

STATUTORY INSTRUMENTS

2018 No. 1034

**EXITING THE EUROPEAN UNION
ANIMALS**

The Seal Products (Amendments) (EU Exit) Regulations 2018

<i>Sift requirements satisfied</i>	<i>11th September 2018</i>
<i>Made - - - -</i>	<i>25th September 2018</i>
<i>Laid before Parliament</i>	<i>27th September 2018</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 ^{M1}.

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Marginal Citations

M1 [2018 c. 16](#).

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Seal Products (Amendments) (EU Exit) Regulations 2018 and come into force on exit day.

Commencement Information

II Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

[^{F1}Extent

1A. Regulation 2 extends to England and Wales and Scotland only.]

Textual Amendments

F1 Reg. 1A inserted (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), **23(2)**

Commencement Information

I2 Reg. 1A in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

PART 2

Amendment of subordinate legislation

The Seal Products Regulations 2010

2.—(1) The Seal Products Regulations 2010 ^{M2} are amended as follows.

(2) In regulation 2—

- (a) omit the definition of “general customs union”;
- (b) in the definition of “the EU Regulation” omit “EU”.

(3) In regulation 3—

- (a) in the heading omit “EU”;
- (b) in paragraph (1) omit “EU”.

(4) For regulation 4 substitute—

“4. Enforcement of the Regulation is an assigned matter within the meaning of section 1(1) of the Customs and Excise Management Act 1979 ^{M3}.”.

(5) In regulation 5 omit “EU”.

Commencement Information

I3 Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

M2 [S.I. 2010/2068](#).

M3 [1979 c. 2](#); section 1(1) was amended by the [Commissioners for Revenue and Customs Act 2005 \(c.11\)](#), [Schedule 4](#), paragraphs 20 and 22(a).

PART 3

Amendment of retained direct EU legislation

Regulation (EC) No 1007/2009 of the European Parliament and of the Council

3.—(1) Regulation (EC) 1007/2009 of the European Parliament and of the Council on trade in seal products is amended as follows.

- (2) In Article 1 omit “harmonised”.
- (3) In Article 2—
 - (a) in paragraph 3, in the definition of “placing on the market”, for “Community” substitute “United Kingdom”;
 - (b) in paragraph 5, in the definition of “import”, for “Community” substitute “United Kingdom”.
- (4) In Article 3(1a), in the second subparagraph, for “Commission” substitute “Secretary of State”.
- (5) Omit Article 4.
- (6) Omit Articles 5a to 7.
- (7) Omit Article 8.

Commencement Information

- I4** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

Commission Implementing Regulation (EU) No 2015/1850

4.—(1) Commission Implementing Regulation (EU) 2015/1850 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009 of the European Parliament and of the Council on trade in seal products is amended as follows.

- (2) In Article 2—
 - (a) in paragraph 1—
 - (i) in point (b), for “Union” substitute “United Kingdom”;
 - (ii) in point (c)—
 - (aa) for “Union territory” substitute “United Kingdom”;
 - (bb) omit “of the Member State concerned”.
- (3) In Article 3—
 - (a) in paragraph 1(f), omit the words from “, and to take measures” to the end;
 - (b) in paragraph 2, for “Commission” substitute “Secretary of State”;
 - (c) in paragraph 3, for “Commission” substitute “Secretary of State”.
- (4) In Article 4—
 - [^{F2}(za) in paragraph 5, omit “issued in accordance with paragraph 1”];
 - (a) in paragraph 6—
 - (i) omit “for free circulation”;

- (ii) omit “pursuant to Article 79 of Council Regulation (EEC) No 2913/92”;
- [^{F3}(iii) for the words from “issued in” to “No 2913/92, the” substitute “. The”];
- [^{F4}(aa) after paragraph 6 insert—
- “**6A.** For the purposes of paragraphs 3 to 6, “attesting document” means—
- (a) an attesting document issued in accordance with paragraph 1;
- (b) an attesting document issued before 1 January 2021 in accordance with Article 4(1) of Commission Implementing Regulation (EU) 2015/1850 as it has effect in EU law”.]
- (b) in paragraph 7, for “Member State” substitute “ country ”.
- (5) In Article 5(4), for the words from “the official language” to the end substitute “ English, where the product is to be placed on the market in the United Kingdom ”.
- (6) In Article 6—
- (a) for paragraph 1 substitute—
- “**1.** The Secretary of State shall designate one or more competent authorities who will be responsible for verification, upon request of the customs authorities pursuant to Article 4(7), of attesting documents for imported seal products.”;
- (b) omit paragraphs 2 and 3.
- (7) Omit Article 7(2).
- (8) In Article 8—
- (a) for “Union law” substitute “ retained direct EU legislation ”;
- (b) for “Directive 95/46/EC” substitute “ Regulation (EU) No 2016/679 ”.
- (9) Omit Article 10.
- (10) In the Annex—
- (a) in each of the model attesting documents—
- (i) in the heading—
- (aa) for “EUROPEAN UNION” substitute “ UNITED KINGDOM ”;
- (bb) for “UNION'S MARKET” substitute “ MARKET IN THE UNITED KINGDOM ”;
- (ii) in box 4, after “Country of placing on the market” insert “ : United Kingdom ”;
- (iii) in box 5, after “ISO Code” insert “ : UK ”;
- (b) in the Notes for guidance omit the rows relating to boxes 4 and 5.

Textual Amendments

- F2** Reg. 4(4)(za) inserted (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), **23(3)(a)**
- F3** Reg. 4(4)(a)(iii) 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), **23(3)(b)**

F4 Reg. 4(4)(aa) inserted (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), **23(3)(c)**

Commencement Information

I5 Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Department for Environment, Food and Rural
Affairs

David Rutley
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Changes to legislation: There are currently no known outstanding effects for the The Seal Products (Amendments) (EU Exit) Regulations 2018. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained direct EU legislation to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the EU.

These Regulations make amendments to legislation relating to seal products. Regulation 2 amends subordinate legislation and regulations 3 and 4 amend retained direct EU legislation.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

Changes to legislation:

There are currently no known outstanding effects for the The Seal Products (Amendments) (EU Exit) Regulations 2018.