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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 71**

**The Animal Health (EU Exit) (Scotland)  
(Amendment) Regulations 2019**

**PART 3**

**AMENDMENT OF SECONDARY LEGISLATION RELATING  
TO WITHDRAWAL FROM THE EUROPEAN UNION**

**The Bovine Semen (Scotland) Regulations 2007**

- 22.**—(1) The Bovine Semen (Scotland) Regulations 2007<sup>M1</sup> are amended as follows.
- (2) In the Regulations—
- (a) for “an EC” in each place it occurs substitute “ a licensed ”,
  - (b) other than in each place it occurs in the definition of “Council Regulation 1760/2000”, for “EC” in each place it occurs substitute “ licensed ”.
- (3) In regulation 2(1) (interpretation)—
- (a) after the definition of “centre veterinarian” insert—
    - ““a certificate” means an animal health certificate published by the Scottish Ministers from time to time;
    - “collection” means a quantity of semen taken from a donor at any time;
    - “consignment” means a quantity of semen covered by a single certificate;”
  - (b) omit the definitions of “EC collection centre”, “EC quarantine centre” and “EC storage centre”,
  - (c) after the definition of “inspector” insert—
    - ““licensed collection centre” has the meaning given in regulation 4(b)(i);
    - “licensed quarantine centre” has the meaning given in regulation 4(a);
    - “licensed storage centre” has the meaning given in regulation 4(c)(i);”
  - (d) after the definition of “processing” insert—
    - ““semen” means the prepared or diluted ejaculate of a domestic animal of the bovine species;”
- (4) In regulation 3 (exceptions)—
- (a) in paragraph (2), in the text after sub-paragraph (c), for “intra-Community trade” substitute “ trade with a member State ”,
  - (b) omit paragraph (4).
- (5) In regulation 4 (licensing of bovine semen centres)—
- (a) in paragraph (a), for “(an “EC quarantine centre”)” substitute “ (a “licensed quarantine centre”) ”,

- (b) in paragraph (b)—
  - (i) in sub-paragraph (i), for “(an “EC collection centre”)” substitute “ (a “licensed collection centre” )”,
  - (ii) in sub-paragraphs (i) and (ii), for “intra-Community trade” substitute “ trade with a member State ”,
- (c) in paragraph (c)—
  - (i) in sub-paragraph (i) for “(an “EC storage centre”)” substitute “ (a “licensed storage centre” )”,
  - (ii) in sub-paragraphs (i) and (ii), for “intra-Community trade” substitute “ trade with a member State ”.
- (6) In regulation 22 (entry of bovine animals to EC quarantine centres, EC collection centres, domestic collection centres or to unlicensed premises)—
  - (a) in paragraph (2), after “in accordance with” insert “ the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.1 and the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.2 to ”,
  - (b) after paragraph (7) insert—
    - “(8) For the purposes of paragraph (2)—
      - (a) the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.1 to Directive [64/432/EEC](#) are to be read as if—
        - (i) the references to “competent authority” and “competent authority of a Member State” include—
          - (aa) in relation to Scotland, the Scottish Ministers,
          - [<sup>F1</sup>(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
        - (ii) the reference to “on its own territory” includes territory in the United Kingdom,
        - (iii) the reference to “in a Member State” were omitted,
        - (iv) the references to “the Member State or part of the Member State” and “the Member State or a part thereof” include the United Kingdom or part of the United Kingdom,
      - (b) the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.2 to Directive [64/432/EEC](#) are to be read as if—
        - (i) the references to “competent authority” and “competent authority of a Member State” include—
          - (aa) in relation to Scotland, the Scottish Ministers,
          - [<sup>F2</sup>(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
        - (ii) the reference to “the Member State or part of the Member state” includes the United Kingdom or part of the United Kingdom,
        - (iii) the references to “Member States, or regions of Member States” and “that Member State or region” include the United Kingdom or region of the United Kingdom.”.
- (7) In regulation 23 (movement of bovine animals)—

- (a) in paragraph (2)—
  - (i) for “another” substitute “ a ”,
  - (ii) after “in accordance with” insert “ Article 5 of ”,
- (b) after paragraph (2) insert—

