
STATUTORY INSTRUMENTS

2019 No. 795

The Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) Regulations 2019

PART 4

Amendments to retained direct EU legislation

Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae

50.—(1) Commission Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae is amended as follows.

(2) For “Union”, in each place where it occurs—

- (a) in the Section titles 2, 3, 4, 5, 6 and 7;
- (b) in the headings to Articles 11, 12, 15 and 18,

substitute “United Kingdom”.

(3) In Article 2—

- (a) in the second column of point (c), for “Council [Directive 90/427/EEC](#)”, substitute “Article 2(e) of Commission Implementing Regulation (EU) No 2015/262 laying down rules pursuant to Council Directives [90/427/EEC](#) and 2009/156/E C as regards the methods for the identification of equidae (Equine Passport Regulations)”;
- (b) for the second column of point (f), substitute “means the status of a registered horse originating in another country and moved into the United Kingdom for a period of less than 90 days”;
- (c) in points (g), (h), (i) and (j), for “Union” in each place it occurs, substitute “United Kingdom”;
- (d) in point (s), omit the definition of “TRACES” ;
- (e) after point (s)—
 - (i) in the first column, insert “(t) ‘the appropriate authority’”;
 - (ii) in the second column, insert—

“means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales), the Scottish Ministers (in relation to Scotland) and the Department of Agriculture, Environment and Rural Affairs (in relation to Northern Ireland); but ‘the appropriate authority’ is the Secretary of State if consent is given by:

- (a) in relation to Wales, the Welsh Ministers;
 - (b) in relation to Scotland, the Scottish Ministers;
 - (c) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.”;
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- (f) after point (t), insert—
- (i) in the first column, insert “(u) ‘third country’”,
 - (ii) in the second column, insert “means any country other than a member State or the British Islands.”.
- (4) In Article 3, in paragraph 1—
- (a) in the words before point (a)—
 - (i) for “Member States”, substitute “The appropriate authority”,
 - (ii) for “Union”, substitute “United Kingdom”;
 - (b) in point (a), for “model health certificate set out in Section A of Part I of Annex 2”, substitute “relevant certificate as published by the appropriate authority from time to time”;
 - (c) in point (b), for “model health certificate set out in Section B of Part I of Annex 2”, substitute “relevant certificate as published by the appropriate authority from time to time”;
 - (d) in point (c), for “appropriate model health certificate set out in Section A or B of Part 2 of Annex 2”, substitute “relevant certificate as published by the appropriate authority from time to time”;
 - (e) in point (d), for “model health certificate set out in Section A of Part 3 of Annex 2”, substitute “relevant certificate as published by the appropriate authority from time to time”;
 - (f) in point (e), for “model health certificate set out in Section B of Part 3 of Annex 2”, substitute “relevant certificate as published by the appropriate authority from time to time”;
 - (g) in point (f), for “model health certificate set out in Section A of Part 3 of Annex 2”, substitute “relevant certificate as published by the appropriate authority from time to time”.
- (5) In Article 4—
- (a) number the text as paragraph 1;
 - (b) in paragraph 1—
 - (i) in the words before point (a)—
 - (aa) for “Member States”, substitute “The appropriate authority”,
 - (bb) for “Union”, in each place, substitute “United Kingdom”,
 - (ii) in point (a), after “in accordance with”, insert “adjusted”,
 - (iii) in point (b), for “appropriate model health certificate set out in Part 1 of Annex 3”, substitute “relevant certificate as published by the appropriate authority from time to time”;
 - (c) after paragraph 1, insert—

“In this Article “adjusted Article 17(3)(b) of [Directive 92/65/EEC](#)” means that provision as if it read as follows:

“A team is listed for the purpose of Article 4(a) of Commission Implementing Regulation (EU) 2018/659 if —

 - (a) it is situated in a country appearing on the list referred to in point (a) of this paragraph and for which the competent authority is able to give the guarantees provided for in Article 11(2) and (3) of this Directive;

- (b) its particulars including its veterinary registration number have been communicated to the appropriate authority;
- (c) there is a system under which its approval is immediately suspended or withdrawn by the competent authority of that country where it no longer complies with the conditions referred to in Article 11(2) and (3); and
- (d) the system includes immediate notification by the competent authority in question of any such withdrawal or suspension to the appropriate authority.””

(6) In Article 5—

- (a) number the text as paragraph 1;
- (b) in paragraph 1, in the words before point (a)—
 - (i) for “Member States”, substitute “The appropriate authority”;
 - (ii) for “Union”, in each place, substitute “United Kingdom”;
- (c) in point (a), after “in accordance with”, insert “adjusted”;
- (d) in point (b), for “appropriate model health certificate set out in Part 2 of Annex 3”, substitute “relevant certificate as published by the appropriate authority from time to time”;
- (e) after paragraph 1, insert—

“In this Article, “adjusted Article 17(3)(b) of [Directive 92/65/EEC](#)”, means that provision as if it read as follows:

“A team is listed for the purpose of Article 5(a) of Commission Implementing Regulation (EU) 2018/659 if—

- (a) it is situated in a country appearing on the list referred to in point (a) of this paragraph and for which the competent authority is able to give the guarantees provided for in Article 11(2) and (3) of this Directive;
- (b) its particulars including its veterinary registration number have been communicated to the appropriate authority;
- (c) there is a system under which its approval is immediately suspended or withdrawn by the competent authority of that country where it no longer complies with the conditions referred to in Article 11(2) and (3); and
- (d) the system includes immediate notification by the competent authority in question of any such withdrawal or suspension to the appropriate authority.””

