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STATUTORY INSTRUMENTS

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**2019 No. 813**

**EXITING THE EUROPEAN UNION  
ANIMALS  
AQUACULTURE  
ENVIRONMENTAL PROTECTION**

The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019

*Made - - - - 4th April 2019*

*Laid before Parliament 5th April 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 of Schedule 7 to, the European Union (Withdrawal) Act 2018<sup>M1</sup>.

The Secretary of State is of the opinion that, by reason of urgency, it is necessary to make these Regulations without a draft of the instrument being laid before, and approved by a resolution of, each House of Parliament.

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**Marginal Citations**

**M1** [2018 c. 16.](#)

**Citation and commencement**

**1.** These Regulations may be cited as the Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019 and come into force immediately before exit day.

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**Commencement Information**

**II** Reg. 1 in force at 31.12.2020 immediately before IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)*

## The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019

2.—(1) The Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019<sup>M2</sup> are amended as follows.

- (2) In regulation 5(4)—
- (a) in sub-paragraph (b), at the end insert—
- “(iii) omit the words “the procedure referred to in”;;
- (b) in sub-paragraph (c)(ii), for “biographical” substitute “ biogeographical ”.
- (3) In regulation 7—
- (a) in paragraph (3)—
- (i) for sub-paragraph (c)(ii) substitute—
- “(ii) after “Regulation (EC) No 882/2004 and” insert “ retained EU law which transposed ”;
- (iii) for “points of entry in accordance with” substitute “ points of entry as defined in ”;;
- (ii) for sub-paragraph (e) substitute—
- “(e) in paragraph 6, omit the words from “, except where” to the end;;
- (b) for paragraph (5)(b) and (c) substitute—
- “(b) in paragraphs 1 and 2, for “Member States shall” substitute “ the appropriate authority must ”;
- (c) in paragraphs 3 and 4, for “Member States shall” substitute “ The appropriate authority must ”;
- (ca) in paragraph 3, for “Member States may” substitute “ The appropriate authority may ”;”.
- (4) In regulation 9(3)—
- (a) in paragraph (a)—
- (i) after sub-paragraph (i), insert—
- “(ia) for “their” substitute “ its ”;;
- (ii) after sub-paragraph (iii) insert—
- “(iiia) in points (a) and (b), for “in accordance with” substitute “ specified in ”;;
- (iii) omit sub-paragraph (v);
- (b) in paragraph (b), after sub-paragraph (i), insert—
- “(ia) for “their” substitute “ its ”;”.

### Commencement Information

**I2** Reg. 2 in force at 31.12.2020 immediately before IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

### Marginal Citations

**M2** S.I. 2019/223.

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)*

### **The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019**

3.—(1) The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019<sup>M3</sup> are amended as follows.

(2) In the Schedule, for paragraph 9(1)(c) substitute—

“(c) paragraph 3 were omitted.”.

#### **Commencement Information**

**I3** Reg. 3 in force at 31.12.2020 immediately before IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

#### **Marginal Citations**

**M3** S.I. 2019/451.

### **The Aquatic Animal Health and Alien Species in Aquaculture (Amendment) (England and Wales) (EU Exit) Regulations 2019**

4.—(1) The Aquatic Animal Health and Alien Species in Aquaculture (Amendment) (England and Wales) (EU Exit) Regulations 2019<sup>M4</sup> are amended as follows.

(2) In regulation 2(7), in the inserted regulation 18 of the Aquatic Animal Health (England and Wales) Regulations 2009<sup>M5</sup>—

(a) after paragraph (7)(a)(ii) insert—

“(iii) paragraph 3 were omitted; and”;

(b) in paragraph (10)—

(i) in sub-paragraph (a), omit “paragraph 2 of”;

(ii) in sub-paragraph (b), for “paragraph 2(b)” substitute “ paragraph (b) ”.

#### **Commencement Information**

**I4** Reg. 4 in force at 31.12.2020 immediately before IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

#### **Marginal Citations**

**M4** S.I. 2019/452.

**M5** S.I. 2009/463, as amended by S.I. 2019/452; there are other amending instruments but none is relevant.

PROSPECTIVE

### **The Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) Regulations 2019**

<sup>F1</sup>5. ....

**Status:** This version of this Instrument contains provisions that are prospective.

**Changes to legislation:** There are currently no known outstanding effects for the The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

**Textual Amendments**

- F1** Reg. 5 omitted (31.12.2020 before IP completion day) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(2)(a), **37**

Department for Environment, Food and Rural  
Affairs

*Gardiner of Kimble*  
Parliamentary Under Secretary of State

**Status:** This version of this Instrument contains provisions that are prospective.

**Changes to legislation:** There are currently no known outstanding effects for the The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

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

They make amendments to the Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/223), the Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/451), the Aquatic Animal Health and Alien Species in Aquaculture (Amendment) (England and Wales) (EU Exit) Regulations 2019 (S.I. 2019/452) and the Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/795) to correct various errors.

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

**Status:**

This version of this Instrument contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species (Amendment) (EU Exit) Regulations 2019.