“(3) For the purposes of paragraph (2), Article 5 of Directive [64/432/EEC](#) is to be read as if—

  - (a) the references to “health certificate” or “certification” are to “a certificate” as defined in these Regulations,
  - (b) the reference to “the competent authority” is to the Scottish Ministers,
  - (c) references to “conforming to either model 1 or 2 set out in Annex F as appropriate”, “according to either model 1 or 2 in Annex F as appropriate with Sections A and B” and “according to either model 1 or 2 in Annex F as appropriate” were omitted,
  - (d) paragraph 4 were omitted.”.
- (8) In regulation 29(c) (power of Scottish Ministers to grant exemptions) for “in another member State or in a third country” substitute “ outside the United Kingdom ”.
- (9) In regulation 30 (intra-Community trade in semen)—
  - (a) for the heading substitute “ Trade in semen to a member State ”,
  - (b) in paragraph (1)—
    - (i) in the text before sub-paragraph (a), for “for intra-Community trade” substitute “ to a member State ”,
    - (ii) in sub-paragraph (b), for “another member State or imported from a third country in accordance with the Directive” substitute “ outside the United Kingdom ”,
  - (c) for paragraph (2) substitute—

“(2) Any person who supplies semen to a member State must ensure that it is accompanied by a certificate.”.
- (10) In regulation 38(1) (notice concerning illegal consignments), for “another” substitute “ a ”.
- (11) In schedule 2 (duties of the centre veterinarian in EC quarantine centres)—
  - (a) in paragraph 1—
    - (i) in sub-paragraph (1)(a) after “in accordance with” insert “ sections A and B of Chapter 1 of Annex D to ”,
    - (ii) after sub-paragraph (2) insert—

“(3) For the purposes of sub-paragraph (1)(a), Section A(iii) of Chapter 1 of Annex D to Directive [64/432/EEC](#) is to be read as if the reference to “Member State or region” includes the United Kingdom or region of the United Kingdom.

(4) For the purposes of sub-paragraph (1)(b), Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—

      - (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
      - [<sup>F3</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”],
  - (b) at the end of paragraph 2 insert—

“(5) For the purposes of sub-paragraph (1)(a), Annex B to Directive [64/432/EEC](#) is to be read as if—

- (a) the reference to “Officially tuberculosis-free herd status may be suspended” includes the herd no longer being considered to be free from tuberculosis under the Tuberculosis (Scotland) Order 2007 <sup>M2</sup> (or legislation having equivalent effect in another part of the United Kingdom),
- (b) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
- (c) the reference to “Community legislation” includes these Regulations and legislation having equivalent effect in another part of the United Kingdom,
- (d) the reference to “in a region, Member States” includes—
  - (i) in Scotland, the Scottish Ministers,
  - [<sup>F4</sup>(ii) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
- (e) the reference to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” includes—
  - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - [<sup>F5</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to;]
- (f) the reference to “in their respective Member States” includes in respective parts of the United Kingdom.

(6) For the purposes of sub-paragraph (1)(b), Annex C to Directive [64/432/EEC](#) is to be read as if—

- (a) the references to “each Member State” and “the Member State” include the United Kingdom,
- [<sup>F6</sup>(b) the references to “certification” include a “certificate” as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;]
- (c) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
- (d) the reference to “officially brucellosis-free or brucellosis-free bovine herds” includes bovine herds which do not include bovine animals subject to measures imposed by a veterinary inspector under the Brucellosis (Scotland) Order 2009 <sup>M3</sup> (or legislation having equivalent effect in another part of the United Kingdom),
- (e) the reference to “National reference laboratories designated in accordance with Article 6a” includes—
  - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - [<sup>F7</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.]

