

SCHEDULE 9

Regulation 104

Regulation 104(1)

Part I

Revocations

The Bovine Spongiform Encephalopathy (No. 2) Order 1996 (S.I. 1996/3183)	The whole Order
The Bovine Spongiform Encephalopathy Compensation Order 1996 (S.I. 1996/3184)	The whole Order
The Specified Risk Material Order 1997 (S.I. 1997/2964)	articles 5 and 7 to 14
The Specified Risk Material Regulations 1997 (S.I. 1997/2965)	regulations 5 to 11, 13, 14, 15, 15A, 16, 17, 18, 19 and 20 to 28
The Fertilisers (Mammalian Meat and Bone Meal) Regulations 1998 (S.I. 1998/954)	The whole Regulations
The Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 (S.I. 1998/955)	The whole Regulations
The Sheep and Goats Spongiform Encephalopathy Order 1998 (S.I. 1998/1645)	The whole Order
The Sheep and Goats Spongiform Encephalopathy Regulations 1998 (S.I. 1998/1646)	The whole Regulations
The Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998 (S.I. 1998/1647)	The whole Order
The BSE Offspring Slaughter Regulations 1998 (S.I. 1998/3070)	The whole Regulations
The Bovine Spongiform Encephalopathy (Feeding Stuffs and Surveillance) Regulations 1999 (S.I. 1999/882)	The whole Regulations
The Processed Animal Protein (Wales) Regulations 2001 (S.I. 2001/2780)	regulations 4 to 9, 12 to 16 and Schedules 1, 2 and 3
The BSE Monitoring (Wales) Regulations 2001 (S.I. 2001/2360)	The whole Regulations
The Restriction on Pithing (Wales) Regulations 2001 (S.I. 2001/1303)	regulation 2(1) and (3)

Regulation 104(2)

Part II

Savings of things done under the Bovine Spongiform Encephalopathy (No. 2) Order 1996^{M1}

Marginal Citations

M1 S.I. 1996/3183, as amended by S.I. 1998/3071 and S.I. 1999/921.

1. Any notice issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 having effect at the coming into force of these Regulations to prohibit or restrict the movement of an animal shall have effect as if it were a notice issued under regulation 80 of these Regulations to prohibit or restrict the movement of the animal; and a requirement of such a notice shall have effect as if it were a requirement of a notice issued under regulation 80 of these Regulations.

2. Any licence issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 having effect at the coming into force of these Regulations to permit the movement of an animal shall have effect as if it were a licence issued under regulation 80 of these Regulations.

3. Any notice of intended slaughter of—

- (a) an affected or suspected animal in Form C; or
- (b) an exposed animal in Form F,

issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a notice of intended slaughter of the animal issued under regulation 82(1) of these Regulations.

4. Any notice of confirmation of intention to slaughter in Form G issued under the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a notice of confirmation of intention to slaughter issued under regulation 82(2)(b) of these Regulations.

5. Any notice requiring any cleansing and disinfection issued under article 9 of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations shall have effect as if it were a notice issued under regulation 86 of these Regulations.

6. Any licence issued under article 12(2)(b) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 having effect at the coming into force of these Regulations to permit the feeding to an animal or poultry of milk for research purposes in a research establishment shall have effect as if it were a licence issued under regulation 85(2)(b)(i) of these Regulations.

7. Any licence issued under article 13(2) or 14(5) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 having effect at the coming into force of these Regulations to permit the feeding to an animal of any feeding stuff for research purposes in a research establishment shall have effect as if it were a licence issued under regulation 11(2) or 12(5) of these Regulations.

8. Any notice issued under article 16(1) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations, requiring the disposal of any mammalian meat and bone meal or any MBM product and any other material with which it has come into contact, shall have effect as if it were a notice issued under regulation 29(2) of these Regulations.

9. Any notice issued under article 16(2) of the Bovine Spongiform Encephalopathy (No. 2) Order 1996 and having effect at the coming into force of these Regulations, requiring the collection and transport of any feeding stuff, shall have effect as if it were a notice issued under regulation 29(3) of these Regulations.

Regulation 104(3)

Part III

Savings of things done under the Specified Risk Material Order 1997 ^{M2}

Marginal Citations

M2 S.I. 1997/2964, as amended by S.I. 2000/2726, S.I. 2000/3234, S.I. 2000/3377 and S.I. 2001/2650.

1. Any licence issued under article 8(5) of the Specified Risk Material Order 1997 having effect at the coming into force of these Regulations to permit the feeding to any creature of any specified risk material or feeding stuff for research purposes in a research establishment shall have effect as if it were a licence issued under regulation 49(6) of these Regulations.

