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STATUTORY INSTRUMENTS

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**2019 No. 451**

**EXITING THE EUROPEAN UNION  
ANIMALS  
AQUACULTURE**

The Aquatic Animal Health and Alien Species in  
Aquaculture (Amendment etc.) (EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>26th February 2019 at 12.15 p.m. on 5th</i>
<i>Made - - - -</i>	<i>March 2019 at 5.30 p.m. on 5th</i>
<i>Laid before Parliament</i>	<i>March 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>M1</sup>.

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

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**Marginal Citations**

**M1** [2018 c.16.](#)

**PART 1**

Introductory

**Citation and commencement**

1. These Regulations may be cited as the Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 and come into force on exit day.

*Changes to legislation: There are currently no known outstanding effects for the The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)*

**Commencement Information**

- II** Reg. 1 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**<sup>F1</sup>PART 2**

**Amendment of retained direct EU legislation on aquatic animal health**

- F1** Pt. 2 revoked (31.12.2020 immediately before IP completion day) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), **31**

**Commission Regulation (EC) No 1251/2008**

2. ....

**Commission Decision 2008/392/EC**

3. ....

**Commission Decision 2008/896/EC**

4. ....

**Commission Decision 2008/946**

5. ....

**Commission Decision 2009/177/EC**

6. ....

**Commission Decision 2010/221/EU**

7. ....

**Commission Implementing Decision (EU) 2015/1554**

8. ....

**PART 3**

**Amendment of retained direct EU legislation on alien and locally absent species in aquaculture**

**Council Regulation (EC) No 708/2007**

9.—(1) Council Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture is amended as follows.

- (2) In Article 2—
- [<sup>F2</sup>(a) in paragraph 1—
- (i) for “the Union” substitute “Great Britain”;
  - (ii) omit the words from “taking place” to the end;
- (b) in paragraph 2, for “Member States” substitute “Great Britain”;
- (c) in paragraph 3, for “the jurisdiction of Member States” substitute “Great Britain”;
- (d) in paragraph 4, for the words from “comply with” to the end substitute “are closed ornamental facilities within the meaning of Article 2(a) of Commission Regulation 1251/2008.”;]
- (e) in paragraph 5—
- (i) for “Member States wish” substitute “ the appropriate authority wishes ”;
  - [<sup>F3</sup>(ii) for “their territory” substitute “the constituent GB territory for which it is responsible”];
- (f) in paragraph 6, for “Member States wish” substitute “ the appropriate authority wishes ”;
- (g) in paragraph 7, in the second subparagraph—
- (i) for “Member States” substitute “ The appropriate authority ”;
  - [<sup>F4</sup>(ii) for “their territory” substitute “the constituent GB territory for which it is responsible”];
  - (iii) omit the last sentence.
- (3) In Article 3—
- (a) for paragraph 1 substitute—
- “1. “aquaculture” means the rearing or cultivation of aquatic organisms using techniques designed to increase the production of the organisms in question beyond the natural capacity of the environment, where the organisms remain the property of a natural or legal person throughout the rearing and culture stage, up to and including harvesting;”;
- (b) in paragraph 8, before “Directive 2006/88/EC”, insert “ retained EU law which transposed ”;
- [<sup>F5</sup>(c) for paragraph 18 substitute—
- “18. ‘the appropriate authority’ means—
- (a) in relation to England, the Secretary of State;
  - (b) in relation to Wales, the Welsh Ministers;
  - (c) in relation to Scotland, the Scottish Ministers;
- but the appropriate authority is the Secretary of State if consent is given—
- (a) in relation to Wales, by the Welsh Ministers;
  - (b) in relation to Scotland, by the Scottish Ministers;”;
- (d) for paragraph 19 substitute—
- “19. ‘constituent GB territory’ means England, Wales or Scotland, as the case may be.”.]
- (4) In the heading to Chapter 2, omit “of the Member States”.
- (5) In Article 4—

