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SCOTTISH STATUTORY INSTRUMENTS

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**2021 No. 342**

**ANIMALS**

**FOOD**

**AGRICULTURE**

**EXITING THE EUROPEAN UNION**

The Official Controls (Transitional Staging  
Period) (Miscellaneous Amendments)  
(Scotland) (No. 2) Regulations 2021

<i>Made</i>	- - - -	<i>at 9.15 a.m. on 28th September 2021</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>at 2.00 p.m. on 28th September 2021</i>
<i>Coming into force</i>	- -	<i>1st October 2021</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 1(1) and (3) of schedule 2 and paragraph 21(b) of schedule 7 of the European Union (Withdrawal) Act 2018<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

**1.** These Regulations may be cited as the Official Controls (Transitional Staging Period) (Miscellaneous Amendments) (Scotland) (No. 2) Regulations 2021 and come into force on 1 October 2021.

**Amendment of Regulation (EU) 2017/625**

**2.—(1)** 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>(2)</sup> is amended as follows.

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<sup>(1)</sup> 2018 c. 16. Paragraph 21 of schedule 7 was amended by the European Union (Withdrawal Agreement) Act 2020 (c. 1), section 41(4) and schedule 5, paragraph 53.

<sup>(2)</sup> EUR 2017/625. Annex 6 was inserted by S.I. 2020/1481 and paragraph 13 was amended by S.I. 2021/429 and 809.

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*Status: This is the original version (as it was originally made).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

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(2) In Annex 6 (application of and derogations from, and modifications to the Regulation in relation to territories subject to special transitional import arrangements), in paragraph 13, in the text of Article 56A as inserted for the purposes mentioned in paragraph 3 of Annex 6—

- (a) in paragraph 4 for “the relevant date” substitute “1st January 2022”, and
- (b) omit paragraph 5.

### **Amendment of the Trade in Animals and Related Products (Scotland) Regulations 2012**

**3.**—(1) The Trade in Animals and Related Products (Scotland) Regulations 2012<sup>(3)</sup> are amended as follows.

(2) In schedule 5 (application of, derogations from, and modifications to Part 3 on importation from a third country, in relation to certain territories subject to transitional import arrangements)—

- (a) in paragraph 4(3) for “1st October 2021” substitute “1st January 2022”, and
- (b) in paragraph 5(3) for “1st October 2021” substitute “1st January 2022”.

St Andrews’s House,  
Edinburgh  
At 9.15 a.m. on 28th September 2021

*MAIRI GOUGEON*  
A member of the Scottish Government

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(3) [S.S.I. 2012/177](#). Schedule 5 was inserted by [S.S.I. 2020/458](#). Paragraphs 4 and 5 were amended by [S.I. 2021/429](#) and [809](#) and [S.S.I. 2021/297](#).

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## 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 and paragraph 21(b) of schedule 7 of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(d)) arising from the withdrawal of the UK from the European Union. These Regulations amend provisions in Regulation (EU) 2017/625 and the Trade in Animals and Related Products (Scotland) Regulations 2012 (“the 2012 Regulations”) which modify the application of Regulation (EU) 2017/625 and the 2012 Regulations during a transitional staging period in relation to animals and goods which originate from territories subject to special transitional import arrangements.

Regulations 2 and 3(2)(a) amend Regulation (EU) 2017/625 and the 2012 Regulations to change the date from which transitional prior notification requirements for products of animal origin for human consumption apply from 1 October 2021 to 1 January 2022.

Regulation 3(2)(b) amends the 2012 Regulations to change the date from which products of animal origin and animal by-products are required to be accompanied by a health certificate from 1 October 2021 to 1 January 2022.

A Business and Regulatory Impact Assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.