
STATUTORY INSTRUMENTS

2020 No. 1388

The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

PART 3

Amendment of retained direct EU law

CHAPTER 5

Non-commercial movement of pet animals

Commission Regulation (EU) No 576/2013

15.—(1) Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals⁽¹⁾ is amended as follows.

(2) In Article 2—

- (a) in paragraph 1, for the words from “a Member State” to “territory or” substitute “Great Britain from”;
- (b) in paragraph 2(b), for “Member States” substitute “the appropriate authority”.

(3) In Article 3—

- (a) in point (f), for “set out in implementing acts to be adopted pursuant to this Regulation” substitute “published by the appropriate authority in accordance with this Regulation or, where the context requires, adopted pursuant to the EU Implementing Regulation”;
- (b) in point (g), for “acts adopted” substitute “regulations made”;
- (c) in point (k), for “Member States” substitute “the appropriate authority”;
- (d) after point (k) insert—

“(l) ‘the Commission Implementing Regulation’ means Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council⁽²⁾;

(m) ‘constituent territory’ means England, Wales or Scotland, as the case may be, and, in relation to a competent authority, “the relevant constituent territory” means the constituent territory for which that competent authority is responsible;

(1) EUR 2013/576.

(2) EUR 2013/577.

- (n) ‘the *Echinococcus multilocularis* Regulation’ means Commission Delegated Regulation (EU) 2018/772 supplementing Regulation (EU) No 576/2013 of the European Parliament and of the Council with regard to preventive health measures for the control of *Echinococcus multilocularis* infection in dogs⁽³⁾;
- (o) ‘the EU Implementing Regulation’ means Commission Implementing Regulation (EU) No 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council⁽⁴⁾, as it has effect in European Union law, as amended from time to time;
- (p) ‘the EU Regulation’ means Regulation (EU) No 576/2013 of the European Parliament and of the Council on the non-commercial movement of pet animals⁽⁵⁾ as it applies in European Union law, as amended from time to time;
- (q) ‘third country’ means a territory or country outside the British Islands;
- (r) ‘the Trade Regulations’ means the Trade in Animals and Related Products Regulations 2011⁽⁶⁾, the Trade in Animals and Related Products (Wales) Regulations 2011⁽⁷⁾ or the Trade in Animals and Related Products (Scotland) Regulations 2012⁽⁸⁾, as the case may be.”.

(4) After Article 3 insert—

“Article 3A

Definition: appropriate authority

1. In this Regulation, “the appropriate authority” means—
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
 - (c) in relation to Scotland, the Scottish Ministers.
2. But “the appropriate authority” is the Secretary of State if consent is given—
 - (a) in relation to Wales, by the Welsh Ministers;
 - (b) in relation to Scotland, by the Scottish Ministers.”.

(5) Omit Chapter 2.

(6) In Chapter 3, in the heading, for the words from “A MEMBER STATE” to “OR” substitute “GREAT BRITAIN FROM”.

(7) In Article 10—

- (a) in paragraph 1—
 - (i) in the words before point (a), for the words from “a Member State” to “or” substitute “Great Britain from”;

(3) EUR 2018/772.

(4) OJ No. L 178, 28.6.2013, p. 109, as last amended by Commission Implementing Regulation (EU) 2019/1293 (OJ No. L 204, 2.8.2019, p.3).

(5) OJ No. L 178, 28.6.2013, p.1.

(6) S.I. 2011/1197, amended by S.I. 2012/2897, 2013/2996, 2014/3158, 2018/575 and 1037, 2019/526 and 1488 and 2020/109, and amended prospectively from IP completion day by S.I. 2019/782.

(7) S.I. 2011/2379 (W.252) amended by S.I. 2018/1152 and 1216, 2019/463 and 799, 2020/44 and 177, amended prospectively from IP completion day by S.I. 2019/597 and 1334.

(8) S.S.I. 2012/177, amended by S.S.I. 2012/198, 199, 2015/100 and 401, 2018/391, 2019/5 and 412 and S.I. 2014/3158, and amended prospectively from IP completion day by S.S.I. 2019/71 and 288 .

- (ii) in point (d), for “adopted pursuant to” substitute “as set out in the *Echinococcus multilocularis* Regulation or in regulations made under”;
- (b) in paragraph 2—
 - (i) for the words from “a Member State” to “or” substitute “Great Britain from”;
 - (ii) for “pursuant to Article 13(1)” substitute “in Part 1 of Annex 2 to the Commission Implementing Regulation”;
- (c) in paragraph 3—
 - (i) in the words before point (a), for “Member States” substitute “the appropriate authority”;
 - (ii) in point (a), for “Member State” substitute “appropriate authority”.
- (8) In Article 14—
 - (a) in paragraph 1—
 - (i) for “Commission has adopted a delegated act” substitute “appropriate authority has made regulations”;
 - (ii) for the words from “Member State” to “or” substitute “constituent territory to which the regulations apply from”;
 - (b) in paragraph 2—
 - (i) in the words before point (a), for the words from “Member State” to “or” substitute “constituent territory from”;
 - (ii) in points (a), for “adopted” substitute “in regulations made”;
 - (iii) in point (b), for “adopted” substitute “set out in regulations made”;
 - (iv) in point (d), omit “a territory or”;
 - (c) omit paragraph 3.
- (9) Omit Section 3 of Chapter 3.
- (10) In Article 17(1), in the second sub-paragraph, omit “Articles 22(1) and (2), and”.
- (11) Omit Article 18.
- (12) Omit Article 20.
- (13) In Chapter 5—
 - (a) omit Section 1;
 - (b) in the heading to Section 2, for “a Member State from a territory or third country” substitute “Great Britain”;
 - (c) in Article 25—
 - (i) in paragraph 1, in the words before point (a)—
 - (aa) for “an animal” substitute “a pet”;
 - (bb) for “to be adopted” substitute “published”;
 - (d) in paragraph 3, for “the Union” substitute “Great Britain”;
 - (e) In Article 26, omit “the territory or”, in both places where it occurs;
 - (f) After Article 26 insert—