- [<sup>F6</sup>(a) in paragraph 1—
  - (i) for “Member States” substitute “The appropriate authority”;
  - (ii) after “biodiversity” insert “in Great Britain”];
  - (b) in paragraph 2, for “authorities in the Member States” substitute “ authorities ”.
- (6) In Article 5—
  - (a) for “Member States” substitute “ The appropriate authority ”;
  - (b) for “a Member State” substitute “ the [<sup>F7</sup>competent] authority ”.
- (7) In Article 6, omit “of the receiving Member State”.
- (8) In Article 10, in paragraph 2, for “Member States which are signatories to ICES” substitute “ The appropriate authority ”.
- (9) Omit Article 11.
- (10) In Article 13—
  - (a) in the heading, omit “Union”;
  - (b) in point (a), before “Directive”, insert “ retained EU law which transposed <sup>M2</sup> ”;
  - (c) in point (b), before “Council Directive”, insert “ retained EU law which transposed <sup>M3</sup> ”.
- (11) In Article 15—
  - [<sup>F8</sup>(a) in paragraph 2, for “the territory of the Union” substitute “Great Britain”;
  - (b) for paragraph 3, substitute—
    - “3. The quarantine facility may be located in a constituent GB territory which is not the constituent GB territory in which the receiving aquaculture facility is located, provided that the appropriate authorities concerned agree and that this option has been included in the risk assessment under Article 9.”];
    - (c) in paragraph 4, omit “of the receiving Member State”.
- (12) In Article 19—
  - (a) in the heading, omit “Union”;
  - (b) in paragraphs (a) and (b), before “Directive”, in each place where it appears, insert “ retained EU law which transposed ”.
- [<sup>F9</sup>(13) In Article 21, for the unnumbered paragraph substitute—
  - “1. The competent authority may, in exceptional cases and subject to approval where required by paragraph 2, require quarantine in accordance with Article 15(2), (3) and (4) before release of species from non-routine translocations into open aquaculture facilities.
  - 2. Where the appropriate authority is a different person to the competent authority, prior approval of the appropriate authority is required. The request for approval by the appropriate authority must indicate the reasons why quarantine is required. The appropriate authority must reply to such requests within 30 days.”.]
- (14) In Article 23—
  - (a) in the first paragraph, for “Member States” substitute “ The appropriate authority ”;
  - [<sup>F10</sup>(b) .....
- (15) Omit Article 25.
- (16) After Article 25, omit the words from “This Regulation” to “Member States”;
- [<sup>F11</sup>(17) In Annex 3—

- (a) in the second paragraph—
- (i) omit “in the Member State of its location”;
  - (ii) for the last sentence, substitute—  
“If the quarantine facility is not located in the constituent GB territory into which the alien species is to be introduced or the locally absent species is to be translocated (“the receiving constituent GB territory”), the advisory committee responsible for the quarantine facility and the advisory committee in the receiving constituent GB territory must agree on the duration.”;
- (b) in the paragraphs under the heading “Mortalities and disposal”—
- (i) after “competent authority”, in both places where it occurs, insert “responsible for the facility”;
  - (ii) in the second paragraph, for “and Member States” substitute “, which”.]

- F2** Reg. 9(2)(a)-(d) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(a)(i)**
- F3** Reg. 9(2)(e)(ii) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(a)(ii)**
- F4** Reg. 9(2)(g)(ii) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(a)(iii)**
- F5** Reg. 9(3)(c)(d) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(b)**
- F6** Reg. 9(5)(a) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(c)**
- F7** Word in reg. 9(6)(b) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(d)**
- F8** Reg. 9(11)(a)(b) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(e)(i)**
- F9** Reg. 9(13) substituted (31.12.2020 immediately before IP completion day) by *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(f)**
- F10** Reg. 9(14)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of *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 (S.I. 2020/1463)*, regs. 1(2)(a), **2(2)(g)**

**F11** Reg. 9(17) substituted (31.12.2020 immediately before IP completion day) by [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 \(S.I. 2020/1463\)](#), regs. 1(2)(a), **2(2)(h)**

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**Commencement Information**

**I2** Reg. 9 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

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**Marginal Citations**

**M2** See in particular [S.I. 2009/463](#), [S.S.I. 2009/85](#) and [S.R. 2009 No. 129](#).

**M3** See in particular [S.I. 2015/610](#), [S.I. 2005/2517](#), [S.I. 2018/1064 \(W.223\)](#), [S.S.I. 2005/613](#), [S.R. 2018 No. 184](#) and [S.R. 2006 No. 66](#).

**Commission Regulation (EC) No 535/2008**

**10.**—(1) Commission Regulation (EC) No 535/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 708/2007 concerning use of alien and locally absent species in aquaculture is amended as follows.

[<sup>F12</sup>(2) In Article 2—

(a) in the words before point (a), for “Article 24(2)” substitute “Article 24(3)”;

(b) in point (b), for “a certain Member State” substitute “Great Britain”.

