
STATUTORY INSTRUMENTS

2019 No. 457

**EXITING THE EUROPEAN UNION
ANIMALS
FARRIERS
VETERINARY SURGEONS**

**The Farriers and Animal Health
(Amendment) (EU Exit) Regulations 2019**

Made - - - - 5th March 2019

Coming into force in accordance with regulation 1(1)

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

In accordance with paragraph 1(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Marginal Citations

M1 2018 c. 16.

PART 1

Introduction

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Farriers and Animal Health (Amendment) (EU Exit) Regulations 2019 and come into force on exit day.

(2) In these Regulations, “the Act” means the Farriers (Registration) Act 1975 ^{M2}.

Commencement Information

- I1** Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M2** [1975 c. 35](#).

PART 2

Amendment and transitional provision regarding the Farriers (Registration) Act 1975

Amendment of the Act

- 2.—**(1) The Act is amended as follows.
- (2) Omit sections 3(2A) and 4(5) ^{M3}.
- (3) In section 7 ^{M4}—
- (a) in subsection (1)—
- (i) in paragraph (d), at the end, insert “ or ”;
- (ii) in paragraph (e)(i), for “a relevant European State” substitute “ Great Britain ”;
- (iii) omit paragraphs (f) and (g);
- (b) omit subsections (6) to (9).
- (4) In section 9 ^{M5}—
- (a) omit subsections (2) to (5);
- (b) in subsections (6) and (7), omit “(2), (3) or (4)”.
- (5) In section 10(1)(b) ^{M6}, for “, Part IV or Part V” substitute “ or Part 4 ”.
- (6) Omit section 15(1)(d) ^{M7} (together with the preceding “or”).
- (7) Omit section 15A(1)(iii) ^{M8} (together with the preceding “or”).
- (8) Omit section 16(2)(c) ^{M9} (together with the preceding “or”).

Commencement Information

- I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M3** Section 3(2A) and 4(5) were inserted by [S.I. 2008/646](#).
- M4** Section 7 was substituted by [S.I. 2008/646](#) and amended by [S.I. 2015/2072](#).
- M5** Section 9 was substituted by [S.I. 2008/646](#) and amended by [S.I. 2015/2072](#).
- M6** Section 10(1)(b) was amended by [S.I. 2008/646](#).
- M7** Section 15(1) was amended by [S.I. 2008/646](#), 2015/2072.
- M8** Section 15A was inserted by the [Farriers \(Registration\) \(Amendment\) Act 1977](#) (c. 31), the Schedule and subsection 1(iii) was inserted by [S.I. 2008/646](#).
- M9** Section 16(2)(c) was inserted by [S.I. 2008/646](#).

Applications before [^{F1}IP completion day]: transitional provision

- 3.—(1) This regulation applies where before [^{F2}IP completion day]—
- (a) an application under Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015 ^{M10} has been made but not determined, or
 - (b) an application under section 7(1)(g) of the Act has been made but not determined.
- (2) The provisions of the Act continue to apply to that application as if the Act were not amended by regulation 2 of these Regulations, but as if in section 7—
- (a) in subsection (1)—
 - (i) in paragraph (f)—
 - (aa) for “the European Union (Recognition of Professional Qualifications) Regulations 2015” there were substituted “ the 2015 Regulations by virtue of the operation of paragraph 44 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 ^{M11} ”;
 - (bb) for “those Regulations” there were substituted “ the 2015 Regulations ”;
 - (ii) in paragraph (g), for “those Regulations” there were substituted “ the 2015 Regulations, as they applied on the day before [^{F3}IP completion day]”;
 - (b) after subsection (1) there were inserted—

“(1A) In subsection (1), “the 2015 Regulations” means the European Union (Recognition of Professional Qualifications) Regulations 2015.”.

- F1** Words in reg. 3 heading substituted (31.12.2020 immediately before IP completion day) by [The Professional Qualifications and Services \(Amendments and Miscellaneous Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1038\)](#), regs. 1(3), **6(2)**
- F2** Words in reg. 3(1) substituted (31.12.2020 immediately before IP completion day) by [The Professional Qualifications and Services \(Amendments and Miscellaneous Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1038\)](#), regs. 1(3), **6(2)**
- F3** Words in reg. 3(2)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Professional Qualifications and Services \(Amendments and Miscellaneous Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1038\)](#), regs. 1(3), **6(2)**

Commencement Information

- I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M10** [S.I. 2015/2059](#), to which there are amendments not relevant to these Regulations.
- M11** [S.I. 2019/312](#).

Temporary and occasional provision of services: transitional provision

- 4.—(1) This Regulation applies to a declaration—
- (a) which has been submitted or renewed in accordance with regulation 15 of the European Union (Recognition of Professional Qualifications) Regulations 2015, and
 - (b) in respect of which paragraph 42 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 applies.

