
STATUTORY INSTRUMENTS

2020 No. 1481

The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020

PART 2

Amendments to Regulation (EU) 2017/625

Amendments to Title 1

3.—(1) In Article 1—

(a) in paragraph 1—

(i) in point (a), for “the Member States” substitute “ Great Britain ”;

(ii) for point (c) substitute—

“(c) arrangements for administrative assistance and cooperation in relation to the rules referred to in paragraph 2;”;

(iii) in point (d), omit “by the Commission in Member States and”;

(iv) in point (e), for “the Union” substitute “ Great Britain ”;

(b) in paragraph 2, in the opening words, omit the words from “, whether” to “legislation,”;

(c) in paragraph 3, for “the Union”, in both places where it occurs, substitute “ Great Britain ”;

(d) in paragraph 4(b) and (c)—

(i) immediately before “Directive”, in both places where it occurs, insert “ legislation which transposed ”;

(ii) at the end of both subparagraphs, insert “ in each constituent territory of Great Britain ”;

(e) in paragraph 5—

(i) for “108” substitute “ 107 ”;

(ii) omit “, Article 130”.

(2) In Article 3—

(a) in point (2), omit “whether at Union or national level”;

(b) after point (2) insert—

“(2A) ‘the appropriate authority’ means, subject to point (2B)—

(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;

(2B) The appropriate authority is the Secretary of State—

- (a) in relation to any functions exercisable in relation to a matter which is outside devolved competence; or
- (b) in any other case, if consent is given—
 - (i) in the case of functions conferred, or any provision in regulations applying, in relation to Wales, by the Welsh Ministers;
 - (ii) in the case of functions conferred, or any provision in regulations applying, in relation to Scotland, by the Scottish Ministers;
- (2C) For the purposes of point (2B)(a), a provision is “outside devolved competence”—
 - (a) in relation to Wales, if it would not be within the legislative competence of the Senedd Cymru if it were contained in an Act of the Senedd Cymru (assuming, in the case of provision that could only be made with the consent of a Minister of the Crown within the meaning of the Ministers of the Crown Act 1975 ^{M1}, that such consent were given);
 - (b) in relation to Scotland, if it would not be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament.
- (2D) ‘third country’ means any country or territory outside the British Islands;”;
- (c) in point (3)—
 - (i) in the words before point (a), for “competent authorities” substitute “ the competent authority ”;
 - (ii) in point (a), for “central authorities of a Member State” substitute “ appropriate authority ”;
 - (iii) in point (c), after “third country” insert “ , of Northern Ireland or of any of the Crown Dependencies ”;
- (d) after point (3) insert—

“(3A) ‘Crown Dependency’ means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man;”;
- (e) in point (4)—
 - (i) for “a Member State” substitute “ Great Britain ”;
 - (ii) after “third country”—
 - (aa) in the first place where it occurs, insert “ , of Northern Ireland or of any of the Crown Dependencies ”;
 - (bb) in the second place where it occurs, insert “ , in Northern Ireland or in any of the Crown Dependencies ”;
- (f) in point (7), omit “in a Member State”;
- (g) in point (36), for the words from “means pesticide” to the end, substitute “ means any apparatus specifically intended for the application of pesticides, including accessories that are essential for the effective operation of such equipment, such as nozzles, manometers, filters, strainers and cleaning devices for tanks ”;
- (h) in point (38), for “a Member State” substitute “ the competent authority ”;
- (i) in point (39)—
 - (aa) for “a Member State” substitute “ the competent authority ”;
 - (bb) for “the Union” substitute “ British Islands ”;
- (j) for point (40) substitute—

“(40) ‘entering Great Britain’ or ‘entry into Great Britain’ means the action of bringing animals and goods into Great Britain from a third country;”;

(k) after point (40) insert—

“(40A) ‘first arrival’ means the point of first arrival in Great Britain from a third country;”

(l) in point (41) at the end, insert “, which take effect as retained direct EU legislation, or, as the case may be, by regulations made under those Articles.”;

(m) in point (44), for the words from “one of the territories”, in the first place where they occur, to the end substitute “ one part of the British Islands, or from one part of the British Islands to another part, having passed through the territory of a third country; ”.

Commencement Information

II Reg. 3 in force at 31.12.2020 on IP completion day, see [reg. 1](#)

Marginal Citations

M1 1975 c. 26.

Changes to legislation:

There are currently no known outstanding effects for the The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) Regulations 2020, Section 3.