STATUTORY INSTRUMENTS

2019 No. 273

EXITING THE EUROPEAN UNION, NORTHERN IRELAND ANIMALS, NORTHERN IRELAND

The Animal By-Products and Transmissible Spongiform Encephalopathies (Amendment) (Northern Ireland) (EU Exit) Regulations 2019

Sift requirements satisfied	*31st January 2019*
Made - - - -	*8th February 2019*
Laid before Parliament	*18th February 2019*
Coming into force in accordance with regulation 1	

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(**1**).

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

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Animal By-Products and Transmissible Spongiform Encephalopathies (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

Amendment to the Mechanically Recovered Meat (Export Prohibition) Order (Northern Ireland) 1995

2. In Article 3 of the Mechanically Recovered Meat (Export Prohibition) Order (Northern Ireland) 1995(**2**), for "another" substitute "a".

(**1**) 2018 c.16
(**2**) S.R. 1995 No. 469

Amendment to the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2015

3. In regulation 12 of the Animal By-Products (Enforcement) Regulations (Northern Ireland) 2015(**3**), omit paragraph (6).

Amendment to the Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2018

4.—(1) The Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2018(**4**) are amended as follows.

(2) In regulation 2, in the definition of "cutting plant", omit "(except in Schedule 7, paragraph 9(3)(b)(iii))".

(3) In regulation 5, in paragraph (4)(e), for "EU Commission" substitute "Department".

(4) In Schedule 2, for paragraph 11(2) substitute—

"(2) In this Schedule an "approved testing laboratory" means—

(a) a laboratory approved by the Department under this paragraph; or

(b) a laboratory approved under corresponding legislation elsewhere in the United Kingdom."

(5) In Schedule 4, paragraph 7(2)(b), omit "to a member State or third country".

(6) In Schedule 7—

(a) in paragraph 1, omit "placed on the member State";

(b) in paragraph 8(3)—

(i) at the end of head (a), insert "or";

(ii) at the end of head (b), for "; or" substitute "."; and

(iii) omit head (c);

(c) In paragraph 9(3)(b)—

(i) at the end of sub-head (i), insert "or";

(ii) at the end of sub-head (ii), for "; or" substitute "."; and

(iii) omit sub-head (iii);

(d) Omit paragraph 9(4).

(7) In Schedule 8—

(a) in the headings of paragraphs 1 and 2, omit "to third countries"; and

(b) in paragraphs 1(1) and 2(1), omit "to third countries".

Gardiner of Kimble
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

8th February 2019

(**3**) S.R. 2015 No. 332
(**4**) S.R. 2018 No. 213

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c.16) in order to address the failures of retained EU legislation to operate effectively and other deficiencies (in particular paragraphs (a), (d) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend domestic legislation applying to Northern Ireland that provides enforcement of—

(a) the Transmissible Spongiform Encephalopathies Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies;

(b) the Animal By-Products Regulation (EC) No 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption; and

(c) Commission Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009.

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