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STATUTORY INSTRUMENTS

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**2019 No. 795**

**The Import of and Trade in Animals and Animal Products (Amendment etc.) (EU Exit) Regulations 2019**

**PART 4**

Amendments to retained direct EU legislation

**Commission Implementing Decision (EU) 2018/320 on certain animal health protection measures for intra-Union trade in salamanders and the introduction into the Union of such animals in relation to the fungus *Batrachochytrium salamandrivorans***

**49.**—(1) Commission Implementing Decision (EU) 2018/320 on certain animal health protection measures for intra-Union trade in salamanders and the introduction into the Union of such animals in relation to the fungus *Batrachochytrium salamandrivorans* is amended as follows.

(2) In Article 1—

- (a) omit “intra-Union”;
- (b) for “Union”, in the second place where it appears, substitute “United Kingdom”.

(3) In Article 2—

- (a) in point (f)—
  - (i) omit “before being dispatched to another Member State or”;
  - (ii) for “Union”, substitute “United Kingdom”;
- (b) in point (h)—
  - (i) for “Union”, substitute “United Kingdom”;
  - (ii) omit the words from “and drawn up” to the end;
- (c) after point (i), insert—
  - “(j) “the appropriate authority” means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales), the Scottish Ministers (in relation to Scotland) and the Department of Agriculture, Environment and Rural Affairs (in relation to Northern Ireland); but “the appropriate authority” is the Secretary of State if consent is given by:
    - (i) in relation to Wales, the Welsh Ministers;
    - (ii) in relation to Scotland, the Scottish Ministers;
    - (iii) in relation to Northern Ireland, the Department of Agriculture, Environment and Rural Affairs;
  - (k) “third country” means any country other than a member State or the British Islands.”.

(4) In Article 3—

- (a) in the heading, omit “intra-Union”;

- (b) in paragraph 1—
    - (i) for the words before (a), substitute—
      - “1. The appropriate authority shall prohibit the import into the United Kingdom of consignments of salamanders except:”,
    - (ii) in point (a), for “set out in Part A of Annex I”, substitute “as published by the appropriate authority from time to time”,
    - (iii) in point (b), for “to the Member State of destination”, substitute “to the United Kingdom”;
  - (c) in paragraph 2—
    - (i) for the words before point (a), substitute—
      - “2. Where consignments of salamanders from member States which have originated from a third country have already undergone quarantine in the appropriate establishment of destination in accordance with Article 6, the appropriate authority may only authorise the acceptance of such consignments into the United Kingdom where they comply with the following conditions:”,
    - (ii) in point (b)—
      - (aa) for “Union”, substitute “United Kingdom”,
      - (bb) for “set out in Part A of Annex I”, substitute “as published by the appropriate authority from time to time”.
- (5) In Article 4—
- (a) in the heading, for “Union”, substitute “United Kingdom”;
  - (b) in the words before point (a)—
    - (i) for “Member States”, substitute “The appropriate authority”,
    - (ii) for “Union”, substitute “United Kingdom”;
  - (c) in point (a)(i), for “[Decision 2004/211/EC](#)”, substitute “Commission Implementing Regulation (EU) 2018/659”;
  - (d) in point (b), for “set out in Part B of Annex I”, substitute “as published by the appropriate authority from time to time”;
  - (e) in point (c), for “Union”, substitute “United Kingdom”.
- (6) In Article 5, for the words before point (a), substitute—
- “The appropriate authority shall ensure that border inspection posts do not accept the entry into the United Kingdom of any consignments of salamanders unless importers or their agents have provided a written attestation in English (other languages may also appear), signed by the person responsible for the appropriate establishment of destination, stating:”.
- (7) In Article 6—
- (a) in the heading, for “Union”, substitute “United Kingdom”;
  - (b) in paragraph 1—
    - (i) in the words before point (a), for “Member States”, substitute “The appropriate authority”,
    - (ii) for “Union”, substitute “United Kingdom”.
- (8) In Article 7, in paragraph 1, in the words before point (a), for “Member States”, substitute “The appropriate authority”.
- (9) In Article 8, for “Member States”, substitute “The appropriate authority”.

(10) In Article 9, for the words before point (a), substitute—

“At the latest by 30 June each year, starting from 2019, where the appropriate authority has authorised the handling of consignments of salamanders in the previous year at a border inspection post in the United Kingdom, the competent authority at the border inspection post shall notify the appropriate authority of the following information related to the introduction of salamander consignments into the United Kingdom:”.

(11) Omit Articles 10 and 12.

(12) Omit Annex 1.