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DRAFT STATUTORY INSTRUMENTS

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**2020 No.**

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

PART 2

Amendments to EU Exit domestic legislation

CHAPTER 2

Amendments to legislation relating to aquatic animal health and animals

**Amendment of the Aquatic Animal Health and Plant Health (Legislative Functions) (EU Exit) Regulations 2019**

5.—(1) The Aquatic Animal Health and Plant Health (Legislative Functions) (EU Exit) Regulations 2019<sup>(1)</sup> are amended as follows.

- (2) In regulation 2, in the definition of “the appropriate authority”—
  - (a) in paragraph (1), omit sub-paragraph (d);
  - (b) in paragraph (2), omit sub-paragraph (c).
- (3) In regulation 3—
  - (a) in the definition of “the other responsible authorities”, omit paragraph (c);
  - (b) in the definition of “third country”, for “United Kingdom” substitute “British Islands”.
- (4) In regulation 4, in the words before paragraph (a), for “exit day” substitute “IP completion day”.
- (5) After regulation 5 insert—

**“Amendment of Commission Regulation (EC) No 1251/2008**

**5A.** In Commission Regulation (EC) No 1251/2008, after Article 2, insert—

*“Article 2a*

*Interpretation: animal health certificates*

In Articles 5 to 8a, 10 to 12, 14 and 16, “relevant model”, in relation to an animal health certificate, a joint public and animal health certificate or an addendum to an animal health certificate, means the model of that certificate or addendum, as published by the appropriate authority from time to time.””

- (6) In regulation 6—
- (a) in paragraph (3)—
- (i) in sub-paragraphs (a) and (b), for “the United Kingdom” substitute “Great Britain”;
- (ii) in sub-paragraph (c)—
- (aa) in the words before sub-paragraph (i), for “the United Kingdom” substitute “Great Britain”;
- (bb) in sub-paragraph (i), omit “in the United Kingdom”;
- (b) in paragraph (4)—
- (i) in sub-paragraph (a), for “UK” substitute “GB”;
- (ii) in sub-paragraph (b)(ii), for “the United Kingdom” substitute “Great Britain”;
- (c) for paragraph (5) substitute—
- “(5) In this regulation—
- “Annex 1A” means Annex 1A to [Commission Regulation \(EC\) No 1251/2008](#)(2);
- “constituent GB territory” means England, Wales or Scotland, as the case may be.”.
- (7) In regulation 7—
- (a) in paragraph (1)—
- (i) in the words before sub-paragraph (a) and in sub-paragraphs (c), (d), (e) and (g), for “the United Kingdom” substitute “Great Britain”;
- (ii) in sub-paragraph (f)—
- (aa) for “made on behalf of the United Kingdom of the relevant competent authority” substitute “made of the relevant competent authority on behalf of the appropriate authority”;
- (bb) for “to the United Kingdom” substitute “to the appropriate authority”;
- (cc) for “at the request of the United Kingdom” substitute “at the request of the appropriate authority”;
- (b) in paragraph (3)—
- (i) for “third country” substitute “country or territory”;
- (ii) omit “of that country”;
- (iii) after “country”, in the third place where it occurs, insert “or territory (as the case may be)”;
- (iv) for “the United Kingdom” substitute “Great Britain”.
- (c) in paragraph (5), for the definition of “relevant competent authority” substitute—
- ““relevant competent authority”, in relation to a country or territory, means the authority or authorities of that country or territory concerned with official responsibility for aquatic animal health.”.

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

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

- (2) In regulation 3—

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(2) Annex 1A was inserted by regulation 2(19) of [S.I. 2019/451](#).

(3) [S.I. 2019/588](#); to which there are amendments not relevant to these Regulations.

- (a) in paragraph (3), in inserted Article 2a—
    - (i) in paragraph 1, omit point (d);
    - (ii) in paragraph 2, omit point (c);
  - (b) in paragraph (9), in inserted Article 9b—
    - (i) omit paragraphs 3 and 7;
    - (ii) in paragraph 5, for “National Assembly for Wales” substitute “Welsh Parliament”.
- (3) In regulation 4—
- (a) in paragraph (3), in substituted Article 4, for paragraph 2 substitute—

“2. The appropriate authority that introduced the safeguard measures must notify each affected exporting country of the reasons for introducing such measures.”;
  - (b) in paragraph (4), in substituted paragraph 7—
    - (i) after “each” insert “other”;
    - (ii) for “the United Kingdom” substitute “Great Britain”;
  - (c) in paragraph (8), in substituted paragraph 5, in the words before point (a), omit “Each authority which in relation to any part of the United Kingdom is”;
  - (d) in paragraph (16), in sub-paragraph (b), for “(f)” substitute “(g)”;
  - (e) in paragraph (17), in substituted Article 24—
    - (i) in paragraph 5, for “National Assembly for Wales” substitute “Welsh Parliament”;
    - (ii) omit paragraphs 3 and 7;
  - (f) in paragraph (19), for “paragraphs (19) and (20)”, substitute “paragraphs (20) and (21)”;
  - (g) in paragraph (21)(a), for paragraph (i) substitute—

