
WELSH STATUTORY INSTRUMENTS

2019 No. 1334 (W. 232)

**EXITING THE EUROPEAN UNION, WALES
ANIMALS, WALES
PLANT HEALTH, WALES**

**The Rural Affairs (Miscellaneous Amendments)
(Wales) (EU Exit) (No. 2) Regulations 2019**

Made - - - - 9 October 2019

Coming into force in accordance with regulation 1(2)

The Welsh Ministers, in exercise of the power conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 ^{F1}, make the following Regulations.

In accordance with paragraph 1(9) of Schedule 7 to that Act, a draft of this instrument has been laid before and approved by a resolution of the National Assembly for Wales.

In accordance with paragraph 4(a) of Schedule 2 to that Act, the Welsh Ministers have consulted the Secretary of State with regard to the amendment of the Plant Health (Amendment) (Wales) (EU Exit) Regulations 2019 ^{F2} and the Rural Affairs, Environment, Fisheries and Food (Miscellaneous Amendments and Revocations) (Wales) Regulations 2019 ^{F3}.

F1 [2018 c. 16.](#)

F2 [S.I. 2019/674 \(W. 130\).](#)

F3 [S.I. 2019/463 \(W. 111\).](#)

Title and commencement

1.—(1) The title of these Regulations is the Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019.

(2) Save for regulation 2 which comes into force on exit day, these Regulations come into force immediately before exit day.

Status: Point in time view as at 31/12/2020. This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the The Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019. (See end of Document for details)

Commencement Information

- I1** Reg. 1 in force immediately before IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

PROSPECTIVE

Amendment of the Trade in Animals and Related Products (Wales) Regulations 2011

F4 2.

- F4** Reg. 2 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Trade in Animals and Related Products \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1612\)](#), regs. 1(2), [36](#)

Amendment of the Plant Health (Amendment) (Wales) (EU Exit) Regulations 2019

3. In the Plant Health (Amendment) (Wales) (EU Exit) Regulations 2019, in regulation 28(c), for “paragraphs (7) and (8)” substitute “ paragraph (8) ”.

Commencement Information

- I2** Reg. 3 in force immediately before IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Amendment of the Rural Affairs, Environment, Fisheries and Food (Miscellaneous Amendments and Revocations) (Wales) Regulations 2019

4. In the Rural Affairs, Environment, Fisheries and Food (Miscellaneous Amendments and Revocations) (Wales) Regulations 2019, omit regulation 13.

Commencement Information

- I3** Reg. 4 in force immediately before IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Lesley Griffiths
Minister of Environment, Energy and Rural
Affairs, one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the power conferred by paragraph 1(1) of Schedule 2 and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation relating to animals and plant health.

Regulation 2 makes amendments to the Trade in Animals and Related Products (Wales)

Regulations 2011 (“the TARP Regulations”).

Regulation 2(2) omits the definition of “product” from the TARP Regulations. It also inserts a definition of “the published nomenclature list” into the TARP Regulations to account for the introduction of a list of animal products, published by the Secretary of State, which specifies products for the purposes of determining the selection of consignments that must be submitted to veterinary checks at a border inspection post. Additionally, it makes provision for the purpose of interpreting references to an EU Directive in the TARP Regulations and associated EU instruments.

Regulation 2(3) inserts references to the Faroe Islands and Greenland into regulation 4 of the TARP Regulations, which provides for how trade with a number of specified territories is to be treated for the purpose of the TARP Regulations.

Regulation 2(4) and (5) substitute references in the TARP Regulations to EU legislation for references to the published nomenclature list.

Regulation 2(6) makes amendments to regulation 15 of the TARP Regulations, which relates to import procedures. Among those changes is a substitution that imposes a requirement on the person responsible for a consignment to arrange for the consignment and a health certificate to be submitted for checks at the border inspection.

Regulation 2(7) makes provision so that the composite products and foodstuffs listed by the Secretary of State as being exempt from veterinary import checks are not subject to Part 3 of the TARP Regulations, which itself provides for the importation into Wales of any animal or product specified in Commission Decision [2007/275/EC](#) from a country outside the EU.

Regulation 3 amends regulation 28(c) of the Plant Health (Amendment) (Wales) (EU Exit)

Regulations 2019 which, in part, omits article 21(7) of the Plant Health (Wales) Order 2018.

Regulation 28(c) is amended to reflect that article 21(7) has been omitted by the Plant Health (Wales) (Amendment) (No. 2) Order 2019.

Regulation 4 makes a minor amendment to a previous statutory instrument, namely the Rural Affairs, Environment, Fisheries and Food (Miscellaneous Amendments and Revocations) (Wales) Regulations 2019 in the field of animal health and welfare. The amendment removes an erroneous provision in that instrument relating to regulation 20(1)(a) of the African Horse Sickness (Wales) Regulations 2013 (S.I. 2013/1662 (W. 158)) which has been identified as being in conflict with a similar amendment in an EU exit instrument.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the The Rural Affairs (Miscellaneous Amendments) (Wales) (EU Exit) (No. 2) Regulations 2019.