(2) The provisions of the Act continue to apply to that declaration as if the Act were not amended by regulation 2 of these Regulations, but as if in section 7(6) after “if” it were inserted “, by virtue of paragraph 42 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019, ”.

Commencement Information

- I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

[^{F4}Applications under the Act: Swiss citizens’ rights agreement entitled persons

4A.—(1) In this regulation, “qualifying applicant” has the meaning given by paragraph 51 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 (qualifications begun before IP completion day – extended period for applications under the Swiss citizens’ rights agreement).

(2) In relation to a qualifying applicant, the Act has effect as if the amendments made by regulation 2 did not apply, and as if, in section 7(1)(f), for “the European Union (Recognition of Professional Qualifications) Regulations 2015” there were substituted “the European Communities (Recognition of Professional Qualifications) Regulations 2007, by virtue of the operation of paragraph 51 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019.”.]

- F4** Reg. 4A inserted (31.12.2020 immediately before IP completion day) by [The Professional Qualifications and Services \(Amendments and Miscellaneous Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1038\)](#), [regs. 1\(3\), 6\(3\)](#)

Commencement Information

- I5** Reg. 4A in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

PART 3

Amendment of the Animal Health Act 1981

Amendment of the Animal Health Act 1981

- 5.—(1)** The Animal Health Act 1981 ^{M12} is amended as follows.
- (2) In section 64A ^{M13}—
- (a) in the heading, for “EU obligations” substitute “retained EU law”;
 - (b) in paragraph (a), in the words after sub-paragraph (ii), for the words from “the provisions” to “or are” substitute “any retained EU law within an order made under this Act has been or is”.
- (3) In Schedule 3, omit paragraph 2A(4)(a) ^{M14}.

Commencement Information

- I6** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M12** [1981 c. 22](#).
M13 Section 64A was inserted by [S.I. 1992/3293](#) and amended by [S.I. 2011/1043](#).
M14 Paragraph 2A was inserted, in England and Wales, by [S.I. 2005/3475](#) and amended by [S.I. 2011/1043](#).

PART 4

Amendment of subordinate legislation

Amendment of the Veterinary Surgery (Rectal Ultrasound Scanning of Bovines) Order 2010

6.—(1) The Veterinary Surgery (Rectal Ultrasound Scanning of Bovines) Order 2010 ^{M15} is amended as follows.

(2) In Article 1(2), in the definition of “approved course”, omit paragraph (b) (together with the preceding “or”).

(3) In Article 4(2), omit the words from “or a person” to “the Act”.

Commencement Information

- I7** Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M15** [S.I. 2010/2056](#).

Amendment of the Veterinary Surgery (Epidural Anaesthesia of Bovines) Order 2010

7.—(1) The Veterinary Surgery (Epidural Anaesthesia of Bovines) Order 2010 ^{M16} is amended as follows.

(2) In Article 3—

(a) in the definition of “approved course”, omit paragraph (b) (together with the preceding “or”);

(b) in the definition of “embryo collection or embryo transfer team”—

(i) for “Secretary of State,” substitute “ Secretary of State or ”;

(ii) omit “or by the competent authority of a relevant European State”.

(3) Omit Article 4(2)(b)(ii)(bb) (together with the preceding “or”).

Commencement Information

- I8** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M16 [S.I. 2010/2058](#).

Amendment of the Veterinary Surgery (Artificial Insemination) Order 2010

8.—(1) The Veterinary Surgery (Artificial Insemination) Order 2010 ^{M17} is amended as follows.

(2) In Article 1(2), in the definition of “veterinary surgeon”, omit the words from “or who holds” to the end.

(3) In Article 3—

(a) in paragraph (2)(c)—

(i) in paragraph (ii), at the end, insert “ or ”;

(ii) omit paragraph (iv) (together with the preceding “or”);

(b) in paragraph (3), omit sub-paragraph (b) (together with the preceding “or”).

(4) In Article 4(3), omit sub-paragraph (b) (together with the preceding “or”).

Commencement Information

I9 Reg. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M17 [S.I. 2010/2059](#).

Department for Environment, Food and Rural
Affairs

Gardiner of Kimble
Parliamentary Under Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of domestic legislation to operate effectively and other deficiencies (in particular under section 8(2)(c) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to domestic legislation in the fields of mutual recognition of professional qualifications, in particular farriers, and animal health. Part 2 amends the Farriers (Registration) Act 1975 (c. 35) and makes transitional provision; Part 3 amends the Animal Health Act 1981 (c. 22); Part 4 amends subordinate legislation.

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

Changes to legislation:

There are currently no known outstanding effects for the The Farriers and Animal Health (Amendment) (EU Exit) Regulations 2019.