated to carry out the checks provided for in paragraph 1 must.”;
    - (ii) in point (a)—
      - (aa) for “is” substitute “be”;
      - (bb) after “authority” insert “must”;
    - (iii) in point (b), for “keeps” substitute “keep”;
    - (iv) in point (c)—
      - (aa) for “documents” substitute “document”;
      - (bb) omit “into other Member States”;
      - (cc) for “Article 24(1)” substitute “Article 26a”.
- (21) In Article 35—
- (a) in paragraph 1—
    - (i) in the words before point (a), for “Chapters II or” substitute “Chapter”;
    - (ii) in point (b), omit “II or”;
  - (b) in paragraph 2, in the words before point (a), for “the Union” substitute “Great Britain”.
- (22) In Article 36—
- (a) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) for the words before point (a) substitute—

“Where rabies or a disease or an infection other than rabies occurs or spreads in a territory or third country, and is liable to represent a serious threat

- to public or animal health, the appropriate authority may, by regulations, either:”;
- (bb) in point (a), for the words from “territory of” to the end substitute “third country concerned”;
- (cc) in point (b), for the words from “Member State” to the end substitute “third country concerned”;
- (ii) omit the second subparagraph;
- (b) omit paragraph 2.
- (23) In Article 37—
- (a) in paragraph 1, for “Member States” substitute “The appropriate authority”;
- (b) in paragraph 2—
- (i) omit point (a);
- (ii) in point (b), for “Articles 7 and” substitute “Article”;
- (iii) in point (c)—
- (aa) in the words before point (i), for “the Member States’ territory” substitute “Great Britain”;
- (bb) in point (i), for “Articles 6, 9,” substitute “Article”;
- (cc) omit point (ii);
- (iv) in point (e)—
- (aa) for “the conditions” substitute “any conditions”;
- (bb) for “the Member States’ territory” substitute “Great Britain”;
- (cc) omit the words from “, laid down by” to the end;
- (v) in point (f), omit “of the Member States”;
- (c) in paragraph 3—
- (i) for “Member States” substitute “The appropriate authority”;
- (ii) for “Commission” substitute “other appropriate authorities”;
- (d) omit paragraph 4.
- (24) Omit Articles 40 to 42.
- (25) In Article 43—
- (a) in paragraph 1—
- (i) in the first subparagraph, omit the words from “, with the exception” to the end;
- (ii) omit the second subparagraph;
- (b) omit paragraph 3.
- (26) In Article 44—
- (a) omit paragraph 1;
- (b) in paragraph 2—
- (i) in the words before point (a)—
- (aa) omit “and Article 27(a)”;
- (bb) after “was” insert “issued before 29 December 2014 and”
- (ii) for point (b) substitute—

- “(b) drawn up in accordance with the model passport established by Decision [203/903/EC](#).”.
- (27) After Article 45, omit the words from “This Regulation” to “Member States.”.
- (28) In Annex 3—
- (a) in paragraph 1—
- (i) in point (b)—
- (aa) in the words before point (i), for “Member State” substitute “member State or Northern Ireland”;
- (bb) in point (i), after “[Directive 2001/82/EC](#)” insert “, as it has effect in European Union Law(42), as amended from time to time”;
- (cc) in point (ii), after “[Regulation \(EC\) No 726/2004](#)” insert “, as it has effect in European Union law(43), as amended from time to time”;
- (ii) in point (c), for “a territory or a third country” substitute “a third country which is not a member State”;
- (iii) after point (c), insert—
- “(d) where it is administered in Great Britain, have been granted a marketing authorisation in accordance with regulation 4 of the Veterinary Medicines Regulations 2013(44).”;
- (b) in paragraph 2(e)—
- (i) after “point 1(b)”, insert “or (d)”;
- (ii) for “the Member State or territory or” substitute “Great Britain or the”.
- (29) In Annex 4, in paragraph 2—
- (a) in point (a)—
- (i) in point (i), in the first indent—
- (aa) omit “a territory or”;
- (bb) for the words from “the implementing” to “Article 13(1) or (2)” substitute “Part 1 or 2 of Annex 2 to the Commission Implementing Regulation”;
- (ii) in point (i), in the second indent, omit “territory or”;
- (iii) in point (ii)—
- (aa) for “the Union” substitute “Great Britain”;
- (bb) omit “a territory or”;
- (cc) for “pursuant to Article 13(1) or (2)” substitute “in Part 1 or 2 of Annex 2 to the Commission Implementing Regulation”;
- (dd) for “Article 21(1)” substitute “Article 25(1)”;
- (b) in point (c), after “2000/258/EC”, insert “or Article 3 of [Decision 2000/258/EC](#) as it has effect in European Union law(45), as amended from time to time”.

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(42) OJ No. L 311, 28.11.2001, p.1, as last amended by Regulation 596/2009 of the European Parliament and of the Council (OJ No. L188, 18.7.2009, p.14).

(43) OJ No. L 136, 30.4.2004, p.1, as last amended by Regulation (EU) 2019/5 of the European Parliament and of the Council (OJ No. L 4, 7.1.2019, p.24).

(44) [S.I. 2013/2033](#), amended prospectively from IP completion day by [S.I. 2019/676](#) and [865](#); there are other amending instruments but none is relevant.