“(i) in the fourth paragraph, for “Member States shall aim their monitoring programmes” substitute “The monitoring programmes must be designed by the Secretary of State, with the consent of each other authority which, in relation to any part of Great Britain, is the appropriate authority so as”;
- (4) In regulation 5—
- (a) in paragraph (3), in inserted Article 2a—
    - (i) in paragraph 1, omit point (d);
    - (ii) in paragraph 2, omit point (c);
  - (b) in paragraph (8), in inserted Article 12a—
    - (i) omit paragraphs 3 and 7;
    - (ii) in paragraph 5, for “National Assembly for Wales” substitute “Welsh Parliament”.
- (5) In regulation 8—
- (a) omit paragraph (2);
  - (b) in paragraph (8)(a)—
    - (i) for paragraph (i) substitute—

“(i) for “the Community” substitute “Great Britain”;
    - (ii) in paragraph (ii), for “the United Kingdom” substitute “Great Britain”;
  - (c) in paragraph (9), in the inserted Article 17(3)—
    - (i) omit point (d);
    - (ii) in the words after point (b)—

- (aa) for “any” substitute “either”
- (bb) for “points (a) to (c)” substitute “point (a) or (b)”;
- (d) in paragraph (22)—
  - (i) in sub-paragraph (a)(ii), in the substituted subparagraph, for “Community legislation” substitute “retained EU law”;
  - (ii) in sub-paragraph (b)(ii), for sub-paragraph (aa) substitute—
    - “(aa) for “the Community” substitute “Great Britain”;
  - (iii) in sub-paragraph (c)—
    - (aa) in paragraph (i), in the substituted words, for “the United Kingdom” substitute “Great Britain”;
    - (bb) for paragraph (ii) substitute—
      - “(ii) in point (c), for “the Community” substitute “Great Britain”;
- (e) omit paragraphs (25) and (27);
- (f) in paragraph (28), in substituted Article 52—
  - (i) omit paragraphs 3 and 7;
  - (ii) in paragraph 5, for “National Assembly for Wales” substitute “Welsh Parliament”.

#### **Amendment of the Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2019**

7.—(1) The Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2019(4) are amended as follows.

- (2) In regulation 3—
  - (a) in paragraph (3)(b)(ii), for inserted points (d) and (e) substitute—
    - “(d) ‘constituent territory’ means England, Wales or Scotland, as the case may be;
    - (e) ‘third country’ means a country or territory outside the British Islands;”;
  - (b) in paragraph (4), in inserted Article 2A, omit paragraphs 1(c) and 2(b);
  - (c) for paragraph (12), substitute—
    - “(12) Omit Article 9.”;
  - (d) in paragraph (13)(d)(ii), in the substituted sentence, for “the United Kingdom” substitute “Great Britain”;
  - (e) in paragraph (18)—
    - (i) in inserted Article 17A—
      - (aa) omit paragraphs 4 and 8;
      - (bb) in paragraph 6, for “National Assembly for Wales” substitute “Welsh Parliament”;
    - (ii) in inserted Article 17B—
      - (aa) in paragraph 2, for “the United Kingdom” substitute “Great Britain”;
      - (bb) omit paragraph 3(c);
      - (cc) in paragraph 4 for “any of the parties mentioned in paragraph (a) to (c)” substitute “either of the parties mentioned in paragraph (a) or (b)”.

- (3) In regulation 6(3)(b), in inserted paragraph 5, omit point (d).
- (4) In regulation 7—
  - (a) in paragraph (3), in inserted Article 1A, for “, in relation to the United Kingdom, means England, Wales, Scotland or Northern Ireland” substitute “means England, Wales or Scotland, as the case may be”;
  - (b) in paragraph (9)(a), for “export to a member State” substitute “export to a member State or movement to Northern Ireland.”.
- (5) In regulation 8(3), in inserted Article 1A, for “, in relation to the United Kingdom, means England, Wales, Scotland or Northern Ireland” substitute “means England, Wales or Scotland, as the case may be”
- (6) In regulation 9(3), in inserted Article 1A, for “, in relation to the United Kingdom, means England, Wales, Scotland or Northern Ireland” substitute “means England, Wales or Scotland, as the case may be”.
- (7) In regulation 10—
  - (a) in paragraph (3), in inserted Article 1A, for “, in relation to the United Kingdom, means England, Wales, Scotland or Northern Ireland” substitute “means England, Wales or Scotland, as the case may be”;
  - (b) in paragraph (6)(c), in paragraphs (i) and (ii), for “export to a member State” substitute “export to a member State or movement to Northern Ireland”.