(7) For the purposes of sub-paragraph (1)(c), Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—

- (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - [<sup>F8</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”],
- (c) at the end of paragraph 3 insert—
  - “(3) For the purposes of sub-paragraph (1)(a), Annex C to Directive 64/432/EEC is to be read as if—
    - (a) the references to “each Member State” and “the Member State” include the United Kingdom,
    - [<sup>F9</sup>(b) the references to “certification” include a “certificate” as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;]
    - (c) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
    - (d) the reference to “officially brucellosis-free or brucellosis-free bovine herds” includes bovine herds which do not include bovine animals subject to measures imposed by a veterinary inspector under the Brucellosis (Scotland) Order 2009 (or legislation having equivalent effect in another part of the United Kingdom),
    - (e) the reference to “National reference laboratories designated in accordance with Article 6a” includes—
      - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
      - [<sup>F10</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”].
- (12) In schedule 3 (duties of the centre veterinarian in EC collection centres)—
  - (a) in paragraph 1 of Part 1 (records of enzootic bovine leukosis and marking of semen doses)
    - 
    - (i) in sub-paragraph (1)(a) after “in accordance with” insert “ sections A and B of Chapter 1 of Annex D to ”,
    - (ii) after sub-paragraph (2) insert—
      - “(3) For the purposes of sub-paragraph (1)(a), Section A(iii) of Chapter 1 of Annex D to Directive 64/432/EEC is to be read as if the reference to “Member State or region” includes the United Kingdom or region of the United Kingdom.
      - (4) For the purposes of sub-paragraph (1)(b), Annex D (Chapter II) to Directive 64/432/EEC is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
        - (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
        - [<sup>F11</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”],
  - (b) in Part 2 (routine tests and treatment which must be applied to all bovine animals in EC collection centres)—
    - (i) at the end of paragraph 1 insert—

“(7) For the purposes of sub-paragraph (1)(a), Annex B to Directive 64/432/EEC is to be read as if—

- (a) the reference to “Officially tuberculosis-free herd status may be suspended” includes the herd no longer being considered to be free from tuberculosis under the Tuberculosis (Scotland) Order 2007 (or legislation having equivalent effect in another part of the United Kingdom),
- (b) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
- (c) the reference to “Community legislation” includes these Regulations and legislation having equivalent effect in another part of the United Kingdom,
- (d) the reference to “in a region, Member States” includes—
  - (i) in Scotland, the Scottish Ministers,
  - [<sup>F12</sup>(ii) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
- (e) the reference to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” includes—
  - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - [<sup>F13</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to;]
- (f) the reference to “in their respective Member States” includes in respective parts of the United Kingdom.

(8) For the purposes of sub-paragraph (1)(b), Annex C to Directive 64/432/EEC is to be read as if—

- (a) the references to “each Member State” and “the Member State” include the United Kingdom,
- [<sup>F14</sup>(b) the references to “certification” include a “certificate” as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;]
- (c) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
- (d) the reference to “officially brucellosis-free or brucellosis-free bovine herds” includes bovine herds which do not include bovine animals subject to measures imposed by a veterinary inspector under the Brucellosis (Scotland) Order 2009 (or legislation having equivalent effect in another part of the United Kingdom),
- (e) the reference to “National reference laboratories designated in accordance with Article 6a” includes—
  - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - [<sup>F15</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom

for co-ordinating the standards and methods of diagnosis referred to.]

- (9) For the purposes of sub-paragraph (1)(c), Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
- (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - <sup>[F16]</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”],
- (ii) in paragraph 2—
- (aa) in sub-paragraphs (1)(b)(i), (1)(c)(i)(bb), (2)(a), and (2)(b)(ii), for “supplied for intra-Community trade” substitute “ placed on the market ”,
  - (bb) in sub-paragraphs (1)(c)(i) and (2)(b) omit “the Directive and”,
- (iii) in paragraph 4, for “supplied for intra-Community trade” substitute “ the subject of trade with a member State ”.
- (c) in Part 3 (measures applicable to processing facilities at an EC collection centre)
- (i) in paragraph 1(a)(ii) for “the Directive” substitute “ legislation equivalent to these Regulations ”,
  - (ii) in paragraph 1(b)(i) and (c), for “intra-Community trade” substitute “ intended for trade with a member State ”,
- (d) in paragraph 4 of Part 4 (measures applicable to semen quarantine at an EC collection centre)—
- (i) paragraph 4 becomes paragraph 4(1),
  - (ii) in sub-paragraph (1)(a) after “in accordance with” insert “ sections A and B of Chapter 1 of Annex D to ”,
  - (iii) after sub-paragraph (1) insert—
- “ (2) For the purposes of sub-paragraph (1)(a), Section A(iii) of Chapter 1 of Annex D to Directive [64/432/EEC](#) is to be read as if the reference to “Member State or region” includes the United Kingdom or region of the United Kingdom.
- (3) For the purposes of sub-paragraph (1)(b) and the words following that sub-paragraph, Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
- (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - <sup>[F17]</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”].
- (13) In sub-paragraph 1(b) of schedule 4 (duties of the centre veterinarian in EC storage centres) after “the Directive”, in each place where it occurs, insert “ or legislation equivalent to these Regulations in another part of the United Kingdom ”.
- (14) In schedule 5 (duties of the centre veterinarian in domestic collection centres)—
- (a) in paragraph 1 of Part 1 (records of enzootic bovine leukosis and marking of semen doses)
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- (i) in sub-paragraph (1)(a) after “in accordance with” insert “ sections A and B of Chapter 1 of Annex D to ”,

