
STATUTORY INSTRUMENTS

2020 No. 1590

**The Animal Welfare and Invasive Non-native Species
(Amendment etc.) (EU Exit) Regulations 2020**

PART 2

Amendments concerning animal welfare

CHAPTER 1

General amendments concerning animal welfare

Amendment of the Animal Welfare (Amendment) (EU Exit) Regulations 2019

2.—(1) The Animal Welfare (Amendment) (EU Exit) Regulations 2019⁽¹⁾ are amended as follows.

(2) Regulation 2 is amended in accordance with paragraphs (3) to (6) of this regulation.

(3) In paragraph (3)(c), in the text to be inserted by that paragraph—

(i) in point (a) omit point (iv);

(ii) omit point (c);

(iii) in point (d) omit point (iv);

(iv) in point (e) omit “or a member State”;

(v) omit paragraph 3.

(4) In paragraph (6), in the substituted text, for “the United Kingdom” substitute “Great Britain”.

(5) In paragraph (9)—

(a) for sub-paragraph (b) substitute—

“(b) for “experts of the Commission as referred to in Article 28 of that Regulation” substitute “relevant competent authority”;

(b) omit sub-paragraph (c).

(6) In paragraph (10)(b)(ii)(cc), in the substituted text, for “the United Kingdom”, in both places it occurs, substitute “Great Britain”.

(7) Regulation 3 is amended in accordance with paragraphs (8) to (31) of this regulation.

(8) In paragraph (2), for sub-paragraph (a) substitute—

“(a) in paragraph 1—

(i) for “the Community”, in both places it occurs, substitute “Great Britain”;

(ii) omit “the customs territory of”;

(9) In paragraph (3)—

(1) [S.I. 2019/802](#), which comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1).

- (a) for sub-paragraph (g) substitute—
 - “(g) in point (q)(iii), for “Annex II” substitute “the form published by an Appropriate Minister from time to time”.”;
- (b) in sub-paragraph (i), in the substituted text, for “the United Kingdom” substitute “Great Britain”;
- (c) in sub-paragraph (j), in the text to be inserted—
 - (i) in point (z1), omit the second point (iii);
 - (ii) in point (z2), for “United Kingdom or a member State” substitute “British Islands”;
 - (iii) omit point (z4);
 - (iv) omit paragraph 2.
- (10) After paragraph (3) insert—
 - “(3A) Before Article 3 insert—

“Article 2b

Authorisations and certificates issued in the Channel Islands and the Isle of Man

For the purposes of Chapter 2 and Chapter 3 of, and Annex 2 to, this Regulation, a transporter authorisation, certificate of competence or certificate of approval granted or issued in the Channel Islands or the Isle of Man is to be recognised as if it were issued by a competent authority in Great Britain.”.

- (11) In paragraph (5)—
 - (a) in sub-paragraph (a), in the text to be inserted, for “a member State” substitute “Northern Ireland”;
 - (b) for sub-paragraph (c) substitute—
 - “(c) in paragraph 4—
 - (i) for “Member States and with” substitute “Great Britain and”;
 - (ii) for “Annex II” substitute “the form published by an Appropriate Minister from time to time”.”.
- (12) In paragraph (7)(a), in the substituted text, for “a member State” substitute “Northern Ireland”.
- (13) In paragraph (9), for the substituted text, substitute—
 - “4. Transporters must entrust the handling of the animals to personnel who have:
 - (a) received training on the relevant provisions of Annex 1 to this Regulation and the form to be published by the Appropriate Minister from time to time, or
 - (b) received training in Northern Ireland on the relevant provisions of Annexes 1 and 2 of the EU Council Regulation.”.
- (14) In paragraph (10)(a), in the substituted text, for “a member State” substitute “Northern Ireland”.
- (15) In paragraph (11), in the substituted text, after “of this Regulation or” insert “, where the certificate of approval was issued in Northern Ireland, Article 18(2) or 19(2)”.
- (16) In paragraph (13)—
 - (a) in sub-paragraph (a), in the text to be inserted, after “of this Regulation or” insert “has been inspected and approved in Northern Ireland under Article 18(1)”;
 - (b) for sub-paragraph (b) substitute—

