

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 of the European Union (Withdrawal) Act 2018 (c.16) in order to deal with a deficiency in retained EU law (in particular under paragraph (f) of section 8(2) of that Act) arising from the withdrawal of the UK from the European Union.

These Regulations amend schedule 2 of the Trade in Animals and Related Products (Scotland) Regulations 2012 (“the 2012 Regulations”), which makes additional provision in specific cases relating to imports of animals and related products from third countries. Under Article 8(4) of Council Directive 2002/99/EC, EU entities had the function of establishing special import conditions for the import of products of animal origin intended for human consumption from third countries. These Regulations amend schedule 2 of the 2012 Regulations to provide for that function to be exercisable by the Scottish Ministers by regulations subject to negative procedure.