(ii) after sub-paragraph (2) insert—

“(3) For the purposes of sub-paragraph (1)(a), Section A(iii) of Chapter 1 of Annex D to Directive 64/432/EEC is to be read as if the reference to “Member State or region” includes the United Kingdom or region of the United Kingdom.

(4) For the purposes of sub-paragraph (1)(b), Annex D (Chapter II) to Directive 64/432/EEC is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—

(a) in relation to Scotland, a laboratory approved by the Scottish Ministers,

[<sup>F18</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”],

(b) in Part 2 (routine tests and treatment which must be applied to all bovine animals in domestic collection centres)—

(i) paragraph 1 becomes paragraph 1(1),

(ii) after sub-paragraph (1) insert—

“(2) For the purposes of sub-paragraph (1)(a), Annex B to Directive 64/432/EEC is to be read as if—

(a) the reference to “Officially tuberculosis-free herd status may be suspended” includes the herd no longer being considered to be free from tuberculosis under the Tuberculosis (Scotland) Order 2007 <sup>M4</sup> (or legislation having equivalent effect in another part of the United Kingdom),

(b) the references to “intra-Community trade” include trade between the United Kingdom and a member State,

(c) the reference to “Community legislation” includes these Regulations and legislation having equivalent effect in another part of the United Kingdom,

(d) the reference to “in a region, Member States” includes—

(i) in Scotland, the Scottish Ministers,

[<sup>F19</sup>(ii) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]

(e) the reference to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” includes—

(i) in relation to Scotland, a laboratory approved by the Scottish Ministers,

[<sup>F20</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to;]

(f) the reference to “in their respective Member States” includes in respective parts of the United Kingdom.

(3) For the purposes of sub-paragraph (1)(b), Annex C to Directive 64/432/EEC is to be read as if—

(a) the references to “each Member State” and “the Member State” include the United Kingdom,



- [<sup>F21</sup>(b) the references to “certification” include a “certificate” as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;]
- (c) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
- (d) the reference to “officially brucellosis-free or brucellosis-free bovine herds” includes bovine herds which do not include bovine animals subject to measures imposed by a veterinary inspector under the Brucellosis (Scotland) Order 2009<sup>M5</sup> (or legislation having equivalent effect in another part of the United Kingdom),
- (e) the reference to “National reference laboratories designated in accordance with Article 6a” includes—
- (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
- [<sup>F22</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
- for co-ordinating the standards and methods of diagnosis referred to.]
- (4) For the purposes of sub-paragraph (1)(c), Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
- (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
- [<sup>F23</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
- for co-ordinating the standards and methods of diagnosis referred to.”],
- (c) in paragraph 2(1)(b)(iii) omit “the Directive and”,
- (d) in paragraph 1 of Part 3 (measures applicable to processing at a domestic collection centre)
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- (i) in sub-paragraph (a)(ii)—
- (aa) for the words “another part of the United Kingdom or another”, substitute “a”,
- (bb) insert at the end “ or under legislation equivalent to these Regulations in another part of the United Kingdom ”,
- (ii) in sub-paragraph (b), for the words from “marking” to the end substitute “ distinct marking that is different to marking used at licensed collection centres and licensed storage centres. ”,
- (e) in Part 4 (measures applicable to semen quarantine at a domestic collection centre)—
- (i) paragraph 3 becomes paragraph 3(1),
- (ii) in sub-paragraph (1)(a) after “in accordance with” insert “ sections A and B of Chapter 1 of Annex D to ”,
- (iii) after sub-paragraph (1) insert—
- “(2) For the purposes of sub-paragraph (1)(a), Section A(iii) of Chapter 1 of Annex D to Directive [64/432/EEC](#) is to be read as if the reference to “Member State or region” includes the United Kingdom or region of the United Kingdom.