- “(b) in paragraph 2—
 - (i) for “Community port” substitute “port in Great Britain”;
 - (ii) at the end, insert “of this Regulation or has been inspected and approved in Northern Ireland under Article 19(1) of the EU Council Regulation”.”.
- (17) In paragraph (14)(a)—
 - (a) in paragraph (i), in the substituted text, for “the United Kingdom and a member State or” substitute “Great Britain and”;
 - (b) for paragraph (ii) substitute—
 - “(ii) in the second sentence—
 - (aa) after “long journeys” insert “between Great Britain and third countries”;
 - (bb) for “Annex II” substitute “the form published by an Appropriate Minister from time to time”.”.
- (18) In paragraph (15), after sub-paragraph (a) insert—
 - “(aa) in point (a), after the words “Annex I” insert “or have followed training courses in Northern Ireland on the relevant technical rules set out in Annex I of the EU Regulation”.”.
- (19) In paragraph (16)(a)(ii)—
 - (a) omit sub-paragraph (aa);
 - (b) for sub-paragraph (bb) substitute—
 - “(bb) for “the Member State where they apply for authorisation” substitute “Great Britain”.”.
- (20) In paragraph (17)(a)—
 - (a) in paragraph (ii), in the substituted text, after “of this Regulation or” insert “, where the certificate of competence has been issued in Northern Ireland, Article 17(2)”;
 - (b) in paragraph (iii), in the substituted text, after “of this Regulation or” insert “, where the certificate of approval has been issued in Northern Ireland, Article 18(2)”.
- (21) In paragraph (19)(c)(i), for sub-paragraph (bb) substitute—
 - “(bb) for “the Member State” substitute “Great Britain”.”.
- (22) In paragraph (20)(b)(i)(aa), for the substituted text substitute “Great Britain and”.
- (23) In paragraph (21)—
 - (a) in sub-paragraph (c)(i), for the substituted text substitute “Great Britain and third countries”;
 - (b) after sub-paragraph (c), insert—
 - “(d) in paragraph (3), for the words from “Regulation (EC) No 854/2004” to “consumption” substitute “Regulation (EU) 2017/625”.”.
- (24) In paragraph (23)(b), in the substituted text, for “the form published by an Appropriate Minister from time to time” substitute “Annex IV” the first time it occurs.
- (25) In paragraph (24)(b), in the substituted text, for “the United Kingdom” substitute “Great Britain”.
- (26) In paragraph (25)—
 - (a) in sub-paragraph (a), for paragraph (ii) substitute—
 - “(ii) in point (a), for “the Member State where the application is made” substitute “Great Britain”.”;

- (b) in sub-paragraph (b), in the substituted text, for “the United Kingdom” substitute “Great Britain”.
- (27) In paragraph (27)(a)—
- (a) for paragraph (iii) substitute—
- “(iii) in point (a), for the words from “Article 10(1)” to the end, substitute—
- “(i) Article 10(1) of this Regulation or, where the authorisation has been issued in Northern Ireland, Article 10(1) of the EU Council Regulation, or
- (ii) for long journeys, Article 11(1) of this Regulation or, where the authorisation has been issued in Northern Ireland, Article 11(1) of the EU Council Regulation”;
- (b) after paragraph (iii) insert—
- “(iv) in point (b), at the end insert “or, where the certificate of competence has been issued in Northern Ireland, Article 17(2) of the EU Council Regulation”;
- (28) In paragraph (31)(c)(i), for the substituted text substitute “in Great Britain”.
- (29) For paragraph (40)(e) substitute—
- “(e) in Chapter 5—
- (i) in paragraph 1.7(b), omit “of the Community”;
- (ii) omit paragraph 1.9”;
- (30) In paragraph (41)—
- (a) in sub-paragraph (c), for the substituted text substitute “from Great Britain”;
- (b) in sub-paragraphs (d)(i), (e)(i) and (f)—
- (i) in the text to be substituted, before “territory” insert “the”;
- (ii) for the substituted text substitute “Great Britain”.
- (31) In paragraph (44), after sub-paragraph (b) insert—
- “(c) after paragraph 2, insert—
- “**3.** Where a road driver or attendant holds a certificate of competence issued in the Republic of Ireland in accordance with Article 17(2) of the EU Council Regulation, that person will be deemed to have met the requirements of paragraph 1 for the purposes of this Regulation.”;
- (32) Regulation 4 is amended in accordance with paragraphs (33) to (36) of this regulation.
- (33) In paragraph (2), in the substituted text omit the second indent.
- (34) In paragraph (3)—
- (a) in sub-paragraph (c), in the text to be inserted—
- (i) in point (s), omit point (iv);
- (ii) in point (t), omit “or a member State”;
- (iii) omit paragraph 2.
- (35) In paragraph (7)(b), for paragraph (i) substitute—
- “(i) in the first subparagraph, for “the Member States concerned” substitute “Great Britain”;
- (36) In paragraph (8), for sub-paragraph (b) substitute—
- “(b) for paragraph 4 substitute—
- “**4.** Competent authorities must recognise certificates of competence issued:

- (a) by other competent authorities in Great Britain in accordance with this Regulation;
- (b) in Northern Ireland in accordance with Article 21 of Council Regulation (EC) No 1099/2009 as it has effect by virtue of section 7A of the European Union (Withdrawal) Act 2018.”;”.