(3) After Article 2 insert—

*“Article 2a*

*Interpretation*

In this Regulation, “the appropriate authority” means—

(a) in relation to England, the Secretary of State;

(b) in relation to Wales, the Welsh Ministers;

(c) in relation to Scotland, the Scottish Ministers;

(d) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;

but the appropriate authority is the Secretary of State if consent is given—

(a) in respect of functions exercisable in relation to Wales, by the Welsh Ministers;

(b) in respect of functions exercisable in relation to Scotland, by the Scottish Ministers;

(c) in respect of functions exercisable in relation to Northern Ireland, by the Department of Agriculture, Environment and Rural Affairs.”.]

(4) Omit Article 3.

(5) In Article 4—

(a) in paragraph 1, for “Member States”, in each place where it appears, substitute “The appropriate authority”;

(b) omit paragraphs 2 and 3.

(6) Omit Article 5.

(7) After Article 5, omit the words from “This Regulation” to “Member States.”.

[<sup>F13</sup>(8) In the Annex, in points 2.1.2.2, 3.2 and 3.4.3, omit “also in a second Community language (some lines)”.]

- F12** Reg. 10(2)(3) substituted (31.12.2020 immediately before IP completion day) by [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 \(S.I. 2020/1463\)](#), regs. 1(2)(a), **2(3)(a)**
- F13** Reg. 10(8) inserted (31.12.2020 immediately before IP completion day) by [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 \(S.I. 2020/1463\)](#), regs. 1(2)(a), **2(3)(b)**

**Commencement Information**

- I3** Reg. 10 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see reg. 1

**<sup>F14</sup>PART 4**

**Modification**

- F14** Pt. 4 revoked (31.12.2020 immediately before IP completion day) by [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), regs. 1(2)(a), **31**

**Modification provision relating to Directive [2006/88/EC](#)**

**11.** .....

Department for Environment, Food and Rural  
Affairs

*Gardiner of Kimble*  
Parliamentary Under Secretary of State

## SCHEDULE

Regulation 11

## MODIFICATION OF DIRECTIVE 2006/88/EC

1. Where an enactment provides that references to Directive 2006/88/EC are to be read subject to the modifications in this Schedule, that Directive is to be read for the purposes of that enactment as follows.

**Commencement Information**

**I4** Sch. para. 1 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

2. Article 10 is to be read as if—

- (a) in paragraph 4, for the words from “to be drawn” to “Article 62(2)” there were substituted “ in Decision 2008/896/EC ”;
- (b) paragraph 5 were omitted.

**Commencement Information**

**I5** Sch. para. 2 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

3. Article 17 is to be read as if—

- (a) in paragraph 1—
  - (i) in both places where it appears, after “Member State,” there were inserted “ constituent UK territory ”;
  - (ii) in subparagraph (a), for “another” there were substituted “ a ”;
- (b) in paragraph 2, the words from “in accordance” to “Article 62(2)” were omitted;
- (c) paragraph 3 were omitted.

**Commencement Information**

**I6** Sch. para. 3 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

4. Article 20 is to be read as if, in paragraph 1—

- (a) after “Member State”, in the first place where it appears, there were inserted “ , constituent UK territory ”;
- (b) after “Member State,”, there were inserted “ constituent UK territory, ”.

**Commencement Information**

**I7** Sch. para. 4 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

5. Article 29 is to be read as if—

- (a) in paragraph 1(b), for “Member States, zones and compartments” there were substituted “ the United Kingdom, a constituent UK territory, zone or compartment ”;

- (b) paragraph 4 were omitted.

**Commencement Information**

**I8** Sch. para. 5 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

6. Article 39 is to be read as if, for “Member State”—
- (a) in the first place where it appears, there were substituted “the United Kingdom, constituent UK territory”;
  - (b) in the second place where it appears, there were substituted “the United Kingdom or constituent UK territory”.

**Commencement Information**

**I9** Sch. para. 6 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

7. Article 43 is to be read as if paragraphs (2) and (3) were omitted.

**Commencement Information**

**I10** Sch. para. 7 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

8. Article 44 is to be read as if—
- (a) in paragraph 1—
    - (i) after “Member State”, in the first place where it appears, there were inserted “, in respect of the United Kingdom or a constituent UK territory”;
    - (ii) after “approval”, in the first place where it appears, the words from “in accordance” to “that procedure” were omitted;
    - (iii) the fourth unnumbered paragraph were omitted.
  - (b) in paragraph 2—
    - (i) for “a Member State” there were substituted “the United Kingdom or a constituent UK territory is”;
    - (ii) before “draws up” there were inserted “and”;
    - (iii) after “approval” the words from “in accordance” to “that procedure” were omitted;
  - (c) paragraph 3 were omitted.