- (3) For the purposes of sub-paragraph (1)(b) and the words following that sub-paragraph, Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
- (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - <sup>F24</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”].
- (15) In paragraph 2 of schedule 7 (duties of operators of unlicensed premises)—
- (a) in sub-paragraph (1)(a) after “in accordance with” insert “ sections A and B of Chapter 1 of Annex D to ”,
  - (b) after sub-paragraph (2) insert—
    - “(3) For the purposes of sub-paragraph (1)(a), Section A(iii) of Chapter 1 of Annex D to Directive [64/432/EEC](#) is to be read as if the reference to “Member State or region” includes the United Kingdom or region of the United Kingdom.
    - (4) For the purposes of sub-paragraph (1)(b), Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
      - (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
      - <sup>F25</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom, for co-ordinating the standards and methods of diagnosis referred to.”].
- (16) In schedule 8 (movement of bovine animals for semen collection)—
- (a) in Part 1 (bovine animals that may move to an EC or domestic collection centre or to unlicensed premises)—
    - (i) the existing text becomes paragraph 1(1) of Part 1,
    - (ii) in sub-paragraph (1)(a)(ii) and (b)(ii) for “another” substitute “ a ”,
    - (iii) after sub-paragraph (1) insert—
      - “(2) For the purposes of sub-paragraph (1)—
        - (a) paragraph 1(a) of Chapter 1 of Annex B to the Directive is to be read as if—
          - <sup>F26</sup>(i) the reference to “competent authority” includes the authority of another part of the United Kingdom which approves accommodation for the purpose of that period of quarantine, in accordance with legislation in force in that part of the United Kingdom;]
          - (ii) the reference to “Member State” includes the United Kingdom or part of the United Kingdom,
        - (b) paragraph 5 of Chapter 1 of Annex B to the Directive is to be read as if the reference to “Member States” includes the United Kingdom or part of the United Kingdom.”,
  - (b) in Part 2 (bovine animals that may move to a domestic collection centre or to unlicensed premises), paragraph 1—
    - (i) the existing text in paragraph 1 becomes paragraph 1(1),
    - (ii) in sub-paragraph (1)(a)—

- (aa) after “in accordance with” in the first place it occurs insert “ the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.1 to ”,
- (bb) after “in accordance with” in the second place it occurs insert “ Annex B to ”,
- (iii) in sub-paragraph (1)(b) after “in accordance with” insert “ the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.2 to ”,
- (iv) after paragraph (1) insert—
  - “(2) For the purposes of paragraph (1)—
    - (a) the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.1 to Directive [64/432/EEC](#) are to be read as if—
      - (i) the references to “competent authority” and “competent authority of a Member State” include—
        - (aa) in relation to Scotland, the Scottish Ministers,
        - [<sup>F27</sup>(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
      - (ii) the reference to “on its own territory” includes territory in the United Kingdom,
      - (iii) the reference to “in a Member State” were omitted,
      - (iv) the references to “the Member State or part of the Member State” and “the Member State or a part thereof” include the United Kingdom or part of the United Kingdom,
    - (b) the text before paragraph 1, paragraph 1 and paragraph 2 of Annex A.2 to Directive [64/432/EEC](#) are to be read as if—
      - (i) the references to “competent authority” and “competent authority of a Member State” include—
        - (aa) in relation to Scotland, the Scottish Ministers,
        - [<sup>F28</sup>(bb) in relation to another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
      - (ii) the reference to “the Member State or part of the Member state” includes the United Kingdom or part of the United Kingdom,
      - (iii) the references to “Member States, or regions of Member States” and “that Member State or region” include the United Kingdom or region of the United Kingdom,
    - (c) Annex B to Directive [64/432/EEC](#) is to be read as if—
      - (i) the reference to “Officially tuberculosis-free herd status may be suspended” includes the herd no longer being considered to be free from tuberculosis under the Tuberculosis (Scotland) Order 2007 (or legislation having equivalent effect in another part of the United Kingdom),
      - (ii) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
      - (iii) the reference to “Community legislation” includes these Regulations and legislation having equivalent effect in another part of the United Kingdom,

