
STATUTORY INSTRUMENTS

2019 No. 223

**The Invasive Non-native Species
(Amendment etc.) (EU Exit) Regulations 2019**

PART 3

Amendment of retained direct EU legislation

Amendment of Chapter 3 (early detection and rapid eradication)

7.—(1) Chapter 3 is amended as follows.

(2) In Article 14—

- (a) in paragraph 1, for “Member States” substitute “the appropriate authority”;
- (b) in paragraph 2—
 - (i) in point (a), for “the territory, including marine territorial waters, of the Member States” substitute “England, Wales and Northern Ireland”;
 - (ii) in point (b), for “the territory or part of the territory of a Member State” substitute “England, Wales and Northern Ireland”;
 - (iii) in point (c), after “set out in” insert “retained EU law which transposed”.

(3) In Article 15—

- (a) in paragraph 1, for “Member States” substitute “the Secretary of State”;
- (b) in paragraph 3, for the second sentence substitute “In paragraphs 4 to 6 and 8, “the competent authority” means the authority responsible for carrying out the official controls mentioned in paragraph 2.”;
- (c) in paragraph 4(a)—
 - (i) omit “referred to in paragraph 3”;
 - (ii) after “in accordance with”, insert “retained EU law which implemented or transposed”;
- (d) in paragraph 5—
 - (i) in point (b) omit “referred to in paragraph 3”;
 - (ii) in the second subparagraph, for “Member States” substitute “The Secretary of State”;
- (e) in paragraph 6, for “Member State concerned” substitute “competent authority”;
- (f) in paragraph 7, for “Member States” substitute “The Secretary of State”;
- (g) in paragraph 8, for the words from “the Commission” to “shall” substitute “the Secretary of State, together with the competent authority, must”.

(4) In Article 16—

- (a) in paragraph 1, for “Member States” substitute “The appropriate authority”;
- (b) in paragraph 2—

- (i) for “Member States” substitute “The appropriate authority”;
 - (ii) for “the Commission” substitute “other responsible authorities”;
 - (iii) omit “inform the other Member States”.
- (5) In Article 17—
- (a) in paragraph 1, for “the Commission and inform the other Member States” substitute “the other responsible authorities”;
 - (b) for “Member States”, in paragraphs 1 and 2, substitute “the appropriate authority”;
 - (c) for “Member States”, in paragraphs 3 and 4, substitute “The appropriate authority”;
 - (d) in paragraph 4—
 - (i) for “the Commission”, in both places where it occurs, substitute “the other responsible authorities”;
 - (ii) omit the last sentence.
- (6) In Article 18—
- (a) in paragraph 1—
 - (i) for “A Member State may” substitute “The responsible authorities, acting jointly, may”;
 - (ii) omit the second subparagraph;
 - (b) omit paragraphs 2 and 3;
 - (c) in paragraph 4—
 - (i) for “Member States”, in the first place where it occurs, substitute “The appropriate authority”;
 - (ii) for “Member States”, in the second place where it occurs, substitute “parts of the United Kingdom”;
 - (d) in paragraph 5—
 - (i) for the words from “the Commission” to “subparagraph of” substitute “the responsible authorities decide not to make a decision referred to in”;
 - (ii) for “the Member State concerned” substitute “the appropriate authority”;
 - (e) in paragraph 6, for the words “Commission does not reject a decision notified in accordance with the second paragraph of” substitute “responsible authorities make a decision referred to in”.