2. Any approval issued under article 10(1) of the Specified Risk Material Order 1997 shall have effect as if it were a licence issued under regulation 57(1) of these Regulations.

3. Any approval issued under article 12(2) of the Specified Risk Material Order 1997 shall have effect as if it were an approval issued under regulation 53(2) of these Regulations.

^{M3}

Regulation 104(4)

Part IV

Savings of things done under the Specified Risk Material Regulations 1997

1. Any approval issued by the National Assembly under regulation 6(1) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 56(1) of these Regulations.

2. Any authorisation by the Agency under regulation 6(2) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 56(1) of these Regulations.

3. Any authorisation by the Agency under regulation 15(7) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 56(1) of these Regulations.

4. Any designation by the Agency under regulation 15A(3) and (4) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were a licence issued under regulation 56(1) of these Regulations.

5. Any appointment by the Agency of a meat technician under regulation 16(4) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of the meat technician under regulation 38(4) of these Regulations.

6. Any appointment by the Agency of a meat technician under regulation 18(5) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of the meat technician under regulation 41(5) of these Regulations.

7. Any approval of the storage of specified risk material under regulation 28(2) of the Specified Risk Material Regulations 1997 having effect at the coming into force of these Regulations shall have effect as if it were an approval under regulation 53(2) of these Regulations.

Regulation 104(5)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The TSE (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Part V

Savings of things done under the Fertilisers (Mammalian Meat and Bone Meat) (Conditions of Manufacture) Regulations 1998^{M4}

Marginal Citations

M4 [S.I. 1998/954](#).

1. Any appointment of an authorised officer under regulation 9(1) of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that officer as an inspector for the purposes of these Regulations.

2. Any appointment of a person under section 67(3)(a) of the Agriculture Act 1970^{M5}, deemed by virtue of regulation 9(3) of the Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 to be a person appointed under regulation 9(1) of those Regulations and having effect at the coming into force of these Regulations, shall have effect as if it were an appointment of that person as an inspector for the purposes of these Regulations.

Marginal Citations

M5 [1970 c.40](#). Section 67 was amended in its application to Great Britain by paragraph 38(5) of Schedule 16, and Schedule 18, to the [Local Government \(Wales\) Act 1994 \(1994 c.19\)](#) and paragraph 85(2) of Schedule 13 to the [Local Government etc. \(Scotland\) Act 1994 \(1994 c.39\)](#).

Regulation 104(6)

Part VI

Savings of things done under the Sheep and Goats Spongiform Encephalopathy Order 1998^{M6} and the Sheep and Goats Spongiform Encephalopathy Regulations 1998^{M7}

Marginal Citations

M6 [S.I. 1998/1645](#).

M7 [S.I. 1998/1646](#).

1. Any notice issued under article 4 or 5 of the Sheep and Goats Spongiform Encephalopathy Order 1998 having effect at the coming into force of these Regulations to prohibit or restrict the movement of an animal shall have effect as if it were a notice issued under regulation 80 of these Regulations to prohibit or restrict the movement of the animal; and a requirement of such a notice shall have effect as if it were a requirement of a notice issued under regulation 80 of these Regulations.

2. Any licence issued under the Sheep and Goats Spongiform Encephalopathy Order 1998 having effect at the coming into force of these Regulations to permit the movement of an animal shall have effect as if it were a licence issued under regulation 80 of these Regulations.

3. Any notice requiring any cleansing and disinfection issued under article 6 of the Sheep and Goats Spongiform Encephalopathy Order 1998 and having effect at the coming into force of these Regulations shall have effect as if it were a notice issued under regulation 86 of these Regulations.

4. Any notice of intended slaughter of an affected or suspected animal in Form C served under article 7 the Sheep and Goats Spongiform Encephalopathy Order 1998 having effect at the coming into force of these Regulations shall have effect as if it were a notice of intended slaughter of the animal issued under regulation 82(1) of these Regulations.

5. Any appointment of a veterinary inspector by the appropriate Minister for the purposes of the Sheep and Goats Spongiform Encephalopathy Regulations 1998 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that veterinary inspector as a veterinary inspector by the Secretary of State for the purposes of these Regulations.

Regulation 104(7)

Part VII

Savings of things done under the Bovine Spongiform Encephalopathy (Feeding stuffs and Surveillance) Regulations 1999 ^{M8}

Marginal Citations

M8 [S.I. 1999/882](#).

