
WELSH STATUTORY INSTRUMENTS

2022 No. 1348

The Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022

PART 2

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

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

3.—(1) The Trade in Animals and Related Products (Wales) Regulations 2011⁽¹⁾ are amended as follows.

(2) In regulation 2(1), at the beginning of the list of definitions insert—

““the TARP (ALF) (Wales) (EU Exit) Regulations 2022” (“*Rheoliadau'r FACHP (DSD) (Cymru) (Ymadael â'r UE) 2022*”) means the Trade in Animals and Related Products (Amendment and Legislative Functions) and Animal Health (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2022;”.

(3) In regulation 15(3), for sub-paragraph (a) substitute—

“(a) the consignment complies with the requirements of the following, so far as relevant and when read with any other provisions of the legislation referred to below which apply in relation to such requirements—

(i) the legislation listed in regulation 4(2) of the TARP (ALF) (Wales) (EU Exit) Regulations 2022, as modified by Part 5 of those Regulations or by the legislation referred to in paragraphs (ii) and (iii);

(ii) legislation made by the Welsh Ministers, as appropriate authority, under the functions listed in the Schedule to the TARP (ALF) (Wales) (EU Exit) Regulations 2022, where applicable;

(iii) legislation made by the Secretary of State, as appropriate authority in relation to Wales, under the functions listed in the Schedule to the Trade in Animals and Related Products (Amendment and Legislative Functions) Regulations 2022⁽²⁾, where applicable;”.

(4) In regulation 18(3), for “in the relevant legislation listed in Schedule 1” substitute “under regulation 15(3)(a)”.

(5) In regulation 35—

(a) in paragraph (1)—

(i) after “the appropriate enforcement authority”, insert “or the Welsh Ministers”;

⁽¹⁾ S.I. 2011/2379 (W.252), amended by S.I. 2018/1216 (W. 249), 2019/463 (W. 111), 2020/44 (W. 5), 177 (W. 38) and 1612 (W. 337) and 2021/847 (W.197), 1094 (W. 260) and 1480 (W. 382).

⁽²⁾ S.I. 2022/1322. See the definition of appropriate authority in regulation 4(2).

- (ii) after “that enforcement authority”, insert “or the Welsh Ministers”;
 - (b) in paragraph (3)—
 - (i) after “the appropriate enforcement authority”, insert “or the Welsh Ministers”;
 - (ii) after “that enforcement authority”, insert “or the Welsh Ministers, as appropriate”;
 - (c) in paragraphs (4), (5) and (6), after “enforcement authority”, in each place where it occurs, insert “or the Welsh Ministers”.
- (6) In regulation 38, for “enforcement authority” substitute “Welsh Ministers or the enforcement authority”.
- (7) Omit Schedule 1.
- (8) In Schedule 3, in paragraph 8—
- (a) in the heading and in sub-paragraph (1), for “Invertebrate” substitute “Relevant”;
 - (b) after sub-paragraph (1) insert—
 - “(1A) In this paragraph, “relevant animals” means—
 - (a) animals listed in Schedule 2 to the Animals (Scientific Procedures) Act 1986(3); and
 - (b) invertebrate animals.”;
 - (c) for sub-paragraph (2) substitute—
 - “(2) Sub-paragraph (1) does not apply to zebra fish, aquatic molluscs belonging to the phylum *Mollusca* or aquatic crustaceans belonging to the subphylum *Crustacea*.”;
 - (d) after sub-paragraph (2) insert—
 - “(3) The reference to educational activities in sub-paragraph (1) does not apply in relation to—
 - (a) vertebrate animals; or
 - (b) honey bees (*Apis mellifera*) or bumble bees (*Bombus* spp).”