“Article 26a

Derogation from the format of the identification document provided for in Article 25

By way of derogation from Article 25(1), the non-commercial movement of pet animals of the species listed in part A of Annex 1 into Great Britain from a third country listed in Part 1 of Annex 2 to the Commission Implementing Regulation is permitted if those pet animals are accompanied by—

- (a) a passport issued in Great Britain prior to IP completion day in accordance with Article 22 of Regulation (EU) No 576/2013;
- (b) a passport issued in accordance with Article 22 the EU Regulation;
- (c) a passport issued in accordance with Article 3(2) of the EU Implementing Regulation;
- (d) an identification document issued in a constituent territory in accordance with Article 26 of the EU Regulation;
- (e) an animal health certificate issued in a third country before 1st July 2021 in accordance with Article 4 of the EU Implementing Regulation.”;
- (g) omit Article 27.
- (14) Omit Section 3 of Chapter 5.
- (15) In Section 4 of Chapter 5, in the heading, for the words from “a Member State” to “or” substitute “Great Britain from”.
- (16) In Article 31, in both places where it occurs, omit “territory or”.
- (17) In Chapter 6, in Section 1, in the heading, for “Member States” substitute “Great Britain”.
- (18) In Article 32—
 - (a) in the heading, omit “6, 9,”;
 - (b) in paragraph 1—
 - (i) in the words before point (a)—
 - (aa) omit “6, 9,”;
 - (bb) for “Member States” substitute “the appropriate authority”;
 - (cc) for “their territory” substitute “the relevant constituent territory”;
 - (ii) in point (a), for “Member State of destination” substitute “appropriate authority”;
 - (c) in paragraph 2—
 - (i) for “Member State”, in the first place where it occurs, substitute “constituent territory”;
 - (ii) for “Member State”, in the second and third places where it occurs, substitute “appropriate authority for the constituent territory”.
- (19) In Article 33—
 - (a) in the heading, for the words from “a Member State” to the end substitute—

“Great Britain from a third country listed in Part 1 of Annex 2 to the Commission Implementing Regulation or pursuant to Article 15”;
 - (b) in paragraph 1—
 - (i) for “Without prejudice to Article 16 and in” substitute “In”;

- (ii) for “Chapter II, Member States” substitute “Chapter III, the appropriate authority”;
 - (iii) for the words from “their territory” to “territory or” substitute “the relevant constituent territory from”;
 - (iv) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;
 - (v) omit “Article 13(1) and”;
- (c) in paragraph 2—
- (i) for the words from “a Member State” to “territory or” substitute “Great Britain from”;
 - (ii) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;
 - (iii) omit “Article 13(1) and”.
- (20) In Article 34—
- (a) in the heading—
- (i) omit “a territory or”;
 - (ii) for the words from “pursuant” to the end substitute—
- “in Part 1 of Annex 2 to the Commission
Implementing Regulation or pursuant to Article 15”;*
- (b) in paragraph 1—
- (i) omit “of a Member State”;
 - (ii) for “that Member State from a territory or” substitute “Great Britain from”;
 - (iii) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;
 - (iv) omit “Article 13(1) and”;
- (c) in paragraph 2—
- (i) for “a Member State from a territory or” substitute “Great Britain from”;
 - (ii) after “listed” insert “in Part 1 of Annex 2 to the Commission Implementing Regulation or”;
 - (iii) omit “Article 13(1) and”;
- (d) in paragraph 3—
- (i) for “Member States” substitute “The competent authority”;
 - (ii) after “entry” insert “into the relevant constituent territory”;
- (e) in paragraph 4—
- (i) for the words before point (a) substitute—
“The competent authority designated to carry out the checks provided for in paragraph 1 must.”;
 - (ii) in point (a)—
 - (aa) for “is” substitute “be”;
 - (bb) after “authority” insert “must”;
 - (iii) in point (b), for “keeps” substitute “keep”;
 - (iv) in point (c)—

