

## SCHEDULE 9

Regulation 104

**Revocations and savings**

Regulation 104(1)

## PART I

## REVOCATIONS

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The Bovine Spongiform Encephalopathy (No. 2) Order 1996 (S.I. <a href="#">1996/3183</a> )	The whole Order
The Bovine Spongiform Encephalopathy Compensation Order 1996 (S.I. <a href="#">1996/3184</a> )	The whole Order
The Specified Risk Material Order 1997 (S.I. <a href="#">1997/2964</a> )	Articles 5 and 7 to 14
The Specified Risk Material Regulations 1997 (S.I. <a href="#">1997/2965</a> )	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. <a href="#">1998/954</a> )	The whole Regulations
The Fertilisers (Mammalian Meat and Bone Meal) (Conditions of Manufacture) Regulations 1998 (S.I. <a href="#">1998/955</a> )	The whole Regulations
The Sheep and Goats Spongiform Encephalopathy Order 1998 (S.I. <a href="#">1998/1645</a> )	The whole Order
The Sheep and Goats Spongiform Encephalopathy Regulations 1998 (S.I. <a href="#">1998/1646</a> )	The whole Regulations
The Sheep and Goats Spongiform Encephalopathy (Compensation) Order 1998 (S.I. <a href="#">1998/1647</a> )	The whole Order
The BSE Offspring Slaughter Regulations 1998 (S.I. <a href="#">1998/3070</a> )	The whole Regulations
The Bovine Spongiform Encephalopathy (Feeding Stuffs and Surveillance) Regulations 1999 (S.I. <a href="#">1999/882</a> )	The whole Regulations
The Processed Animal Protein (England) Regulations 2001 (S.I. <a href="#">2001/2376</a> )	Regulations 4 to 9, 12 to 16 and Schedules 1, 2 and 3
The BSE Monitoring (England) Regulations 2001 (S.I. <a href="#">2001/1644</a> )	The whole Regulations

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Regulation 104(2)

## PART II

### SAVINGS OF THINGS DONE UNDER THE BOVINE SPONGIFORM ENCEPHALOPATHY (NO. 2) ORDER 1996(1)

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 feedingstuff 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 feedingstuff, shall have effect as if it were a notice issued under regulation 29(3) of these Regulations.

Regulation 104(3)

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(1) S.I. 1996/3183, as amended by S.I. 1997/2387, S.I. 1998/3071 and S.I. 1999/921.

## PART III

### SAVINGS OF THINGS DONE UNDER THE SPECIFIED RISK MATERIAL ORDER 1997(2)

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 feedingstuff 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.  
Regulation 104(4)

## PART IV

### SAVINGS OF THINGS DONE UNDER THE SPECIFIED RISK MATERIAL REGULATIONS 1997(3)

1. Any approval by the Minister 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)

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

(3) S.I. 1997/2965, as amended by S.I. 1997/3062, S.I. 1998/2405 (as amended by S.I. 1998/2431), S.I. 2000/2672, 2000/3381 and 2001/817.

## PART V

### SAVINGS OF THINGS DONE UNDER THE FERTILISERS (MAMMALIAN MEAT AND BONE MEAL) (CONDITIONS OF MANUFACTURE) REGULATIONS 1998(4)

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(5), 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.  
Regulation 104(6)

## PART VI

### SAVINGS OF THINGS DONE UNDER THE SHEEP AND GOATS SPONGIFORM ENCEPHALOPATHY ORDER 1998(6) AND THE SHEEP AND GOATS SPONGIFORM ENCEPHALOPATHY REGULATIONS 1998(7)

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)

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(4) S.I. 1998/954.

(5) 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).

(6) S.I. 1998/1645.

(7) S.I. 1998/1646.

## PART VII

### SAVINGS OF THINGS DONE UNDER THE BOVINE SPONGIFORM ENCEPHALOPATHY (FEEDING STUFFS AND SURVEILLANCE) REGULATIONS 1999(8)

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 Secretary of State or the local authority for the purposes of these Regulations.

Regulation 104(8)

## PART VIII

### SAVINGS OF THINGS DONE UNDER THE BSE MONITORING (ENGLAND) REGULATIONS 2001(9)

1. Any appointment of an inspector by the Minister or a local authority for the purposes of the BSE Monitoring 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 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.

3. Any appointment of an agent by the Minister under regulation 3 of the BSE Monitoring 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 Secretary of State 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 REGULATIONS 2001(10)

1. Any approval by the Minister under regulation 5 of the Processed Animal Protein Regulations 2001 having effect at the coming into force of these Regulations shall have effect as if it were an approval by the Secretary of State under regulation 16 of these Regulations.

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

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

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(8)  
(9)  
(10)

S.I. 1999/882.  
S.I. 2001/1644, as amended by S.I. 2001/3960.  
S.I. 2001/2376.

**Status:** This is the original version (as it was originally made).

**4.** Any authorisation of premises for the purposes of paragraph 6 of Annex I to the Commission Decision by the Minister under regulation 13(2) of the Processed Animal Protein 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 Minister under regulation 14(2) of the Processed Animal Protein 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 Minister under regulation 15(2) of the Processed Animal Protein 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 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 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.