
STATUTORY INSTRUMENTS

2019 No. 588

**The Animals (Legislative Functions)
(EU Exit) Regulations 2019**

PART 1

Amendment of retained direct EU legislation
relating to animals and products of animal origin

Council Regulation (EC) No 1255/97 concerning Community criteria for control posts and amending the route plan referred to in the Annex to Directive 91/628/EEC

2.—(1) Council Regulation (EC) No 1255/97 concerning Community criteria for control posts and amending the route plan referred to in the Annex to Directive 91/628/EEC is amended as follows.

(2) In Article 2, after the text insert—

“(g) for the meaning of ‘the appropriate authority’ see Article 2a.”.

(3) After Article 2, insert—

“Article 2a

Definition of the appropriate authority

1. Subject to paragraph 2 the ‘the appropriate authority’ means—

- (a) for regulations applying in relation to England, the Secretary of State;
- (b) for regulations applying in relation to Wales, the Welsh Ministers;
- (c) for regulations applying in relation to Scotland, the Scottish Ministers;

^{F1}(d)

2. ‘The appropriate authority’ is the Secretary of State if consent is given by—

- (a) for regulations applying in relation to Wales, the Welsh Ministers;
- (b) for regulations applying in relation to Scotland, the Scottish Ministers;

^{F2}(c)”.

(4) In Article 6a—

- (a) for “This Regulation shall be amended by the Council, acting by a qualified majority, on a proposal from the Commission” substitute “ The appropriate authority may, by regulations, amend this Regulation ”;
- (b) for “except as regards” substitute “ including ”;
- (c) for “the Annex” substitute “ the Annexes to this Regulation ”;

- (d) omit “which may be adopted in accordance with the procedure laid down in Article 31(2) of Regulation (EC) No 1/2005”.
- (5) After Article 6b insert—

*“Article 6c
Regulations*

1. Regulations made by the Secretary of State or the Welsh Ministers under this Regulation are to be made by statutory instrument.

2. For regulations made under this Regulation by the Scottish Ministers, see section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 ^{M1}.

^{F3}3.

4. A statutory instrument containing regulations made by the Secretary of State under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.

5. A statutory instrument containing regulations made by the Welsh Ministers under this Regulation is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

6. Regulations made by the Scottish Ministers under this Regulation are subject to the negative procedure (see section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010).

^{F3}7.

8. Regulations made under this Regulation may—

- (a) contain consequential, incidental, supplementary, transitional or saving provision, including provision amending, repealing or revoking enactments (which has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018);
- (b) make different provision for different purposes.

9. Before making any regulations under this Regulation, the appropriate authority must consult—

- (a) such bodies or persons as appear to the appropriate authority to be representative of the interests likely to be substantially affected by the regulations;
- (b) such other bodies or persons as the appropriate authority may consider appropriate.”.

Textual Amendments

- F1** Words in reg. 2(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animal Welfare and Invasive Non-native Species \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1590\)](#), regs. 1(1)(b)(i), **3(2)(a)(i)**
- F2** Words in reg. 2(3) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animal Welfare and Invasive Non-native Species \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1590\)](#), regs. 1(1)(b)(i), **3(2)(a)(ii)**
- F3** Words in reg. 2(5) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animal Welfare and Invasive Non-native Species \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1590\)](#), regs. 1(1)(b)(i), **3(2)(b)**

Commencement Information

- I1** 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](#)

Marginal Citations

- M1** [2010 asp 10.](#)

Changes to legislation:

There are currently no known outstanding effects for the The Animals (Legislative Functions) (EU Exit) Regulations 2019, Section 2.