**Commencement Information**

**I11** Sch. para. 8 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

- 9.—(1) Article 49 is to be read as if—
- (a) in paragraph 1—

**Changes to legislation:** There are currently no known outstanding effects for the *The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019*. (See end of Document for details)

- (i) for “A Member State” there were substituted “ The United Kingdom or a constituent UK territory, ”;
  - (ii) the words from “in accordance” to “Article 62(2)” were omitted;
  - (iii) in points (b) and (c), for “Member State” there were substituted “ United Kingdom or constituent UK territory ”;
- (b) in paragraph 2—
- (i) the references to “neighbouring Member States” were, in relation to the United Kingdom, references to neighbouring member States, and, in relation to a constituent UK territory, references to neighbouring constituent UK territories;
  - (ii) for the words from “the Member State shall establish” to “territory” there were substituted “ the appropriate authority shall establish appropriate buffer zones in the territory for which it is responsible ”;
  - (iii) the reference to “the disease-free Member State” were to the United Kingdom or constituent UK territory, as the case may be;
- [<sup>F15</sup>(c) paragraph 3 were omitted.]
- (2) For the purposes of the references to Article 49 in Article 20 of Directive [2006/88/EC](#)—
- (a) paragraph (1)(a) does not apply;
  - (b) paragraph (1)(c) does not apply for the purposes of the application of Article 49(3) in relation to a member State;
  - (c) any reference in Article 49 to “Member State” or “Member States” is to be taken to include a reference to a constituent UK territory.

**F15** Sch. para. 9(1)(c) substituted (31.12.2020 immediately before IP completion day) by [The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/813\)](#), regs. 1, [3\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

#### Commencement Information

**I12** Sch. para. 9 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**10.** Article 50 is to be read as if paragraphs (2), (3) and (4) were omitted.

#### Commencement Information

**I13** Sch. para. 10 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**11.** Article 51(2) is to be treated as omitted.

#### Commencement Information

**I14** Sch. para. 11 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**12.** Article 52 is to be read as if—

- (a) for “A Member State that” there were substituted “ Where the United Kingdom or a constituent UK territory ”;

(b) the words “in Member States” were omitted.

**Commencement Information**

**I15** Sch. para. 12 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**13.** Article 53(3) is to be read as if for “Member State” there were substituted “ the United Kingdom, constituent UK territory ”.

**Commencement Information**

**I16** Sch. para. 13 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**14.** Article 57 is to be read as if—

- (a) for “this Directive” there were substituted “ retained EU law relating to animal health requirements for aquaculture animals and products, and the prevention and control of diseases in aquatic animals ”;
- (b) for the words from “diagnostic methods” to “Article 62(2)” there were substituted “ diagnostic methods established by Decision 2015/1554 ”.

**Commencement Information**

**I17** Sch. para. 14 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**15.** Article 59 is to be treated as omitted.

**Commencement Information**

**I18** Sch. para. 15 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**16.** Part B of Annex 3 is to be read as if, before “Article 44”, “Article 49” and “Article 50” in each place where it appears, there were inserted “provision made under”.

**Commencement Information**

**I19** Sch. para. 16 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**17.** Part 1 of Annex 5 is to be read as if, in paragraph 2(b), for “methods adopted pursuant to Article 49(3)” there were substituted “ the methods established by Decision 2015/1554 ”.

**Commencement Information**

**I20** Sch. para. 17 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Changes to legislation:** There are currently no known outstanding effects for the The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019. (See end of Document for details)

18. Part 2 of Annex 5 is to be read as if paragraphs 1.2, 1.3, 2.2 and 3.7 were omitted.

**Commencement Information**

**I21** Sch. para. 18 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

19. References to Chapter 5 are to be read as if such references were to retained EU law relating to disease control measures in relation to animal health requirements for aquaculture animals and products, and the prevention and control of diseases in aquatic animals.

**Commencement Information**

**I22** Sch. para. 19 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under section 8(1) of, and paragraph 21 of Schedule 7 to, 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)(a) to (d) and (g) of that Act) arising from the withdrawal of the United Kingdom from the European Union.

Part 1 amends retained direct EU legislation relating to aquatic animal health. Part 2 amends retained direct EU legislation on alien and locally absent species in aquaculture.

Part 3 amends direct retained EU legislation on alien and locally absent species in aquaculture.

Part 4 makes modifications to Directive [2006/88/EC](#) for the purposes of any enactment which provides that that Directive is to be read subject to those modifications.

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

**Changes to legislation:**

There are currently no known outstanding effects for the The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019.