- (iv) the reference to “in a region, Member States” includes—
    - (aa) in Scotland, the Scottish Ministers,
    - [<sup>F29</sup>(bb) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
  - (v) the reference to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” includes—
    - (aa) in relation to Scotland, a laboratory approved by the Scottish Ministers,
    - [<sup>F30</sup>(bb) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to;]
  - (vi) the reference to “in their respective Member States” includes in respective parts of the United Kingdom.”,
- (c) in Part 2 (bovine animals that may move to a domestic collection centre or to unlicensed premises), paragraph 2—
- (i) the existing text in paragraph 2 becomes paragraph 2(1),
  - (ii) after sub-paragraph (1) insert—
    - “(2) For the purposes of sub-paragraph (1)(a), Annex B to Directive [64/432/EEC](#) is to be read as if—
    - (a) the reference to “Officially tuberculosis-free herd status may be suspended” includes the herd no longer being considered to be free from tuberculosis under the Tuberculosis (Scotland) Order 2007 <sup>M6</sup> (or legislation having equivalent effect in another part of the United Kingdom),
    - (b) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
    - (c) the reference to “Community legislation” includes these Regulations and legislation having equivalent effect in another part of the United Kingdom,
    - (d) the reference to “in a region, Member States” includes—
      - (i) in Scotland, the Scottish Ministers,
      - [<sup>F31</sup>(ii) in another part of the United Kingdom, an equivalent authority under legislation in force in that part of the United Kingdom;]
    - (e) the reference to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” includes—
      - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
      - [<sup>F32</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,

for co-ordinating the standards and methods of diagnosis referred to;]

- (f) the reference to “in their respective Member States” includes in respective parts of the United Kingdom.
- (3) For the purposes of sub-paragraph (1)(b), Annex C to Directive [64/432/EEC](#) is to be read as if—
- (a) the references to “each Member State” and “the Member State” include the United Kingdom,
  - <sup>F33</sup>(b) the references to “certification” include a “certificate” as defined in these Regulations or an equivalent certificate published by an authority in another part of the United Kingdom under legislation in force there;]
  - (c) the references to “intra-Community trade” include trade between the United Kingdom and a member State,
  - (d) the reference to “officially brucellosis-free or brucellosis-free bovine herds” includes bovine herds which do not include bovine animals subject to measures imposed by a veterinary inspector under the Brucellosis (Scotland) Order 2009<sup>M7</sup> (or legislation having equivalent effect in another part of the United Kingdom),
  - (e) the reference to “National reference laboratories designated in accordance with Article 6a” includes—
    - (i) in relation to Scotland, a laboratory approved by the Scottish Ministers,
    - <sup>F34</sup>(ii) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,for co-ordinating the standards and methods of diagnosis referred to.]
- (4) For the purposes of sub-paragraph (1)(c), Annex D (Chapter II) to Directive [64/432/EEC](#) is to be read as if the references to “The State institutes, national reference laboratories or official institutes designated in accordance with Article 6a” include—
- (a) in relation to Scotland, a laboratory approved by the Scottish Ministers,
  - <sup>F35</sup>(b) in relation to another part of the United Kingdom, a laboratory approved by an authority under legislation in force in that part of the United Kingdom,
- for co-ordinating the standards and methods of diagnosis referred to.”].

