

D R A F T S T A T U T O R Y I N S T R U M E N T S

2019 No. XXXX

EXITING THE EUROPEAN UNION

ANIMALS

CUSTOMS

The Cat and Dog Fur (Control of Import, Export and Placing on the Market) (Amendment) (EU Exit) Regulations 2019

Made - - - - *XXX*

Coming into force in accordance with regulation 1

The Secretary of State, in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018(a), makes the following Regulations.

A draft of these Regulations has been approved by a resolution of each House of Parliament in accordance with paragraph 1(1) of Schedule 7 to that Act.

Citation and commencement

1. These Regulations—

(1) may be cited as the Cat and Dog Fur (Control of Import, Export and Placing on the Market) (Amendment) (EU Exit) Regulations 2019; and

(2) come into force on exit day.

Interpretation

2. In these Regulations—

“the EC Regulation” means Regulation (EC) 1523/2007 of the European Parliament and of the Council banning the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur(b);

“the UK Regulations” means the Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008(c).

(a) 2018 c. 16.

(b) OJ No L 343, 27.12.2007, p.1.

(c) S.I. 2008/2795, amended by S.I. 2009/1056.

Amendments to the EC Regulation

3. Schedule 1 (amendments to the EC Regulation) has effect.

Amendments to the EC Regulation

4. Schedule 2 (amendments to the UK Regulations) has effect.

	<i>Name</i>
	<i>Title</i>
Date	Department of International Trade

SCHEDULES

SCHEDULE 1

Regulation 3

Amendments to the EC Regulation

1.—(1) The EC Regulation is amended as follows.

(2) In Article 1 (Objective)—

- (a) for “Community” substitute “United Kingdom”; and
- (b) omit “to eliminate obstacles to the functioning of the internal market and”.

(3) In Article 2 (Definitions)—

(a) In paragraph 4, for the definition of “import” substitute—

“4. “import”, in relation to cat or dog fur, shall mean—

- (a) landing or unloading the fur in the United Kingdom from any means of transport arriving from any other country or territory, or
- (b) declaring the fur for any customs procedure on import under section 3 of the Taxation (Cross-border Trade) Act 2018^(a),

and importation occurs when the fur is landed or unloaded in the United Kingdom, or the declaration is accepted by Her Majesty’s Commissioners of Revenue and Customs, whichever occurs first.”.

(b) In paragraph 5, for the definition of “export” substitute—

“5. “export”, in relation to cat or dog fur, shall mean—

- (a) the loading of the fur for the purposes of removing it from the United Kingdom to any other country or territory, or
- (b) notification to Her Majesty’s Commissioners of Revenue and Customs under section 34(3) of the Taxation (Cross-border Trade) Act 2018 of an intention to remove the fur from the United Kingdom,

and export occurs when the fur is loaded in the United Kingdom, or when the notification is sent, whichever occurs first.”.

(4) In Article 3 (Prohibitions) for “Community” substitute “United Kingdom”.

(5) For Article 4 (Derogations) substitute—

(a) 2018 c.22.

“The Secretary of State may make regulations allowing the placing on the market or the import or export of cat and dog fur or products containing such fur for educational or taxidermy purposes.

Any regulations made under this Article shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

- (6) Omit Articles 5 to 9.
- (7) Omit the applicability provisions that follow Article 9.

SCHEDULE 2

Regulation 4

Amendments to the UK Regulations

1.—(1) The UK Regulations are amended as follows.

(2) In regulation 1(2)—

(a) after the definition of “goods” insert—

““HMRC officer” has the meaning given to it in 37(1) of the Taxation (Cross-border Trade Act 2018;”;

(b) in the definition of “officer” after “means” insert “an HMRC officer or”.

(3) In regulation 2, for “the Community” substitute “the United Kingdom”.

(4) In regulation 3(2) for “subject to customs supervision within the meaning of Council Regulation (EEC) No 2913/92 establishing the Common Customs Code” substitute “under the control of an HMRC Officer”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Regulation (EC) 1523/2007 banning the placing on the market and import to, or export from, the Community of cat and dog fur, and products containing such fur (OJ L 343, 27.12.2007, p.1) and the Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008. These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union (and in particular the deficiencies referred to in paragraphs (a), (b), (c), (d), and (g) of section 8(2)).

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

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