- (aa) for “documents” substitute “document”;
 - (bb) omit “into other Member States”;
 - (cc) for “Article 24(1)” substitute “Article 26a”.
- (21) In Article 35—
- (a) in paragraph 1—
 - (i) in the words before point (a), for “Chapters II or” substitute “Chapter”;
 - (ii) in point (b), omit “II or”;
 - (b) in paragraph 2, in the words before point (a), for “the Union” substitute “Great Britain”.
- (22) In Article 36—
- (a) in paragraph 1—
 - (i) in the first subparagraph—
 - (aa) for the words before point (a) substitute—

“Where rabies or a disease or an infection other than rabies occurs or spreads in a territory or third country, and is liable to represent a serious threat to public or animal health, the appropriate authority may, by regulations, either:”;
 - (bb) in point (a), for the words from “territory of” to the end substitute “third country concerned.”;
 - (cc) in point (b), for the words from “Member State” to the end substitute “third country concerned”;
 - (ii) omit the second subparagraph;
 - (b) omit paragraph 2.
- (23) In Article 37—
- (a) in paragraph 1, for “Member States” substitute “The appropriate authority”;
 - (b) in paragraph 2—
 - (i) omit point (a);
 - (ii) in point (b), for “Articles 7 and” substitute “Article”;
 - (iii) in point (c)—
 - (aa) in the words before point (i), for “the Member States’ territory” substitute “Great Britain”;
 - (bb) in point (i), for “Articles 6, 9,” substitute “Article”;
 - (cc) omit point (ii);
 - (iv) in point (e)—
 - (aa) for “the conditions” substitute “any conditions”;
 - (bb) for “the Member States’ territory” substitute “Great Britain”;
 - (cc) omit the words from “, laid down by” to the end;
 - (v) in point (f), omit “of the Member States”;
 - (c) in paragraph 3—
 - (i) for “Member States” substitute “The appropriate authority”;
 - (ii) for “Commission” substitute “other appropriate authorities”;
 - (d) omit paragraph 4.

- (24) Omit Articles 40 to 42.
- (25) In Article 43—
- (a) in paragraph 1—
 - (i) in the first subparagraph, omit the words from “, with the exception” to the end;
 - (ii) omit the second subparagraph;
 - (b) omit paragraph 3.
- (26) In Article 44—
- (a) omit paragraph 1;
 - (b) in paragraph 2—
 - (i) in the words before point (a)—
 - (aa) omit “and Article 27(a)”;
 - (bb) after “was” insert “issued before 29 December 2014 and”
 - (ii) for point (b) substitute—
 - “(b) drawn up in accordance with the model passport established by Decision [203/903/EC](#).”.
- (27) After Article 45, omit the words from “This Regulation” to “Member States.”.
- (28) In Annex 3—
- (a) in paragraph 1—
 - (i) in point (b)—
 - (aa) in the words before point (i), for “Member State” substitute “member State or Northern Ireland”;
 - (bb) in point (i), after “[Directive 2001/82/EC](#)” insert “, as it has effect in European Union Law(9), as amended from time to time”;
 - (cc) in point (ii), after “[Regulation \(EC\) No 726/2004](#)” insert “, as it has effect in European Union law(10), as amended from time to time”;
 - (ii) in point (c), for “a territory or a third country” substitute “a third country which is not a member State”;
 - (iii) after point (c), insert—
 - “(d) where it is administered in Great Britain, have been granted a marketing authorisation in accordance with regulation 4 of the Veterinary Medicines Regulations 2013(11).”;
 - (b) in paragraph 2(e)—
 - (i) after “point 1(b)”, insert “or (d)”;
 - (ii) for “the Member State or territory or” substitute “Great Britain or the”.
- (29) In Annex 4, in paragraph 2—
- (a) in point (a)—
 - (i) in point (i), in the first indent—

(9) OJ No. L 311, 28.11.2001, p.1, as last amended by Regulation 596/2009 of the European Parliament and of the Council (OJ No. L188, 18.7.2009, p.14).

(10) OJ No. L 136, 30.4.2004, p.1, as last amended by Regulation (EU) 2019/5 of the European Parliament and of the Council (OJ No. L 4, 7.1.2019, p.24).

(11) [S.I. 2013/2033](#), amended prospectively from IP completion day by [S.I. 2019/676](#) and [865](#); there are other amending instruments but none is relevant.

- (aa) omit “a territory or”;
- (bb) for the words from “the implementing” to “Article 13(1) or (2)” substitute “Part 1 or 2 of Annex 2 to the Commission Implementing Regulation”;
- (ii) in point (i), in the second indent, omit “territory or”;
- (iii) in point (ii)—
 - (aa) for “the Union” substitute “Great Britain”;
 - (bb) omit “a territory or”;
 - (cc) for “pursuant to Article 13(1) or (2)” substitute “in Part 1 or 2 of Annex 2 to the Commission Implementing Regulation”;
 - (dd) for “Article 21(1)” substitute “Article 25(1)”;
- (b) in point (c), after “2000/258/EC”, insert “or Article 3 of [Decision 2000/258/EC](#) as it has effect in European Union law⁽¹²⁾, as amended from time to time”.

(12) OJ No. L 79, 30.3.2000, p.40, as last amended by Council [Directive 2008/73/EC](#) (OJ No. L 231, 13.9.2000, p.18).