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STATUTORY INSTRUMENTS

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**2019 No. 591**

**The Equine (Records, Identification and Movement)  
(Amendment) (EU Exit) Regulations 2019**

**PART 2**

**Amendments to Commission Implementing Regulation (EU) No 2015/262**

**Amendments to Article 33**

**36.** In Article 33—

- (a) the existing paragraph becomes paragraph 1;
- (b) in that paragraph—
  - (i) in point (a), for “[Directive 2009/156/EC](#)” substitute “the EU Directive”;
  - (ii) for point (b) substitute—
    - “(b) situated in—
      - (i) a member State that is not a member State free of African horse sickness or in a part of the territory of a member State that is considered, in accordance with Article 5(2) of the EU Directive, as infected with African horse sickness;
      - (ii) a constituent territory of the United Kingdom that is not free of African horse sickness.”;
- (c) after point (b), insert—
  - “(c) subject to a declaration made by the appropriate authority, the Food Standards Agency<sup>(1)</sup> or Food Standards Scotland<sup>(2)</sup>, in accordance with regulation 29(2) of the Trade in Animals and Related Products Regulations 2011<sup>(3)</sup> or equivalent legislation in force in Scotland, Wales or Northern Ireland<sup>(4)</sup>;
  - (d) subject to an order under section 1 of the Animal Health Act 1981<sup>(5)</sup> preventing the introduction into or spreading of disease within Great Britain or any of the constituent territories of the United Kingdom, or under the equivalent legislation in force in Northern Ireland<sup>(6)</sup>.

**2.** For the purposes of paragraph 1(b)(ii), a constituent territory of the United Kingdom is not free of African horse sickness if—

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(1) The Food Standards Agency was established by the Food Standards Act 1999 (c. 28).  
(2) Food Standards Scotland was established by the Food (Scotland) Act 2015 (asp. 1).  
(3) [S.I. 2011/1197](#).  
(4) Regulation 29(2) of the Trade in Animals and Related Products (Wales) Regulations 2011 ([S.I. 2011/2379](#)); regulation 25(2) of the Trade in Animals and Related Products (Scotland) Regulations 2011 ([S.S.I. 2012/177](#)); regulation 29(2) of the Trade in Animals and Related Products Regulation (Northern Ireland) Regulations 2011 ([S.R. 2011 No. 438](#)).  
(5) [1981 c. 22](#).  
(6) The Diseases of Animals (Northern Ireland) Order 1981 ([S.I. 1981/1115 \(N.I. 22\)](#)).

- (a) clinical, serological (in unvaccinated animals) or epidemiological evidence has revealed the presence of African horse sickness in that constituent territory of the United Kingdom in the past two years;
- (b) vaccination against African horse sickness has been carried out in that constituent territory of the United Kingdom in the past 12 months.”.