(45) OJ No. L 79, 30.3.2000, p.40, as last amended by Council [Directive 2008/73/EC](#) (OJ No. L 231, 13.9.2000, p.18).

### **Commission Implementing Regulation (EU) No 577/2013**

16.—(1) Annex 1 to Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and the Council<sup>(46)</sup> is amended as follows.

- (2) In the heading, omit “of Article 7(2) and”;
- (3) In Part 1—
  - (a) in the heading, omit “of Article 7(2) and”;
  - (b) in the declaration, in the heading to the second column, for “Passport/Animal health certificate”, substitute “Identification document”;
- (4) In Part 2, in the declaration, in the heading to the second column, for “Animal”, substitute “Pet”;
- (5) In Part 3—
  - (a) in heading, omit “of Article 7(2) and”;
  - (b) for the words “at least one of” to the end substitute “English and may also be drawn up in other languages.”.

### **Commission Delegated Regulation (EU) 2018/772**

17.—(1) Commission Delegated Regulation (EU) 2018/772 supplementing Regulation (EU) No 576/2013 of the European Parliament and of the Council with regard to preventive health measures for the control of *Echinococcus multilocularis* infection in dogs is amended as follows.

- (2) In Article 1, for the words from “the territory” to the end substitute “Great Britain”.
- (3) After Article 1 insert—

*“Article 1a*

*Interpretation*

In this Regulation, “the Commission Implementing Regulation” means “Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and the Council.”.

- (4) Omit Articles 2 to 5.
- (5) In Article 6—
  - (a) in paragraph 1, for the words from “the territory”, in the first place where it occurs, to “this Regulation” substitute “Great Britain”;
  - (b) in paragraph 2, for the words from “the territory”, in the first place where it occurs, to “Member State” substitute “Great Britain”;
  - (c) in paragraph 3(b)(i)—

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<sup>(46)</sup> EUR 577/2013.

- (i) for “Article 5 of [Directive 2001/82/EC](#) of the European Parliament and of the Council”, substitute “regulation 4 of the Veterinary Medicines Regulations 2013<sup>(47)</sup>”;
- (ii) after “Council”, in the second place where it occurs, insert “as it has effect in European Union law, as amended from time to time”;
- (d) for paragraph 4 substitute—
  - “4. The treatment referred to in paragraph 1 must be certified in the relevant section of the identification document by:
    - (a) where paragraph 4A applies, the administering veterinarian;
    - (b) where paragraph 4B applies—
      - (i) an official veterinarian of the third country of departure; or
      - (ii) an authorised veterinarian, provided an official veterinarian of the third country of departure subsequently endorses the certification.
  - 4A.** This paragraph applies in the case of non-commercial movements of dogs into Great Britain from a third country listed in Part 1 of Annex 2 to the Commission Implementing Regulation, after movement to or transit through a third country which is not so listed.
  - 4B.** This paragraph applies in the case of non-commercial movements of dogs into Great Britain from a third country not listed in Part 1 of Annex 2 to the Commission Implementing Regulation..”.
- (6) In Article 7—
  - (a) in paragraph 1—
    - (i) in the words before point (a)—
      - (aa) for “a Member State referred to in Article 3” substitute “the appropriate authority”;
      - (bb) for “territory or into parts of its territory” substitute “constituent territory”;
    - (ii) in point (a), for the words from “another Member State” to “its territory”, substitute “a member State listed in Part 1 of the Annex to Regulation 2018/878”;
    - (iii) in point (b), for the words from “another Member State” to the end substitute “a member State listed in Part 2 of the Annex to Regulation 2018/878”;
  - (b) in paragraph 2—
    - (i) in the words before point (a)—
      - (aa) for “a Member State referred to in Article 3” substitute “the appropriate authority”;
      - (bb) for “territory or into parts of its territory” substitute “constituent territory”;
    - (ii) in point (b), for the words from “leaving” to “purposes” substitute “leaving the constituent territory, in which case those dogs must enter and leave that constituent territory through a travellers’ point of entry designated by the appropriate authority for the purposes”;
  - (c) in paragraph 3—
    - (i) for the words from the beginning to “making” substitute “If the appropriate authority makes”;

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<sup>(47)</sup> S.I. 2013/2033, to which there are amendments not relevant to these Regulations.

- (ii) after “paragraph 2” insert “, it”;
- (d) after paragraph 3 insert—

“4. For the purposes of this Article, “Regulation 2018/878” means Commission Implementing Regulation (EU) 2018/878 adopting the list of Member States, or parts of the territory of Member States, that comply with the rules for categorisation laid down in Article 2(2) and (3) of Delegated Regulation (EU) 2018/772 concerning the application of preventative health measures for the control of *Echinococcus multilocularis* infection in dogs, as it has effect in European Union law<sup>(48)</sup>, as amended from time to time..”.

- (7) After Article 9 omit the words from “This Regulation” to “Member States.”.
- (8) Omit Annex 1.

### **Commission Implementing Regulation (EU) 2018/878**

**18.** Commission Implementing Regulation (EU) 2018/878 adopting the list of Member States, or parts of the territory of Member States, that comply with the rules for categorisation laid down in Article 2(2) and (3) of Delegated Regulation (EU) 2018/772 concerning the application of preventive health measures for the control of *Echinococcus multilocularis* infection in dogs is revoked.