
STATUTORY INSTRUMENTS

2019 No. 117

**The Animal Breeding (Amendment)
(EU Exit) Regulations 2019**

PART 2

**Amendments to Regulation (EU) No 2016/1012
of the European Parliament and of the Council**

Amendments to Chapter 10 (Official controls and other official activities, administrative assistance, cooperation and enforcement)

11.—(1) In the heading to Chapter 10, omit “by Member States”.

(2) In Article 39—

(a) in paragraph 1, for “Member States” substitute “The appropriate authority”;

(b) in paragraph 2—

(i) in the words before point (a), for “Each Member State shall” substitute “The appropriate authority must”;

(ii) in point (b)—

(aa) in point (i), after “Article 12” insert “of this Regulation or of the EU Regulation”;

(bb) in point (ii), after “Articles 48 and 49” insert “of this Regulation or of the EU Regulation”;

(iii) in point (c), omit “and notify that website to the Commission”;

(c) omit paragraph 3.

(3) In Article 40, for “Member States” substitute “the appropriate authority”.

(4) In Article 42(1), for “Union law or national law” substitute “the law in force in the United Kingdom or in the constituent territory of the United Kingdom where the competent authority is located”.

(5) For Article 43(5), substitute—

“**5.** Competent authorities must perform official controls in the same manner irrespective of whether the breeding animals or the germinal products of the breeding animals originate in the United Kingdom or are entering the United Kingdom from a member State or from a third country.”.

(6) Omit Article 47(4).

(7) In Article 48—

(a) for paragraph 1 substitute—

“**1.** Where non-compliance originates in, spreads to, or affects countries other than the United Kingdom, competent authorities in the United Kingdom must—

- (a) cooperate with one another and with the competent authorities of member States and third countries;
 - (b) provide administrative assistance to those competent authorities,
- in order to ensure the correct application of the rules provided for in this Regulation or in the EU Regulation.”.
- (b) in paragraph 2—
 - (i) in point (a)—
 - (aa) after “request by a competent authority” insert “of a constituent territory of the United Kingdom or”;
 - (bb) for “from a competent authority of another Member State” substitute “from a competent authority of a constituent territory of the United Kingdom or of a member State”;
 - (ii) for point (b) substitute—
 - “(b) in the case of a non-compliance which might have implications for other constituent territories of the United Kingdom or for member States, the notification of the competent authorities of those other constituent territories of the United Kingdom or of member States by the competent authority aware of the non-compliance;”;
 - (iii) in point (d)(ii), after “this Regulation” insert “or of the EU Regulation”;
 - (iv) for point (e) substitute—
 - “(e) by agreement between the competent authorities concerned, participation by a competent authority of a constituent territory of the United Kingdom or of a member State in on-the-spot official controls performed by the competent authorities of another constituent territory of the United Kingdom or of a member State.”;
 - (c) for paragraph 3 substitute—

“3. Where official controls performed on breeding animals or their germinal products originating in a member State show repeated instances of non-compliance with the rules provided for in this Regulation or in the EU Regulation, the competent authority in the United Kingdom which has performed those official controls may inform the Commission and competent authorities of member States.”.
- (8) In Article 49—
- (a) in the heading, after “Notification of” insert “other competent authorities in the United Kingdom,”;
 - (b) in paragraph 1—
 - (i) in the words before point (a), after “this Regulation” insert “or in the EU Regulation”;
 - (ii) in point (a), for “Member States” substitute “constituent territories of the United Kingdom and of member States”;
 - (c) in paragraph 2—
 - (i) in the words before point (a), after “this Regulation” insert “or the EU Regulation”;
 - (ii) in point (b), omit “Union and national”.
- (9) Omit Articles 50 to 52.