

SCHEDULE

Regulation 11

MODIFICATION OF DIRECTIVE 2006/88/EC

1. Where an enactment provides that references to Directive 2006/88/EC are to be read subject to the modifications in this Schedule, that Directive is to be read for the purposes of that enactment as follows.

Commencement Information

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

2. Article 10 is to be read as if—

- (a) in paragraph 4, for the words from “to be drawn” to “Article 62(2)” there were substituted “ in Decision 2008/896/EC ”;
- (b) paragraph 5 were omitted.

Commencement Information

I2 Sch. para. 2 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

3. Article 17 is to be read as if—

- (a) in paragraph 1—
 - (i) in both places where it appears, after “Member State,” there were inserted “ constituent UK territory ”;
 - (ii) in subparagraph (a), for “another” there were substituted “ a ”;
- (b) in paragraph 2, the words from “in accordance” to “Article 62(2)” were omitted;
- (c) paragraph 3 were omitted.

Commencement Information

I3 Sch. para. 3 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

4. Article 20 is to be read as if, in paragraph 1—

- (a) after “Member State”, in the first place where it appears, there were inserted “ , constituent UK territory ”;
- (b) after “Member State,”, there were inserted “ constituent UK territory, ”.

Commencement Information

I4 Sch. para. 4 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1

5. Article 29 is to be read as if—

- (a) in paragraph 1(b), for “Member States, zones and compartments” there were substituted “ the United Kingdom, a constituent UK territory, zone or compartment ”;

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(b) paragraph 4 were omitted.

Commencement Information

I5 Sch. para. 5 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

6. Article 39 is to be read as if, for “Member State”—

- (a) in the first place where it appears, there were substituted “the United Kingdom, constituent UK territory”;
- (b) in the second place where it appears, there were substituted “the United Kingdom or constituent UK territory”.

Commencement Information

I6 Sch. para. 6 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

7. Article 43 is to be read as if paragraphs (2) and (3) were omitted.

Commencement Information

I7 Sch. para. 7 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

8. Article 44 is to be read as if—

- (a) in paragraph 1—
 - (i) after “Member State”, in the first place where it appears, there were inserted “, in respect of the United Kingdom or a constituent UK territory”;
 - (ii) after “approval”, in the first place where it appears, the words from “in accordance” to “that procedure” were omitted;
 - (iii) the fourth unnumbered paragraph were omitted.
- (b) in paragraph 2—
 - (i) for “a Member State” there were substituted “the United Kingdom or a constituent UK territory is”;
 - (ii) before “draws up” there were inserted “and”;
 - (iii) after “approval” the words from “in accordance” to “that procedure” were omitted;
- (c) paragraph 3 were omitted.

Commencement Information

I8 Sch. para. 8 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

9.—(1) Article 49 is to be read as if—

- (a) in paragraph 1—

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- (i) for “A Member State” there were substituted “ The United Kingdom or a constituent UK territory, ”;
 - (ii) the words from “in accordance” to “Article 62(2)” were omitted;
 - (iii) in points (b) and (c), for “Member State” there were substituted “ United Kingdom or constituent UK territory ”;
- (b) in paragraph 2—
- (i) the references to “neighbouring Member States” were, in relation to the United Kingdom, references to neighbouring member States, and, in relation to a constituent UK territory, references to neighbouring constituent UK territories;
 - (ii) for the words from “the Member State shall establish” to “territory” there were substituted “ the appropriate authority shall establish appropriate buffer zones in the territory for which it is responsible ”;
 - (iii) the reference to “the disease-free Member State” were to the United Kingdom or constituent UK territory, as the case may be;
- [^{F1}(c) paragraph 3 were omitted.]
- (2) For the purposes of the references to Article 49 in Article 20 of Directive [2006/88/EC](#)—
- (a) paragraph (1)(a) does not apply;
 - (b) paragraph (1)(c) does not apply for the purposes of the application of Article 49(3) in relation to a member State;
 - (c) any reference in Article 49 to “Member State” or “Member States” is to be taken to include a reference to a constituent UK territory.

Textual Amendments

- F1** Sch. para. 9(1)(c) substituted (31.12.2020 immediately before IP completion day) by [The Animal Health, Alien Species in Aquaculture and Invasive Non-native Species \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/813\)](#), regs. 1, [3\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I9** Sch. para. 9 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

10. Article 50 is to be read as if paragraphs (2), (3) and (4) were omitted.

Commencement Information

- I10** Sch. para. 10 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

11. Article 51(2) is to be treated as omitted.

Commencement Information

- I11** Sch. para. 11 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

12. Article 52 is to be read as if—

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- (a) for “A Member State that” there were substituted “ Where the United Kingdom or a constituent UK territory ”;
- (b) the words “in Member States” were omitted.

Commencement Information

I12 Sch. para. 12 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

13. Article 53(3) is to be read as if for “Member State” there were substituted “ the United Kingdom, constituent UK territory ”.

Commencement Information

I13 Sch. para. 13 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

14. Article 57 is to be read as if—

- (a) for “this Directive” there were substituted “ retained EU law relating to animal health requirements for aquaculture animals and products, and the prevention and control of diseases in aquatic animals ”;
- (b) for the words from “diagnostic methods” to “Article 62(2)” there were substituted “ diagnostic methods established by Decision 2015/1554 ”.

Commencement Information

I14 Sch. para. 14 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

15. Article 59 is to be treated as omitted.

Commencement Information

I15 Sch. para. 15 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

16. Part B of Annex 3 is to be read as if, before “Article 44”, “Article 49” and “Article 50” in each place where it appears, there were inserted “provision made under”.

Commencement Information

I16 Sch. para. 16 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

17. Part 1 of Annex 5 is to be read as if, in paragraph 2(b), for “methods adopted pursuant to Article 49(3)” there were substituted “ the methods established by Decision 2015/1554 ”.

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I17 Sch. para. 17 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

18. Part 2 of Annex 5 is to be read as if paragraphs 1.2, 1.3, 2.2 and 3.7 were omitted.

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I18 Sch. para. 18 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

19. References to Chapter 5 are to be read as if such references were to retained EU law relating to disease control measures in relation to animal health requirements for aquaculture animals and products, and the prevention and control of diseases in aquatic animals.

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I19 Sch. para. 19 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Aquatic Animal Health and Alien Species in Aquaculture (Amendment etc.) (EU Exit) Regulations 2019, SCHEDULE.