

Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies

CHAPTER VII

TRANSITIONAL AND FINAL PROVISIONS

^{F1}Article 22

Transitional measures concerning specified risk material

Textual Amendments

- F1** Art. 22 omitted (31.12.2020) by virtue of [The Transmissible Spongiform Encephalopathies and Animal By-Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/170\)](#), regs. 1, **2(16)**; 2020 c. 1, Sch. 5 para. 1(1)

^{F2}Article 23

Amendment of the Annexes

The appropriate authority may, after taking appropriate advice on any question which could have an impact on public health, by regulations amend the Annexes.]

Textual Amendments

- F2** Art. 23 substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **4(15)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F3}Article 23a

[^{F4}The appropriate authority may by regulations amend the following non-essential elements of this Regulation, including by supplementing it:]

- (a) [^{F5}approval of the rapid tests referred to in Article 5(3) third subparagraph, Article 6(1), Article 8(2) and Article 9(3),]
- (b) adaptation of the age referred to in Article 6(1b),
- (c) criteria to demonstrate improvement of the epidemiological situation referred to in Article 6(1b),
- (d) decision to allow feeding of young animals of ruminant species with proteins derived from fish as referred to in Article 7(3),
- (e) criteria for granting exemptions from the restrictions referred to in Article 7(4),

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- (f) decision to introduce a tolerance level as referred to in Article 7(4a),
- (g) ^{F6} ...
- (h) rules providing for exemptions from the requirement to remove and destroy specified risk material as referred to in Article 8(5),
- (i) approval of production processes referred to in Article 9(1),
- (j) decision to extend certain provisions to other animal species as referred to in Article 15(3) [^{F5},]
- (k) [^{F7}extension to other products of animal origin of the provisions of paragraphs 1 to 6 of Article 16,
- (l) adoption of the method to confirm BSE in ovine and caprine animals referred to in Article 20(2),
- (m) ^{F8} ...]]

Textual Amendments

- F3** Inserted by Regulation (EC) No 1923/2006 of the European Parliament and of the Council of 18 December 2006 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (Text with EEA relevance).
- F4** Words in Art. 23a substituted (31.12.2020) by The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(16)(a)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Substituted by Regulation (EC) No 220/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.
- F6** Art. 23a(g) omitted (31.12.2020) by S.I. 2019/588, **reg. 4(16)(b)** (as amended by The Aquatic Animal Health and Alien Species in Aquaculture, Animals, and Marketing of Seed, Plant and Propagating Material (Legislative Functions and Miscellaneous Provisions) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1463), regs. 1(2)(a), **6(3)(d)**)
- F7** Inserted by Regulation (EC) No 220/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission.
- F8** Art. 23a(m) omitted (31.12.2020) by virtue of The Animals (Legislative Functions) (EU Exit) Regulations 2019 (S.I. 2019/588), regs. 1, **4(16)(b)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

[^{F9}Article 24

Regulations

1 Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.

2 For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 ^{F10}.

3

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4 A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

5 A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the Welsh Parliament.

6 Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

7

8 Regulations made under this Regulation may—

- a contain consequential, incidental, supplementary, transitional or saving provision, including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018);
- b make different provision for different purposes.

9 Before making any regulations under this Regulation, the appropriate authority must—

- a ensure that they are based on an appropriate assessment of the possible risks for human and animal health and must maintain or increase the level of protection of human and animal health in line with the latest scientific evidence; and
- b consult—
 - i such bodies or persons as appear to the appropriate authority to be representative of the interests likely to be substantially affected by the regulations;
 - ii such other bodies or persons as the appropriate authority considers appropriate.]

Textual Amendments

F9 Art. 24 substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/588), regs. 1, **4(17)** (with reg. 12) (as amended by S.I. 2020/1463, regs. 1(2)(a), **6(3)(e)**); 2020 c. 1, Sch. 5 para. 1(1)

F10 2010 asp 10.

^{F11} Article 24a

Textual Amendments

F11 Art. 24a omitted (31.12.2020) by virtue of [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/588), regs. 1, **4(18)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

^{F12} Article 25

Consultation of the scientific committees

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER VII. (See end of Document for details)

Textual Amendments

- F12** Art. 25 omitted (31.12.2020) by virtue of [The Transmissible Spongiform Encephalopathies and Animal By-Products \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/170\)](#), regs. 1, **2(16)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 26

Entry into force

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 2001.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 999/2001 of the European Parliament and of the Council, CHAPTER VII.