#### Textual Amendments

- F1** Words in reg. 22(6)(b) substituted (31.12.2020 immediately before IP completion day) by [The Animal Health and Welfare and Official Controls \(Agriculture\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/380\)](#), regs. 1(2), **3(3)(a)(i)**
- F2** Words in reg. 22(6)(b) substituted (31.12.2020 immediately before IP completion day) by [The Animal Health and Welfare and Official Controls \(Agriculture\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/380\)](#), regs. 1(2), **3(3)(a)(ii)**
- F3** Words in reg. 22(11)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by [The Animal Health and Welfare and Official Controls \(Agriculture\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/380\)](#), regs. 1(2), **3(3)(b)(i)**
- F4** Words in reg. 22(11)(b) substituted (31.12.2020 immediately before IP completion day) by [The Animal Health and Welfare and Official Controls \(Agriculture\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2020 \(S.S.I. 2020/380\)](#), regs. 1(2), **3(3)(b)(ii)(aa)**

- F5** Words in reg. 22(11)(b) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(b)(ii)(bb)**
- F6** Words in reg. 22(11)(b) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(b)(ii)(cc)**
- F7** Words in reg. 22(11)(b) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(b)(ii)(dd)**
- F8** Words in reg. 22(11)(b) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(b)(ii)(ee)**
- F9** Words in reg. 22(11)(c) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(b)(iii)(aa)**
- F10** Words in reg. 22(11)(c) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(b)(iii)(bb)**
- F11** Words in reg. 22(12)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(i)**
- F12** Words in reg. 22(12)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(ii)(aa)**
- F13** Words in reg. 22(12)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(ii)(bb)**
- F14** Words in reg. 22(12)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(ii)(cc)**
- F15** Words in reg. 22(12)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(ii)(dd)**
- F16** Words in reg. 22(12)(b)(i) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(ii)(ee)**
- F17** Words in reg. 22(12)(d)(iii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(c)(iii)**
- F18** Words in reg. 22(14)(a)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(i)**
- F19** Words in reg. 22(14)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(ii)(aa)**
- F20** Words in reg. 22(14)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(ii)(bb)**
- F21** Words in reg. 22(14)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(ii)(cc)**

- F22** Words in reg. 22(14)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(ii)(dd)**
- F23** Words in reg. 22(14)(b)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(ii)(ee)**
- F24** Words in reg. 22(14)(e)(iii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(d)(iii)**
- F25** Words in reg. 22(15)(b) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(e)**
- F26** Words in reg. 22(16)(a)(iii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(i)**
- F27** Words in reg. 22(16)(b)(iv) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(ii)(aa)**
- F28** Words in reg. 22(16)(b)(iv) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(ii)(bb)**
- F29** Words in reg. 22(16)(b)(iv) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(ii)(cc)**
- F30** Words in reg. 22(16)(b)(iv) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(ii)(dd)**
- F31** Words in reg. 22(16)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(iii)(aa)**
- F32** Words in reg. 22(16)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(iii)(bb)**
- F33** Words in reg. 22(16)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(iii)(cc)**
- F34** Words in reg. 22(16)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(iii)(dd)**
- F35** Words in reg. 22(16)(c)(ii) substituted (31.12.2020 immediately before IP completion day) by The Animal Health and Welfare and Official Controls (Agriculture) (EU Exit) (Scotland) (Amendment) Regulations 2020 (S.S.I. 2020/380), regs. 1(2), **3(3)(f)(iii)(ee)**

#### Commencement Information

- I1** Reg. 22 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)(b)

#### Marginal Citations

- M1** S.S.I. 2007/330, amended by S.S.I. 2013/151.
- M2** S.S.I. 2007/147, amended by S.S.I. 2009/445, S.S.I. 2013/173, S.S.I. 2014/71 and S.S.I. 2018/333.
- M3** S.S.I. 2009/232, amended by S.S.I. 2014/63 and S.S.I. 2014/72.
- M4** S.S.I. 2007/147, amended by S.S.I. 2009/445, S.S.I. 2013/173, S.S.I. 2014/71 and S.S.I. 2018/333.
- M5** S.S.I. 2009/232, amended by S.S.I. 2014/63 and S.S.I. 2014/72.

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**Changes to legislation:** There are currently no known outstanding effects for the The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 22. (See end of Document for details)

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- M6** [S.S.I. 2007/147](#), amended by [S.S.I. 2009/445](#), [S.S.I. 2013/173](#), [S.S.I. 2014/71](#) and [S.S.I. 2018/333](#).  
**M7** [S.S.I. 2009/232](#), amended by [S.S.I. 2014/72](#).



**Changes to legislation:**

There are currently no known outstanding effects for the The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 22.