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STATUTORY INSTRUMENTS

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**2019 No. 814**

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

**Council Regulation (EC) No 21/2004**

**10.**—(1) Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals is amended as follows.

(2) In Article 1—

- (i) in paragraph 1, for “Each Member State” substitute “ The appropriate Minister ”;
- (ii) in paragraph 2, for “Community rules” substitute “ rules set out in retained EU direct legislation ”.

(3) In Article 2—

(a) in point (d)—

- (i) omit “central”;
- (ii) for “of a Member State responsible for, or entrusted with,” substitute, “ whose functions include ”;
- (iii) for “entrusted with” (in the second place it occurs) substitute “ whose functions include ”;

(b) for point (e) substitute—

“(e) ‘the appropriate Minister’ means:

- (i) in relation to England, the Secretary of State;
- (ii) in relation to Wales, the Welsh Ministers;
- (iii) in relation to Scotland, the Scottish Ministers;

<sup>F1</sup>(iv) . . . . .

(f) ‘third country’ means any country or territory other than:

- (i) the United Kingdom;
- (ii) the Bailiwick of Jersey;
- (iii) the Bailiwick of Guernsey;
- (iv) the Isle of Man; or
- (v) a Member State.”.

(4) In Article 3, for paragraph 2, substitute—

“**2.** The appropriate Minister and the competent authority shall have access to all information covered by this Regulation. The appropriate Minister shall take the measures necessary to ensure access to that information for all parties having an interest, including consumers organisations recognised by the appropriate Minister, provided that the data protection and confidentiality requirements prescribed by national law are complied with.”.

- (5) In Article 4—
- (a) for “intra-Community trade”, in each place where it occurs, substitute “ export to a Member State ”;
  - (b) in paragraph 1, in the first subparagraph, for “Member State” substitute “ appropriate Minister ”;
  - (c) in paragraph 1, in the second subparagraph—
    - (i) for “Member States”, in the first place where it occurs, substitute “ the appropriate Minister ”;
    - (ii) omit the second sentence;
  - (d) omit paragraph 2(d);
  - (e) in paragraph 4—
    - (i) in the first subparagraph—
      - [<sup>F2</sup>(aa) for “the Community” substitute “Great Britain”];
      - (bb) for “Member State” substitute “ appropriate Minister ”;
    - (ii) in the second subparagraph, for “Member State of destination” substitute “ competent authority ”;
    - (iii) in the third subparagraph, omit “situated in the Member State”;
  - (f) in paragraph 5, for ‘another’ substitute ‘a’;
  - (g) omit paragraph 8;
  - (h) in paragraph 9—
    - (i) for “Member States which have” substitute “ where the appropriate Minister has ”;
    - (ii) after the word “Annex” insert “ , the appropriate Minister ”.
- (6) In Article 5—
- (a) in paragraph 2, for “Member States may” substitute “ This article does not prevent the exercise by the appropriate Minister of any power to ”;
  - (b) in paragraph 4, omit “in any Member State”;
  - (c) omit paragraph 6.
- (7) In Article 6—
- (a) in paragraph 2, for “Member States” substitute “ The appropriate Minister ”;
  - (b) in paragraph 4, omit “ in any Member State”;
  - (c) omit paragraph 5.
- (8) In Article 7—
- (a) in paragraph 1, for “Member States” substitute “ The appropriate Minister ”;
  - (b) in paragraph 2, omit “of the Member State”.
- (9) In Article 8—
- (a) in paragraph 1, omit “of each Member State”;
  - (b) in paragraph 2(b)—
    - (i) for “in Member States applying” substitute “ where ”;
    - (ii) after “Article 6(4)” insert “ is applied ”
  - (c) in paragraph 3, omit “of each Member State”;
  - (d) in paragraph 4, for “Member States” substitute “ The appropriate Minister ”.

(10) In Article 9—

- (a) for the second and third subparagraphs of paragraph 3 substitute—

“However, if the total number of ovine and caprine animals in [F3Great Britain] is 600 000 or less, the appropriate Minister may make such electronic identification optional for animals not involved in export to the European Union.

If the total number of caprine animals in [F3Great Britain] is 160 000 or less the appropriate Minister may also make such electronic identification optional for caprine animals not involved in export to the European Union.”;

- (b) omit paragraph 4.

(11) In Article 11—

- (a) omit paragraph 1;

- (b) in paragraph 2, for “Member States” substitute “ The appropriate Minister ”.

(12) In Article 12—

- (a) in paragraph 1—

(i) for “Member States” substitute “ The appropriate Minister ”;

(ii) omit the second sentence;

- (b) in paragraph 2, for “Member States” substitute “ The appropriate Minister ”;

- (c) omit paragraphs 3 to 6.

(13) Omit Article 13.

(14) In Article 17, omit the third sentence.

(15) In the Annex—

- (a) In part A—

(i) for “intra-Community trade”, in each place where it occurs, substitute “ export to a Member State ”;

(ii) in paragraph 2, in point (a), after “for” insert “ the United Kingdom or for ”;

(iii) in paragraph 7, in point (c), omit the words from “determined” to “Animals”

- (b) In part C, in paragraph 2, for “intra-Community trade” substitute “ export to a Member State ”;

- (c) In part D, in paragraph 1—

(i) in point (f), omit “in Member States”;

(ii) in point (g), omit “Community or”;

- (d) in footnote 18, the following is added to the table.—

“Iceland	IS	352
Norway	NO	578”

### Textual Amendments

- F1** Words in [reg. 10\(3\)\(b\)](#) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1388\)](#), [regs. 1\(2\)\(a\)](#), [33\(3\)\(a\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the *The Livestock (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019, Section 10.* (See end of Document for details)

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- F2** Reg. 10(5)(e)(i)(aa) substituted (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\(2\)\(a\), 33\(3\)\(b\)](#)
- F3** Words in reg. 10(10) substituted (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\(2\)\(a\), 33\(3\)\(c\)](#)

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**Commencement Information**

- I1** [Reg. 10](#) in force at 31.12.2020 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 Livestock (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019, Section 10.