(7) In Article 6—

- (a) in paragraph 1, in point (b), for “the explanatory notes provided for in Part 4 of Annex 2 and Part 3 of Annex 3 respectively”, substitute “any explanatory notes as published by the appropriate authority from time to time”;
- (b) omit paragraph 2.

(8) In Article 7, in paragraph 1, for “Union”, substitute “United Kingdom”.

(9) In Article 8—

- (a) for “Union”, in each place, substitute “United Kingdom”;
- (b) in paragraph 1, in point (b)—
 - (i) omit “the” before “specific”;
 - (ii) omit “set out in Sections A and B of Part 1 and in Section A of Part 3 of Annex 2”.

(10) In Article 9—

- (a) in paragraph 1, for “Union”, substitute “United Kingdom”,
 - (b) in paragraph 2, for “Member States”, substitute “The appropriate authority”.
- (11) In Article 10—
- (a) in paragraph 1, for “Union”, in each place, substitute “United Kingdom”;
 - (b) in paragraph 2, in the words before point (a), for “Member States”, substitute “the appropriate authority”.
- (12) In Article 11, in paragraphs 1 and 2, for “Union”, substitute “United Kingdom”.
- (13) In Article 12—
- (a) in paragraph 1—
 - (i) for “Union”, substitute “United Kingdom”,
 - (ii) for “in or on behalf of the Member State of entry”, substitute “by or on behalf of the appropriate authority for the relevant part of the United Kingdom at the port of entry”,
 - (iii) for “the competent authority of that member State of entry”, substitute “the appropriate authority in question”;
 - (b) omit paragraph 2.
- (14) In Article 13, in paragraph 1, in the words before point (a), for “Union”, substitute “United Kingdom”.
- (15) In Article 14, in paragraph 1, for “Union”, substitute “United Kingdom”.
- (16) In Article 15, for “Union”, in each place, substitute “United Kingdom”.
- (17) In Article 16—
- (a) in paragraph 1, in point (b), for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”;
 - (b) omit paragraph 2;
 - (c) in paragraph 3, for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”;
 - (d) in paragraph 4—
 - (i) in point (a), for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”,
 - (ii) omit point (c);
 - (e) in paragraph 6, for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”.
- (18) In Article 17, in paragraph 1—
- (a) for “Union”, in each place, substitute “United Kingdom”;
 - (b) in point (b), for “respective Member State”, substitute “United Kingdom”;
 - (c) omit point (c).
- (19) In Article 18—
- (a) in paragraph 1, in the words before point (a), for “Union” in each place, substitute “United Kingdom”;
 - (b) in paragraph 2—
 - (i) in point (b), for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”,

- (ii) in point (d), omit the words from “or, if there had been” to the end;
- (c) in paragraph 3—
 - (i) in point (b), for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”,
 - (ii) in point (d)—
 - (aa) for “Union”, substitute “United Kingdom”,
 - (bb) omit “or if there had been a previous movement to another Member State, in accordance with Article 16(2)(c)”,
 - (iii) in point (e), omit from “or if there had been” to the end.
- (20) In Article 19—
 - (a) in paragraph 1—
 - (i) in the words before point (a), for “a Member State”, substitute “the appropriate authority”,
 - (ii) in point (b)(ii)—
 - (aa) for “Union”, substitute “United Kingdom”,
 - (bb) for “that Member State”, substitute “the United Kingdom”;
 - (b) in paragraph 2—
 - (i) in the words before point (a), for “Member State”, substitute “the appropriate authority”,
 - (ii) in point (a)—
 - (aa) for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”,
 - (bb) omit from “or, if there had been a previous movement” to “Article 16(2)(c)”,
 - (iii) in point (c), omit “or, if there had been a previous movement” to “Article 16(2)(c)”;
 - (c) in paragraph 4—
 - (i) in the words before point (a)—
 - (aa) for “Union”, substitute “United Kingdom”,
 - (bb) omit “where required by the Member State concerned”,
 - (ii) in point (a), for “TRACES”, substitute “the United Kingdom’s system for the notification of imports”,
 - (iii) in point (b), omit “or, if there had been a previous movement” to “Article 16(2)(c)”.
- (21) In Article 20—
 - (a) in paragraph 1—
 - (i) in the words before point (a), for “Member States”, substitute “The appropriate authority”,
 - (ii) in point (a), for “Union”, substitute “United Kingdom”,
 - (iii) in point (b), for “in accordance with Section A of Part 2 of Annex II”, substitute “as published by the appropriate authority from time to time”,
 - (iv) in point (c)—
 - (aa) for “Member State of origin”, substitute “United Kingdom”,
 - (bb) for “Union”, substitute “United Kingdom”;

- (b) omit paragraph 2;
 - (c) in paragraph 3, for “the corresponding model health certificates provided for in Section B of Part 2 of Annex II in respect of the relevant event”, substitute “the health certificate as published by the appropriate authority from time to time in respect of the relevant event”;
 - (d) in paragraph 4, for “health certificate in accordance with Section A of Part 2 of Annex II”, substitute “relevant health certificate as published by the appropriate authority from time to time”.
- (22) In Article 21—
- (a) in the words before point (a), for “Union” substitute “United Kingdom”;
 - (b) in point (b)—
 - (aa) for “health certificate referred to in Article 3(1)(e) of this Regulation”, substitute “relevant health certificate as published by the appropriate authority from time to time”,
 - (bb) for “Union”, substitute “United Kingdom”.
- (23) Omit Article 22.
- (24) In the sentence after Article 24, omit “and directly applicable in all Member States”.
- (25) Omit Annexes 2, 3 and 5.