Any appointment of an authorised officer by the appropriate Minister or a local authority for the purposes of the Bovine Spongiform Encephalopathy (Feeding stuffs and Surveillance) Regulations 1999 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that officer as an inspector respectively by the National Assembly or the local authority for the purposes of these Regulations.

Regulation 104(8)

Part VIII

Savings of things done under the BSE Monitoring (Wales) Regulations 2001 ^{M9}

Marginal Citations

M9 [S.I. 2001/1644](#), as amended by [S.I. 2001/3960](#).

1. Any appointment of an inspector by the Minister or a local authority for the purposes of the BSE Monitoring (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that inspector respectively by the Secretary of State or the local authority as an inspector for the purposes of these Regulations.

2. Any appointment of a veterinary inspector by the Minister for the purposes of the BSE Monitoring (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that veterinary inspector as a veterinary inspector by the Secretary of State for the purposes of these Regulations.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The TSE (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

3. Any appointment of an agent by the National Assembly under regulation 3 of the BSE Monitoring (Wales) Regulations 2001 to receive notifications under that regulation having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that agent by the National Assembly under regulation 10 of these Regulations to receive notifications under that regulation.

Regulation 104(9)

Part IX

Savings of things done under the Processed Animal Protein (Wales) Regulations 2001 ^{M10}

Marginal Citations

M10 [S.I. 2001/2376](#).

1. Any approval by the National Assembly under regulation 5 of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an approval by the National Assembly under regulation 16 of these Regulations.

2. Any approval by the National Assembly under regulation 6 of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an approval by the National Assembly under regulation 17(1) of these Regulations.

3. Any approval by the National Assembly under regulation 7 of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an approval by the National Assembly under regulation 17(2) of these Regulations.

4. Any authorisation of premises for the purposes of paragraph 6 of Annex I to the Commission Decision by the competent authority under regulation 13(2) of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were a registration of the premises for those purposes by the Secretary of State under regulation 23(1) (b) of these Regulations.

5. Any authorisation of premises for the purposes of paragraph 3 of Annex II to the Commission Decision by the competent authority under regulation 14(2) of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were a registration of the premises for those purposes by the Secretary of State under regulation 24(1) (b) of these Regulations.

6. Any authorisation of premises for the purposes of paragraph 2 of Annex III to the Commission Decision by the competent authority under regulation 15(2) of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were a registration of the premises for those purposes by the Secretary of State under regulation 24(2) (b) of these Regulations.

7. Any appointment of an inspector by the Minister or a local authority for the purposes of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that inspector as an inspector respectively by the Secretary of State or the local authority for the purposes of these Regulations.

8. Any appointment of a veterinary inspector by the Minister for the purposes of the Processed Animal Protein (Wales) Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an appointment of that veterinary inspector as a veterinary inspector by the Secretary of State for the purposes of these Regulations.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The TSE (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations functions transferred by [S.I. 2004/3044 art. 2\(a\)-\(c\)](#)Sch. 1 (functions in relation to W transferred to the Assembly)
- Regulations revoked (except regs. 8, 9, 84, 93, Sch. 1 Pt. 3, Sch. 6A para. 17, Sch. 7 paras. 4, 8) by [S.I. 2006/1226 Sch. 8](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 6A Pt. 4 reg. 17 revoked by [S.I. 2006/1512 reg. 6](#)
- Sch. 6A Pt. 4 para. 17 revoked by [S.I. 2006/1513 reg. 6](#)
- Sch. 1A inserted by [S.I. 2005/2902 Sch.](#)
- Sch. 6A inserted by [S.I. 2004/2735 reg. 4](#)
- Sch. 6A Pt. 5 inserted by [S.I. 2005/2902 reg. 15](#)
- Sch. 6A para. 17(1) words substituted by [S.I. 2006/1226 reg. 25](#)
- Sch. 7 reg. 4 revoked by [S.I. 2006/1512 reg. 6](#)
- Sch. 7 reg. 8 revoked by [S.I. 2006/1512 reg. 6](#)
- reg. 10A10B inserted by [S.I. 2005/2902 reg. 4](#)
- reg. 13(7) added by [S.I. 2003/2756 Sch. 4 para. 3](#)
- reg. 25A25B inserted by [S.I. 2005/2902 reg. 7](#)
- reg. 29B(4)(5) substituted for reg. 29B(4) by [S.I. 2005/2902 reg. 8](#)
- reg. 34A inserted by [S.I. 2003/2756 Sch. 4 para. 4](#)
- reg. 86A inserted by [S.I. 2004/2735 reg. 3](#)