
STATUTORY INSTRUMENTS

2018 No. 1409

**EXITING THE EUROPEAN UNION, ENGLAND
ANIMALS, ENGLAND**

The Equine Identification (England)
(Amendment) (EU Exit) Regulations 2018

Sift requirements satisfied *5th December 2018*

Made - - - - *20th December 2018*

Laid before Parliament *21st December 2018*

Coming into force in accordance with regulation 1(2)

The Secretary of State makes these Regulations in exercise of the powers conferred by—

- (a) in relation to regulation 1, the powers mentioned in paragraphs (b) and (c);
- (b) in relation to regulation 2, section 2(2) of the European Communities Act 1972(1);
- (c) in relation to regulation 3, section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(2).

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(3) in relation to the common agricultural policy(4).

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1.—(1) These Regulations may be cited as the Equine Identification (England) (Amendment) (EU Exit) Regulations 2018.

(2) These Regulations come into force 21 days after the day on which they are made, except for regulation 3, which comes into force on exit day.

(1) 1972 c. 68, section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and the European Union (Amendment) Act 2008 (c. 7), the Schedule, Part 1. It is prospectively repealed by the European Union (Withdrawal) Act 2018 (c. 16), section 1 from exit day (see section 20 of that Act).

(2) 2018 c. 16.

(3) The function of the former Minister of Agriculture, Fisheries and Food of making regulations under section 2(2) was transferred to the Secretary of State by S.I. 2002/794.

(4) S.I. 1972/1811, to which there are amendments not relevant to these Regulations.

Amendments to the Equine Identification (England) Regulations 2018 not relating to EU exit

- 2.—(1) The Equine Identification (England) Regulations 2018⁽⁵⁾ are amended as follows.
- (2) In regulation 2, for the definition of “issuing body” substitute—
““issuing body” means an issuing body referred to in Article 5(1);”.
- (3) Omit regulation 17(3).
- (4) In regulation 21—
- (a) in the heading, for the words from “aged” to the end substitute “moved for welfare reasons or for slaughter”;
- (b) in paragraph (1)(b)(i), after “12 months” insert “and has visible dental stars of the temporary lateral incisors”.
- (5) Omit regulation 24(4).
- (6) In regulation 29(a), sub-paragraph (iii) is renumbered as paragraph (b).
- (7) In regulation 36, for “regulations 32 and 37” substitute “regulation 37”.

Amendments to the Equine Identification (England) Regulations 2018 relating to EU Exit

- 3.—(1) The Equine Identification (England) Regulations 2018 are amended as follows.
- (2) In regulation 3, omit the words from “and acts” to the end.
- (3) In regulation 6(1), for “born in the EU” substitute “born in a member State or in the United Kingdom”.
- (4) In the heading to regulation 7, for “EU” substitute “United Kingdom from a country other than a member State”.
- (5) In regulation 13(2)(b), for “another” substitute “a”.
- (6) Omit regulation 35(4)(b) (together with the preceding “and”).

Gardiner of Kimble
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

20th December 2018

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) (in particular under section 8(2)(a), (d) and (g)), in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the UK from the European Union. These Regulations are also made in exercise of the powers in section 2(2) of the European Communities Act 1972 (c. 68) for reasons unconnected to the withdrawal of the UK from the European Union.

The Equine Identification (England) Regulations 2018 (S.I. 2018/761) (“the Equine ID Regulations”) supplement and make provision for the enforcement of Commission Implementing Regulation (EU) 2015/262 laying down rules pursuant to Council Directives 90/427/EEC and 2009/156/EC as regards the methods for the identification of equidae (OJ No L 59, 3.3.2015, p1) in England. Regulation 2 amends the Equine ID Regulations to correct errors unconnected to the UK’s exit from the European Union. Regulation 3 addresses failures to operate effectively and other deficiencies in those Regulations arising from the withdrawal of the UK from the European Union.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the public sector is foreseen.