Amendment of the Animals (Legislative Functions) (EU Exit) Regulations 2019

3.—(1) The Animals (Legislative Functions) (EU Exit) Regulations 2019(2) are amended as follows.

- (2) In regulation 2—
 - (a) in paragraph (3), in the new Article 2a inserted by that paragraph—
 - (i) in paragraph 1, omit point (d);
 - (ii) in paragraph 2, omit point (c);
 - (b) in paragraph (5), in the new Article 6c inserted by that paragraph, omit paragraphs 3 and 7.
- (3) In regulation 6—
 - (a) in paragraph (3), in the new Article 2a inserted by that paragraph—
 - (i) in paragraph 1, omit point (d);
 - (ii) in paragraph 2, omit point (c);
 - (b) in paragraph (7)(f), for paragraph (i) substitute—
 - “(i) for “the Community” substitute “Great Britain”;
 - (c) in paragraph (8), in the new Article 30a inserted by that paragraph, omit paragraphs 3 and 7.
- (4) In regulation 9—
 - (a) in paragraph (3), in the new Article 2a inserted by that paragraph—
 - (i) in paragraph 1, omit point (d);
 - (ii) in paragraph 2, omit point (c);
 - (b) in paragraph (14), in the new Article 24a inserted by that paragraph—
 - (i) omit paragraphs 3 and 7;
 - (ii) the second paragraphs 5 and 6 are renumbered paragraphs 8 and 9.

CHAPTER 2

Amendments concerning leghold traps and pelt imports

The Leghold Trap and Pelt Imports (Amendment etc.) (EU Exit) Regulations 2019

4.—(1) The Leghold Trap and Pelt Imports (Amendment etc.) (EU Exit) Regulations 2019(3) are amended as follows.

- (2) In regulation 2—
 - (a) in paragraph (2), for sub-paragraph (a) substitute—
 - “(a) for the words “the Community” substitute “Great Britain”;

(2) S.I. 2019/588, which comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1).

(3) S.I. 2019/16, which comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1).

(b) in paragraph (3), for sub-paragraph (c) substitute—

“(c) after paragraph (2), insert—

“3. Paragraph 1 does not apply—

(a) where the pelts originate from an approved country; or

(b) to the introduction of—

(i) any goods into Northern Ireland, or

(ii) any goods subject to a transit procedure and travelling to Northern Ireland, other than goods subject to a transit procedure and travelling to Great Britain.

3A. For the purposes of paragraph 1, goods entering Northern Ireland subject to a transit procedure and travelling to Great Britain are to be treated as being introduced into the United Kingdom on their entry into Great Britain.

3B. In this Article, “transit procedure” means—

(a) a transit procedure referred to in section 3(4)(b) of the Taxation (Cross-border Trade) Act 2018⁽⁴⁾; or

(b) a transit procedure referred to in Article 210(a) of [Regulation \(EU\) No 952/2013](#) of the European Parliament and of the Council laying down the Union Customs Code⁽⁵⁾, as it has effect by virtue of section 7A of the European Union (Withdrawal) Act 2018.””;

(c) in paragraph (4), for the text to be substituted substitute—

“For the purposes of Article 3, pelts are to be considered to originate from an approved country only where the designated competent authority of the country from which the pelts, or the goods into which the pelts has been incorporated, have been exported or re-exported to the UK has certified, in accordance with [Commission Regulation \(EC\) No 35/97](#) laying down provisions on the certification of pelts and goods covered by [Council Regulation \(EEC\) No 3254/91](#)⁽⁶⁾, that such pelts originate in—

(a) an approved country; or

(b) the United Kingdom.”.

(3) In regulation 3(2)(a)(iii), for “an approved country” substitute “an approved country or the United Kingdom”.

(4) In regulation 4(2), in the text to be substituted, for “Article 3” substitute “Article 3(3)”.

The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019

5.—(1) The Environment and Wildlife (Legislative Functions) (EU Exit) Regulations 2019⁽⁷⁾ are amended as follows.

(2) In regulation 10—

(a) for paragraph (2)(a) substitute—

“(a) in paragraph 1, omit the words from “unless the Commission” to the end;”;

(b) in paragraph (2)(b), in new paragraph 4 to be inserted, for “paragraph 1” substitute “paragraph 3 and Article 4”.

⁽⁴⁾ 2018 c. 22, to which there are amendments not relevant to these Regulations.

⁽⁵⁾ EUR 2013/952, which is prospectively amended by S.I. 2019/714, 715, 1219.

⁽⁶⁾ EUR 1997/35, which is prospectively amended by S.I. 2019/16, 473.

⁽⁷⁾ S.I. 2019/473, to which there are prospective amendments not relevant to these Regulations. S.I. 2019/473 comes into force on IP completion day by virtue of paragraph 1 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1).

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