
SCOTTISH STATUTORY INSTRUMENTS

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 Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009

25.—(1) The Sheep and Goats (Records, Identification and Movement) (Scotland) Order 2009^{M1} is amended as follows.

(2) In article 2(1) (interpretation)—

- (a) in the definition of “export” for “another” substitute “ a ”,
- (b) in the definition of “identification code” for “, Northern Ireland or another” substitute “ or Northern Ireland, or any provision giving effect to Council Regulation (EC) No. 21/2004^{M2} of 17th December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC as it has effect in EU law in a ”.

(3) In article 9 (animals sent for export)—

- (a) in paragraph (4), for the words from “requirements of” to the end substitute—
“following requirements—
 - (a) have been continuously present on the holding of origin for at least 30 days, or since birth if the animals are younger than 30 days of age,
 - (b) do not come from a holding into which ovine or caprine animals have been introduced during the 21 days prior to dispatch,
 - (c) do not come from a holding into which biungulate animals imported from a third country have been introduced during the 30 days prior to dispatch.”,

(b) after paragraph (4) insert—

“(5) For the purposes of paragraph (4), a holding of origin means any holding on which the ovine and caprine animals have been continuously present and on which records are maintained demonstrating the residence of the animals which may be audited.”

(4) In article 11 (receipt of animals from member State)—

- (a) in the heading, for “another” substitute “ a ”,
- (b) in paragraph (1)—
 - (i) in the text before sub-paragraph (a), for “another” substitute “ a ”,
 - (ii) in sub-paragraph (a), insert at the end “ or Council Regulation (EC) No. 21/2004 of 17th December 2003 establishing a system for the identification and registration

of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC as it has effect in EU law ”,

(c) in paragraph (2)—

(i) for “another” substitute “ a ”,

(ii) insert at the end “ or Council Regulation (EC) No. 21/2004 of 17th December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC as it has effect in EU law ” .

(5) In article 37(alteration of means of identification)—

(a) in paragraph (b) omit “or another member State”,

(b) after paragraph (c) insert—

“(ca) “Council Regulation (EC) No. 21/2004 of 17th December 2003 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No. 1782/2003 and Directives 92/102/EEC and 64/432/EEC as it has effect in EU law in a member State”,

(c) for paragraph (d) substitute—

“(d) Council Directive 92/102/EEC^{M3}, in the case of an animal marked in a member State in accordance with that Directive”.

(6) In article 38(1)(i) (powers of inspectors) omit “representative of the European Commission acting for the purpose of the Council Regulation or any other”.

Commencement Information

I1 Reg. 25 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. 2009/414, amended by S.S.I. 2018/391. The amendments made by S.S.I. 2018/391 come into force on 28 February 2019.

M2 OJ L 5, 9.1.2004, p.8.

M3 OJ L 355, 5.12.92, p.32, repealed by Directive 2008/71/EC (OJ L 213, 8.8.2008, p.31.).

Changes to legislation:

There are currently no known outstanding effects for the The Animal Health (EU Exit) (Scotland) (Amendment) Regulations 2019, Section 25.